



Planning Committee
Monday, 2nd September, 2024 at 10.00 am
in the Assembly Room, Town Hall, Saturday Market
Place, King's Lynn PE30 5DQ

Reports marked to follow on the Agenda and/or Supplementary Documents

1. **Urgent Business Under Standing Order 7 (Pages 2 - 42)**

To consider any business, which by reason of special circumstances, the Chair proposes to accept, under Section 100(b)(4)(b) of the Local Government Act, 1972.

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2 September 2024

24/00264/F

**Wild Luxury - The Wild Glamping Company, Drove Orchards, Thornham Road,
Holme Next The Sea**

Report of the Executive Director of Environment and Planning, pursuant to the Scheme of Delegation

Parish:	HOLME-NEXT-THE-SEA and THORNHAM
Purpose report:	of TO NOTE THE DECISION TAKEN IN RESPECT OF PLANNING APPLICATION 24/00264/F.
Location:	DROVE ORCHARDS, THORNHAM ROAD, HOLME NEXT THE SEA

Summary

Planning Application 24/00264/F was determined under delegated powers as a result of the applicant/agent’s failure to disclose an interest relating to a direct relative of a Councillor of the Authority. This procedural irregularity has been identified.. The application was approved subject to conditions. The purpose of the report is notify Members of this procedural irregularity which will be reported to the Monitoring Officer.

1. THE APPLICATION

1.1 Section 1.1.2 of the Planning Scheme of Delegation allows for the Executive Director – Environment & Planning to have powers delegated to determine planning applications, listed building applications, and applications for advertisement consent under delegated powers except :

d) when it relates to a development proposal submitted by or on behalf of a Councillor of the Authority (or their spouse/partner or another direct relative) or by any member of the Council’s staff (or their spouse/partner) who is involved in the planning or development process.

- 1.2 The application was determined under delegated powers and the decision notice was issued granting permission on 7 August 2024. Taking the information submitted with the application into account, it appeared to be the correct procedure in accordance with the Planning Scheme of Delegation.
- 1.3 Subsequently, it became apparent that there was an error with the decision-making process on the side of the applicant/agent and their failure to declare on the application form that a direct relative of a Councillor of the Authority had an interest.
- 1.4 The application form states that Drove Orchards and the Wild Luxury Glamping Company are joint applicants. However, the land relating to the application site is solely owned by OAJ Investments Ltd which is in the ownership of a direct relative of Councillor Jamieson. In accordance with Section 1.1.2 (d) of the Planning Scheme of Delegation, the application therefore relates to a proposal submitted by a direct relative of a Councillor of the Authority.
- 1.5 Given that the landowner is directly related to an elected member, the Planning Scheme of Delegation removes the mechanism for the decision to be made at officer level. Whilst the decision has been made under delegated powers without the knowledge of this interest, it is correct to report the matter to Planning Committee to note this procedural irregularity. Should the application have been presented to Committee, the same recommendation would have been made. The decision making process is therefore fully transparent and will be reported to the Monitoring Officer.
- 1.6 The delegated report and decision notice are attached as Appendix A and B.

2. RECOMMENDATION

- 3.1 Given the unfortunate events identified above, Members are asked to note the report and that the decision has been issued. Officers will work with the Monitoring Officer to ensure that these circumstances do not happen again.

APPENDIX A

**KING'S LYNN AND WEST NORFOLK BOROUGH COUNCIL
PLANNING OFFICER REPORT**

Parish: Thornham

Proposal: The addition of five holiday lodges to the existing glamping provision plus associated car parking.

Location: Wild Luxury - The Wild Glamping Company Drove Orchards
Thornham Road Holme next The Sea Norfolk

Applicant: Drove Orchards and Wild Luxury

Application Type: Full Application

Registration Date: 7th March 2024
Target Date: 2 May 2024
Date for Determination: 2 May 2024
Extension of Time Expiry Date: 2 August 2024

RELEVANT POLICY FRAMEWORK

LDF CORE STRATEGY POLICIES

CS01 - Spatial Strategy
CS02 - The Settlement Hierarchy
CS06 - Development in Rural Areas
CS07 - Development in Coastal Areas
CS08 - Sustainable Development
CS10 - The Economy
CS11 - Transport
CS12 - Environmental Assets

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PLAN 2016

DM1 – Presumption in Favour of Sustainable Development
DM2 – Development Boundaries
DM15 – Environment, Design and Amenity
DM11 – Touring and Permanent Holiday Sites
DM17 - Parking Provision in New Development

NEIGHBOURHOOD PLAN POLICIES

Neighbourhood Plan: Yes

Thornham Parish Neighbourhood Plan: -

Policy EMP4: Tourism Related Development
Policy EMP5: New Parking Provision
Policy L3: Dark Skies

Holme-Next-The-Sea Neighbourhood Plan: -

HNTS 1: Principle of Sustainable Development
Policy HNTS4: Adaptation and resilience Zone
Policy HNTS5: Countryside Zone
Policy HHNTS6: Drove Orchards
Policy HNTS7: Natural Capital and Ecosystem Services
Policy HNTS8: Sustainable Travel and Tourism
Policy HNTS9: Touring and Permanent Holiday Accommodation
Policy HNTS20: AONB Landscape Quality
Policy HNTS22: Biodiversity
Policy HNTS25: Traffic and Car Parking

NATIONAL GUIDANCE

National Planning Policy Framework (NPPF)
Planning Practice Guidance (PPG)
National Design Guide 2021

Decision: APPROVE

THE SITE AND APPLCIATION

The application site relates to a parcel of land, measuring approx. 0.8ha, which forms part of the wider Drove Orchards site, located on the northern side of the A149 Thornham Road.

The main site at Drove Orchards lies within the village of Holme, whereas the application site itself lies to the north-east within the Parish of Thornham. The existing main site access is proposed to be utilised to serve the proposed development which is in Holme Parish.

The application seeks full planning permission for the addition of five holiday lodges in association with the existing glamping provision on the wider site, and associated car parking.

The wider Drove Orchards site comprises agricultural land, orchards, wild meadows, glamping accommodation, farm shop, fishmonger, butcher, bakery, garden nursery, restaurants and other Class E uses.

The parcel of land subject to this application is 'L-shaped' and currently comprises grassed agricultural land (unused) with a corrugated agricultural barn to the south-west and an orchard in the centre.

The existing main site access from the A149 is proposed to be utilised with the access track running northwards through the wider site centrally. At its northmost point, the track turns eastwards which leads to an existing parking area, which is proposed to be extended to provide parking provision for the proposed development. An on-site 'buggy' would transport the visitors from the car park area to the glamping accommodation further to the east via a footpath.

The five proposed holiday lodges would be single storey in height, measuring approx. 104sqm with the total area including a terrace, of 190sqm each. They each would comprise two bedrooms.

It is proposed for the holiday lodges to occupied all year round.

Relevant Planning History:

There is extensive planning history across the wider site but the most relevant is as follows: -

13/01366/F: Application Permitted: 04/12/13 - Change of use of grassland for the use of three farm tents - Land North West of Holmebush, Thornham Road, Thornham

13/01366/DISC_A: Discharge of Condition final letter: 04/02/14 - Discharge of condition 5 of planning permission 13/01366/F: Change of use of grassland for the use of three farm tents - Land North West of Holmebush, Thornham Road, Thornham

11/01714/F: Application Permitted: 30/11/11 - Change of use of grazing land for the purposes of creating a seasonal canvas farm stay camp site for 8 tents, - Drove Orchards, Thornham Road

Consultations:

Thornham Parish Council: SUPPORT

Holme Parish Council: Provided the following comments –

The Parish Council's views regarding location, encroachment on the AONB Countryside and cumulative development are unchanged. The approach to enforcement of unimplemented past conditions is welcomed as are the recommendations of the PEA regarding potential mitigation measures for policy compliance (noting that in the absence of detailed development plans and species surveys the opportunities identified for enhancing biodiversity are necessarily broad).

The Parish Council remains concerned about the scale of the overall development at Drove which it believes is Major Development but because of the piecemeal approach has not been subjected to EIA (see original consultation response). Given the policy background it is difficult to see how the overall mixed retail, leisure and business development has reached its current size – to a level at which it is competing with Hunstanton and drawing in businesses from other areas. The current proposals are adding ancillary purpose to the existing development (the initial Planning Statement states that they have the added benefit of creating extra demand for the farm's restaurants and shops).

The Parish Council accepts that the proposed development lies in Thornham and is supported by Thornham Parish Council, but the access lies in Holme and if the Officer is minded to recommend approval urges that it is on condition that past access conditions are first implemented in the interests of safety.

Local Highway Authority: NO OBJECTION conditionally

CSNN: NO OBJECTION conditionally

Natural England: STANDING ADVICE – HRA screening and Impact Risk Zones.

Ecology: NO OBJECTION conditionally

Representations:

ONE Third Party OBJECTION received, raising the following concerns: -

- * Not objecting to the development in principle, cannot support further development on the site until a full land swap agreement is reached.
- * Non-compliance of planning condition (App. Ref. 20/00857/F) for access works.
- * Negotiations still taking place in relation to access swap.
- * Incorrect access plan submitted.
- * Homebush's' drive is affected by the increase in traffic to the site.

FIVE Third Party letters of SUPPORT making the following comments: -

- * Provides employment for local people.
- * Visitors help to support the local businesses.
- * Impact on the area is negligible given the care taken to protect wildlife.
- * Will provide more out of season visitors.
- * Increasingly important during quieter periods.
- * Perfect location for further holiday accommodation.
- * Will enhance the overall offerings at Drove Orchards.
- * Provides opportunity for growth and expansion for small independent businesses.
- * Commendable design of the proposed accommodation.
- * Well thought out.
- * Good understanding of the needs of potential guests.

PLANNING CONSIDERATIONS

Principle of Development:

The application site lies within the countryside where countryside protection policies apply.

Nationally, the overarching NPPF supports a prosperous rural economy through sustainable growth and expansion of all types of businesses in rural areas; the development and diversification of agricultural and other land-based rural businesses; and sustainable rural tourism and leisure developments which respect the character of the countryside (para. 88). All of which apply to the proposed additional holiday accommodation.

Locally, Core Strategy Policy CS06 applies which aims to protect the countryside for its intrinsic character and beauty, the diversity of its landscapes, heritage and wildlife.

Given the wider use of the site, which is well established, and the nature of the parcel of land forming the application site, it is considered that the proposed development would not cause harm to the intrinsic character and beauty of the countryside, in accordance with CS06.

The proposed development accords with SADMPP Policy DM2 – Development Boundaries, which allows for new development within the countryside related to tourism facilities in line with CS10.

Core Strategy Policy CS10 – The Economy, promotes tourism and leisure opportunities throughout the borough. It supports expansion of tourist related facilities and smaller scale tourism development in rural areas to sustain the local economy.

It is considered that the proposal accords with Policy CS10 as a smaller scale development and expansion to the wider tourism use of the site, whilst benefitting from being sustainably located adjacent to the villages of Holme and Thornham and would not be detrimental to the natural environment or landscape (discussed in detail below).

Policy CS10 also calls for mechanisms to be in place to permanently retain the tourism related use. SDAMMP Policy DM11 – Touring and Permanent Holiday Sites, controls this in more detail.

Policy DM11 restricts touring and permanent holiday sites in a criteria based approach in order that they do not have a significant adverse impact on the landscape, in particular Norfolk Coast National Landscape (NCNL) (former AONB), SSSIs and the Flood Hazard Zones.

In relation to the set criteria, it is considered that the proposed development accords with DM11 given that the proposal relates to an extension to an existing site and: -

- o Is supported by a business plan and planning statement demonstrating how the site will be managed and how it will support tourism / tourist related uses in the area.

- o The proposal demonstrates a high standard of design in terms of layout, screening and landscaping ensuring minimal adverse impact on visual amenity and the natural environmental qualities of the surrounding landscape and surroundings.

- o The site can be safely accessed.

- o It accords with national policies on flood risk.

- o The site is not within the Coastal Hazard Zone indicated on the Policies Map, or within areas identified as tidal defence breach Hazard Zone in the Borough Council's Strategic Flood Risk Assessment and the Environment Agency's mapping.

DM11 continues to state that small scale proposals for holiday accommodation will not normally be permitted within the Norfolk Coast National Landscape (NCNL) (former AONB) unless it can be demonstrated that the proposal will not negatively impact on the landscape setting and scenic beauty of the NCNL or on the landscape setting of the NCNL if outside the designated area. Proposals for uses adversely affecting Sites of Special Scientific Interest (SSSIs) or European Sites will be refused permission.

It has been demonstrated that there would be no adverse impact on the landscape designation, SSSI or Habitats Sites (discussed in more detail below).

It is proposed to operate the holiday accommodation all year round in order to support the local economy 'out of season'. This is justified in more detail within the submitted business plan and planning statement and is considered to be acceptable by the LPA.

Although it is only the site access which lies within the Parish of Holme, their Neighbourhood Plan is relevant in the consideration of this application. The NP has a specific policy which relates to Drove Orchards (HNTS 6) which states that 'new development will be permitted where it is directly related to the agricultural use of the site or is for tourism related uses which are compatible with and related to the special characteristics of the AONB and the important habitats of the North Norfolk Coast'.

Taking the policy's criteria into account, it is considered that the relevant documents submitted with the application demonstrates that: -

- (i) The development would not be harmful to the special character of the NCNL.
- (ii) The scale of the holiday lodges would not be visually intrusive and the materials will respect the character of the area.
- (iii) There will be sufficient car parking on the site to accommodate the increase in the number of visitors and the layout of parking and pedestrian circulation on the site as a whole is clearly defined.
- (iv) The volume of traffic generated by the proposed additional lodges would not interrupt the free flow of vehicles on the A149 Corridor of Movement or have a serious impact on highway safety.

Thornham Neighbourhood Plan does not have a specific policy which relates to Drove orchards. However, Thornham NP Policy EMP 4 relates to development proposals which will provide new or expanded accommodation, facilities or attractions for visitors. It is considered that the proposed development accords with principle criteria set out in this policy.

The principle of tourist accommodation development is acceptable in principle in accordance with Holme NP Policies HNTS 1 – Principle of Sustainable Development; HNTS 8 - Sustainable travel and tourism and HNTS 9: Touring and permanent holiday accommodation.

The proposed development therefore accords with the aims and provisions of the above-mentioned policies and would be acceptable in principle.

Visual Impact:

The application site lies within the Norfolk Coast National Landscape (former AONB) where landscape protection policies apply.

The proposal includes five holiday lodges with a footprint of approx. 190sqm each, which includes their veranda / decking areas. They are proposed to be single storey in height with a mono pitched roof, which keeps their overall scale and prominence to a minimum.

The lodges would be premanufactured off site, constructed of a high-quality design and use of sustainable materials including timber and nature walls, enabling the development to sit in harmony with the setting of the existing environment.

The parcel of land on which the holiday lodges are proposed to be sited has a natural boundary of dense vegetation which secludes it from the wider landscape and seascape to the north. Each 'pitch' would be left to grass and organically partially demarcated with planting.

Paragraph 182 of the NPPF states that great weight should be given to conserving and enhancing landscape and scenic beauty Areas of Outstanding Natural Beauty (now NCNL) which have the highest status of protection in relation to these issues.

Development Plan Policies CS12 and DM15 echo this policy position at a local level. As does Holme Neighbourhood Plan Policies HNTS 1, 5, 6, 8, 7, 9 and 20 which are particularly concerned with protecting and enhancing this sensitive landscape.

Thornham's Neighbour Plan Policies EMP 1, EMP4 and C1 all aim to support development proposals providing they will not be intrusive within the National Landscape or can be appropriately mitigated to minimise any harmful impact.

A Landscape and Visual Statement accompanies the application which takes into consideration the local Landscape Character Assessments and appraises the impact of the proposals in this specific location and its sensitivity to the proposals. It was found that the nature of the existing planting, together with the density of the vegetation and the surrounding landscape character and topography, result in the same level of change during the winter and summer months. It is judged that there would be a low to negligible impact for those receptors identified on the nearest public route but no impact beyond.

The report concludes that whilst the proposals introduce a new element into the landscape, it is of a small scale, compatible with the surroundings, is not intrusive or prominent and does not impact the special qualities of the NCNL.

No mitigation was recommended as part of the development proposals, however the Applicant is committed to continue the long term programme of planting and enhancement to the land within their control.

On the basis of the above, it is considered that the proposed development accords with the abovementioned Development Plan Policies and the general provisions of the NPPF.

Highway Safety:

It is proposed to utilise the existing site access off the A149 in association with the expansion of the wild glamping provision to the rear of the Drove Orchards Site. Consideration is given to the low-level traffic increases attributable to the additional lodges, of around 15 daily movements. Given the number of daily vehicular movements already taking place at the site, the additional movements would not result in a material increased use of the access and it would therefore be considered that the residual cumulative impacts on the road network would not be severe, in accordance with para. 115 of the NPPF.

The Local Highway Authority therefore raises no objection to the proposal.

There is adequate provision of on-site parking proposed in association with the additional holiday lodges.

There have been concerns raised in regard to the access arrangements and outstanding conditions on historic applications on the wider Drove Orchards Site (not relevant to the current application), involving the neighbouring property at Holmbush.

Whilst this matter is not relevant to the current application for the glamping extension, for clarity, the highways condition associated with 19/00285/F and 21/00173/F which relates to the separation of the shared access with Holmbush. is still outstanding and is being monitored by Planning Enforcement. Discussions and negotiations are ongoing between the Applicant and the Third Party involved and progress is being made.

The highways condition within the above-mentioned historic applications relating to the highway access improvements works has already been carried out and signed off by NCC Highways.

Whilst the owners of Holmbush have objected to the planning application, their objection is primarily based on issues surrounding the shared access to the main Drove Orchards site off

the A149 and have stated that they "are not in objection to the development in principle". As stated above, it is considered that there are no access concerns or highway safety issues as a result of the current application.

As such, the application accords with Local Plan Policies CS11 and DM17; Holme Neighbourhood Plan Policies HNTS6 and HNTS8; Thornham Neighbourhood Plan Policies EMP4, EMP5 and P1; and section 9 of the NPPF.

Ecology:

Designated Sites and GiRAMS -

The habitat on site has the potential to support the designated features of the nearby European Protected Sites and so an Ecology survey was submitted to support the application.

The site is within 600m of: -

- * The Wash and North Norfolk Coast Special Area of Conservation (SAC),
- * North Norfolk Coast (SAC),
- * Ramsar; and
- * SSSI

Given the close proximity and nature of the proposal to these locations the potential impacts from Recreational Disturbance (alone impacts and in-combination impacts) has been considered through the HRA (which was informed by the submitted sHRA) and PEA.

Payment of the GiRAMS tariff has been made which is an accepted strategic method of mitigating the in-combination impacts.

The submitted PEA reports that the potential indirect disturbance may result from the construction works in the form of pollutant spillage, light and noise disturbance. Measures to avoid or mitigate this should be accordingly embedded into proposals to address any potential impact on the statutorily designated sites. However, due to the nature of this project, it is unlikely that large scale works will be needed, and the potential disturbance may not be significant.

These measures could be described within a Construction and Environmental Management Plan (CEMP) which can be conditioned as part of the decision. Measures may include, but not be limited to, enacting dust control measures, and having spillage kits in place for pollutants.

In regard to alone impacts, the proposed site is functionally linked to the protected sites and may be used by the designated features of these sites. Impacts such as disturbance and habitat loss may be realised through this development. Impacts to mobile species outside of the SAC/SPA/Ramsar (particularly breeding birds) has also been taken into consideration within the PEA.

Priority Habitats -

The Site is also surrounded by priority habitat, with deciduous woodland and traditional orchard adjacent to the Site boundaries. In the absence of mitigation, impacts from the construction stage are expected on these habitats through disturbance associated with construction works, such as noise, vibration, light disturbance, dust deposition and potential pollutant spillage.

The PEA states that the proposals should accordingly embed measures which address potential impacts upon these habitats. These measures could be described within a CEMP. Specifically, impacts through pollutant spillage and increased dust deposition should be managed during construction. Measures may include, but not be limited to, enacting dust control measures, having spillage kits in place for pollutants and provision of a sensitive lighting scheme.

Summary -

Overall, the report concludes that the Site is located within a largely rural/coastal area surrounded by agricultural land, small villages/towns and the north Norfolk Coast. The Site comprises artificial unvegetated, unsealed surfaces, other neutral grassland, and species-rich native hedgerows. Data received from the desktop study and field survey have confirmed that the habitats on site are suitable to support:

- Reptiles;
- nesting birds;
- foraging and commuting bats; and
- hedgehog.

In respect of the site containing or being in proximity close to several priority habitats and designated sites. Suitable measures should accordingly be embedded within the proposed construction approach to mitigate potential impacts upon these habitats.

Key mitigation, compensation and enhancement actions are described to enable legislative and policy compliance, aiming to achieve net gains in biodiversity for the Site.

Biological Enhancements -

Recommendations for biodiversity enhancements include:

- Wildlife friendly planting.
- Invertebrate habitat features.
- Bird boxes.
- Bat boxes.
- Enhancements for hedgehogs.

Drainage -

In relation to Foul and Surface Water Management, given the close proximity of the proposal to protected sites, diffuse water pollution is a consideration.

The application states that surface water will be disposed of via the existing drainage ditches and the recent planting of 300+ quince trees.

In terms of foul water, the current intention is for a septic tank to be incorporated into the site as per other units on the wider site. Specific drainage details can be considered and controlled by condition.

Biodiversity net gain -

The combined floorspace of all 5 lodges will be 520sqm, therefore less than 1,000sqm and therefore exempt (for completeness, the cumulative footprint including the external decking areas is 950sqm); and the site is less than 1 hectare, therefore also exempt.

Notwithstanding this, the application was received before Biodiversity Net Gain became mandatory for Small Sites.

Holme Neighbourhood Plan Policy HNTS 22 relates to Biodiversity which holds weight in the planning balance, part of which states 'identifying, protecting and enhancing key habitat features including trees, shrubs, grassland.'. The site is bounded by long established hedgerows (present since at least 1999) and adjacent to blocks of Priority Habitat Inventory Deciduous Woodland but it has been demonstrated that the proposed development would have no significant impact upon such features, in accordance with the NP Policy.

Furthermore, whilst the small extension to the existing parking area is within Holme-next-the-Sea's parish, the lodges and therefore built development is within Thornham PC's area and therefore Policy HNTS 22 has limited weight in this regard. There is not an equivalent policy within the Thornham NP.

In terms of access to the field for the lodges, there is an existing gateway within the hedgerow and this break will be utilised rather than a new gap being created, therefore posing no impact upon this feature.

Some Biodiversity Enhancements have been recommended within the PEA and will be conditioned.

It is considered therefore that the proposed development accords with the relevant Ecology and Biodiversity Policies set out within the Development Plan and section 15 of the NPPF.

Neighbour Amenity:

The nearest neighbouring property to the site is 'Holmbush' which sits centrally within the wider Drove orchards complex. The existing access track runs along its western boundary and continues eastwards along the northern boundary. It is proposed to extend an existing carparking area to the north-east of Holmbush which links to the proposed campsite further east via an existing footpath.

Holmbush has extensive grounds around its dwelling providing sufficient separation distances from the surrounding development. The curtilage is bounded by mature trees and vegetation which helps to provide screening from the development.

The proposed campsite itself is some 216 metres (approx.) away from Holmbush, which together with the small scale of the proposal (being five lodges) and consideration of the wider established use of the site, the proposal would not result in a material increase in activity, noise and disturbance that would impact significantly upon the amenities of those neighbouring residents. Likewise, the additional vehicular movements along the existing access track in proximity to Holmbush is not likely to result in a material increase in the impact on residential amenity over and above the current situation.

The same applies to other adjacent dwellings to the south of the site, with consideration of the existing use of the site and the relatively small increase in development, together with the separation distances involved, the proposal would not cause a detrimental impact on the living conditions of those residents.

CSNN has raised no objection to the proposed development subject to conditions relating to details of foul drainage; prohibiting flues/chimneys; details of Air Source Heat Pumps; Storage and disposal of recycling, refuse and waste materials; and controlling the use.

The proposed development therefore accords with Local Plan Policies CS08 and DM15; the general aims and objectives of the Holme and Thornham Neighbourhood Plans; and the provisions of the NPPF.

Flood Risk:

The application site itself lies within Flood Zone 1 and therefore does not require a site specific FRA.

EIA Regulations:

The process of Environmental Impact Assessment in the context of Planning is governed by the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (the '2017 Regulations'). These regulations apply to development which is given planning permission under Part III of the Town and Country Planning Act 1990.

These regulations apply the amended EU directive "on the assessment of the effects of certain public and private projects on the environment" (usually referred to as the 'Environmental Impact Assessment Directive' to the planning system in England.

The current Regulations came into force on 16 May 2017, with a number of changes being made to the EIA process, covering Screening, Scoping and the production for an Environmental Statement. The last amendments were in December 2020 to take account of the exit from the EU.

In relation to screening proposed developments to ascertain whether they should be subject to EIA, the following principles have been established through the Regulations:

- * Any extension of time over and above the initial 3-week screening period is limited to no more than 90- days;
- * **There is more focus on frontloading the provision of information and identification of mitigation;** and
- * Focus on tried and tested industry standard mitigation.

Environmental Impact Assessment should not be a barrier to growth and will only apply to a small proportion of projects considered within the town and country planning regime. Local planning authorities have a well established general responsibility to consider the environmental implications of developments which are subject to planning control.

Relevant stages of the process include: -

- * **Screening**
- * **Scoping**
- * **Preparing an Environmental Statement**

Screening for EIA -

For developments described in Schedule 1 of the Regulations ('Schedule 1 development') the EIA process is mandatory.

In determining whether the proposed development constitutes EIA development, consideration must be given to the following:

- If the proposal is listed in Schedule 2;
- If so, whether it is of more than local significance, located in an environmentally sensitive area or likely to give rise to unusually complex and potentially hazardous effects; and/or
- It meets any of the relevant thresholds and criteria set out in Schedule 3.

For developments of a type described in Schedule 2 of the Regulations ('Schedule 2 development'), an EIA may be required if the development has the potential to give rise to 'significant' environmental effects by virtue to its nature, size or location.

If the proposed development is of a type described in Schedule 2, then two further criteria should be considered:

- If the proposed development is located in or partly located in a 'Sensitive Area' as defined in the Regulations; or
- If the proposed development exceeds the respective applicable threshold in Schedule 2.

Should either criteria be met, the proposed development will require screening against the selection criteria set out in Schedule 3 of the EIA Regulations. Further indicative thresholds and other guidance are also provided in the NPPG. If neither of the above criteria is met, the proposed development does not require formal screening for EIA.

The proposed development for tourist accommodation in this case is not Schedule 1 development as defined by the Regulations - therefore, an EIA is not mandatory.

The proposed development itself listed within Schedule 2 development within the EIA Regulations under **12 (e) – Permanent campsites**. However, in its own right it **does not meet the threshold criteria of 1ha**.

In taking a precautionary approach, the cumulative development at the wider Drove Orchards site would be in excess of 1ha and therefore the proposed development has been screened under the EIA Regulations.

The NPPG provides guidance where thresholds in Schedule 2 are exceeded (or fall below) and states '...it should not be presumed that developments above the indicative thresholds should always be subject to assessment, or those falling below the thresholds could never give rise to significant effects, especially where the development is in an environmentally sensitive area. Each development will need to be considered on its merits'.

The proposed development lies within, partly within / near a 'sensitive area' as defined by Regulation 2 of the EIA Regulations, including: -

- * SSSI Impact Risk Zone
- * North Norfolk Coast SAC 450m
- * North Norfolk Coast SPA 355m
- * North Norfolk Coast Ramsar 355m
- * The Wash SPA 2.8km
- * The Wash and North Norfolk Coast SAC 450m
- * The Wash Ramsar 2.8km

It is for these reasons that the criteria described in Schedule 3 of the EIA Regulations are considered. The over-riding determination for EIA is whether the proposed development is likely to result in significant impacts on the environment.

Schedule 3 screening criteria in relation to proposed developments classified as Schedule 2 developments includes: -

- Characteristics of the development – taking into account the size, use of natural resources, production of waste and emissions and risk of accidents;
- Location of the development – consideration of environmental sensitivity of geographical areas likely to be affected by development; and
- Types and characteristics of the potential impact – specifically having regards to the extent, magnitude, complexity, probability, duration, frequency and reversibility of the impact.

To assist in the evaluation of Schedule 3 criteria, an EIA Checklist has been devised by the Government and is used by the Planning Inspectorate when screening for EIA development. Whilst there is no obligation to use it, it provides a useful foundation for the screening process.

The NPPG Screening Matrix has been completed to this effect and is attached at the end of the officer report.

The appraisal of the characteristics of the proposed development and the location of the development have been described above in this report.

Cumulative Effects -

In respect of EIA, the Planning Practice Guidance¹ states that:

'Each application (or request for a screening opinion) should be considered on its own merits. There are occasions, however, when other existing or approved development may be relevant in determining whether significant effects are likely as a consequence of a proposed development. The local planning authorities should always have regard to the possible cumulative effects arising from any existing or approved development'.

There are extensive offerings at the Drove Orchards complex, but those which benefit from planning consent and are potentially relevant in terms of cumulative effect within the screening stage are as follows: -

11/01714/F: Application Permitted: 30/11/11 - Change of use of grazing land for the purposes of creating a seasonal canvas farm stay camp site for 8 tents

13/01366/F: Application Permitted: 04/12/13 - Change of use of grassland for the use of three farm tents

21/00173/F: Application Permitted: 03/09/21 - Extension to retail unit (Use Class A1) for restaurant area (Use Class A3), storage and WCs including parking and drainage. - Gurneys Fish Box – Variation 22/00202/F

20/00857/F: Application Permitted: 20/11/20 - Change of Use of part of a mixed-use former Grain Store from agriculture / mixed-use to uses that relate to agriculture and / or tourism only and comprise: retail, financial services, professional services (other than health or medical services), estate agents, employment agencies, and research and development of products that relate specifically to agricultural or tourism.

19/00285/F: Application Permitted: 24/01/20 - Conversion of Dutch Barn to mixed use comprising Micro-brewery, retail and light industrial; change of use of grain barn to mixed use comprising agriculture, light industrial and retail; change of use of Polytunnel to dog training; erection of Café in lieu of that approved pursuant to 14/00193/F; new WCs and amended vehicular access.

17/00978/F: Application Permitted: 02/08/17 - Siting of small pergola, decking, porch and bar/ice cream hut; associated with existing A3/A1 unit. - Eric's Fish & Chips

15/01879/F: Application Permitted: 07/07/16 - New retail unit

14/00193/F: Application Permitted: 15/04/14 - New retail unit, change of use of the land for siting of tea room and extension to existing farmshop.

12/00835/F: Application Permitted: 18/07/12 - New retail unit on A3 class designated land

09/01281/CU: Application Permitted: 08/12/09 - Change of use from agricultural land to siting of a 'yurt' tent and ancillary structures to be used as a restaurant - The Yurt Restaurant

07/01280/CU: Application Permitted: 21/08/07 - Change of use of barn to farm shop, tea room and store, plus small extension for WC - Farm Buildings At Drove Cottage

As confirmed in the PPG, each application should be based on its own merits although there may be occasions where it is necessary to consider existing or approved developments.

Cumulative effects – Landscape and visual / Biodiversity -

The potential for cumulative effects lies predominantly in the landscape and visual impacts as well as impacts upon ecology/biodiversity from this development given its proximity to Nationally Designated Habitats Sites, SSSI and NCNL.

In this instance given the existing/approved visual context together with the 'well-screened' nature of the parcel land in question, the proposed structures (glamping pods) will not be visually prominent within the landscape and in keeping with the wider use of the site. The scale of the current development, being five additional lodges, together with the other two approved campsites on the wider site, which comprises three pitches to the west and another of 8 safari structures (substantial tents) further to the north-west, cumulatively remains relatively small scale (well under the indicative threshold of 200 pitches within the EIA Regs). Each of the three campsites would not be sited within close proximity to one another, thus limiting the disturbance to the landscape and the visual impact, but would be contained within the wider Drove Orchards Site so as to not sprawl within the open countryside.

Whilst the proposals will be partially visible, the views will be limited and localised. Again, given the nature of the existing dense vegetation around the site, there is no requirement or attempt to 'hide' the proposals, the context is such that cumulatively there will not be significant adverse impacts as a result of this additional development to warrant an EIA.

A Landscape and Visual Statement accompanied the application along with a PEA which both helped to inform the screening opinion, and is the proper mechanism for assessment and for recommending any required mitigation.

Cumulative effects – Transport and Access -

In regard to cumulative transport and access issues, the Local Highway Authority has raised no objection to the current proposal for five additional lodges, taking into consideration the existing development of the wider site.

The proposed development would create approx. 15 dailey vehicular movements, which when taking into account the existing number vehicular movements to and from the established wider use of the site, together with the access improvement works that have recently been carried out, this would not result in a material increase in the use of the access onto the A149 to the detriment of highway safety. It was considered that the residual cumulative impacts on the road network would not be severe, in accordance with para. 115 of the NPPF.

In addition, the Drove Orchards complex includes farm shops, local shopping, café, garden nursery, restaurants and such like which provides for the essential facilities to meet the day-to-day needs of holiday residents. The coast and other amenities within Thornham are also accessible on foot. With this in mind, together with good accessibility for pedestrians within and around the site, means that car usage is likely to minimal.

Furthermore, the site is not within an Air Quality Management Area (AQMA) and again, the impacts would be localised.

Finally, Schedule 3 is to consider the likely significant effects of the development on the environment in relation to the criteria set out in paragraphs 1 and 2 of that Schedule, namely the characteristics and location of development taking account of the following:

- (a) the magnitude and spatial extent of the impact (for example geographical area and size of the population likely to be affected);
- (b) the nature of the impact;
- (c) the transboundary nature of the impact;
- (d) the intensity and complexity of the impact;
- (e) the probability of the impact;
- (f) the expected onset, duration, frequency and reversibility of the impact;
- (g) the cumulation of the impact with the impact of other existing and/or approved development;
- (h) the possibility of effectively reducing the impact.

However, none of the criteria identified in the completed checklist are considered to have significant effects as a result of the proposed development. Consequently, there is no requirement to further assess in the context of Schedule 3.

EIA Screening Conclusion

In accordance with the EIA Regulations, this Screening Request has taken account of the proposed development, its location and the sensitivity of the existing environment. Whilst the site area does not exceed the associated threshold criteria as an 'Permanent campsites' Project, the site lies within a number of Sensitive Areas.

The over-riding determination for EIA is whether the proposed development is likely to result in likely significant effects on the environment. The wider site is already developed and the nature and scale of the new development and any resulting environmental impacts are **unlikely to be significant**, complex or widespread.

In summary, potential environmental effects associated with traffic, air quality, noise, waste, pollution, flooding, ecology, visual and other physical changes resulting from the proposed

development have been considered and are not expected to be significant with the standard project/construction mitigation where required.

Consequently, it is not considered that the proposals are EIA development as set out within the Screening Opinion in accordance with the Town and Country Planning (Environmental Impact Assessment) Regulations 2017.

Other Matters:

In relation to the Parish Council's concern regarding the scale of development – 'major development' as defined in The Town and Country Planning (Development Management Procedure) (England) Order 2015 includes:

- o Minerals workings;
- o Ten or more residential dwellings;
- o Site is 0.5ha where it is not known if the development is for ten or more dwellings;
- o Will create a floorspace of 1,000sqm or more;
- o Development is carried out on a site of one hectare or more.

None of these criteria are met and therefore the scale is minor.

Other points raised by the Parish Council and concerns raised by the Third Party have been addressed above in this report.

RECOMMENDATION

APPROVE subject to the imposition of the following condition(s):

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- 1 To comply with Section 91 of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.
- 2 The development hereby permitted shall be carried out using only the following approved plans: -
 - 489-P100 Rev. C _Proposed Site Plan
 - 489-F102 _Proposed Floor Plans & Elevations Pods 4 & 5
 - 489-F103 _Proposed Floor Plans & Elevations Pods 1-3
- 2 For the avoidance of doubt and in the interests of proper planning.
- 3 The accommodation hereby approved shall be used for short stay holiday purposes only (no more than 28 days per single let) and shall be made available for rent or as commercial holiday lets. The holiday accommodation shall not be occupied, rented or sold off separately as a person's sole or main place of residence.
- 3 The site lies within an area in which the Local Planning Authority would not normally permit permanent residential development. This permission is granted because the accommodation is to be used for holiday purposes only in accordance with Policy DM11 of the Site Allocations and Development Management Policies Plan (2016);

Policy CS06 of the Core Strategy (2011); the general aims and provisions of the Thornham Neighbourhood Development Plan (2021) and Holme-Next-The-Sea Neighbourhood Plan (2021); and the principles of the NPPF.

- 4 The owners / operators of the holiday accommodation hereby approved shall maintain an up-to-date register of lettings / occupation and shall make this available at all reasonable times to the Local Planning Authority.
- 4 To ensure that this type of development which is permitted in the countryside is genuinely used for holiday accommodation purposes and will be operated and maintained as tourist facilities in the future, in accordance with Policy DM11 of the Site Allocations and Development Management Policies Plan (2016); Policy CS06 of the Core Strategy (2011); the general aims and provisions of the Thornham Neighbourhood Development Plan (2021) and Holme-Next-The-Sea Neighbourhood Plan (2021); and the principles of the NPPF.
- 5 Prior to the first use of the development hereby permitted the proposed on-site car parking area shall be laid out, levelled, surfaced and drained in accordance with the approved plan and retained thereafter available for that specific use.
- 5 To ensure the permanent availability of the parking/manoeuvring areas, in the interests of satisfactory development and highway safety, in accordance with Policy DM17 of the Site Allocations and Development Management Policies Plan (2016); Policy CS11 of the Core Strategy (2011); Policies EMP4 and EMP5 of the Thornham Neighbourhood Development Plan (2021); Policies HNTS 6 and HNTS 25 of the Holme-Next-The-Sea Neighbourhood Plan (2021); and the principles of the NPPF.
- 6 No development shall take place (including demolition, ground works, vegetation clearance) until a construction environmental management plan (CEMP: Biodiversity) has been submitted to and approved in writing by the local planning authority. The CEMP (Biodiversity) shall include the following as a minimum:
 - a) Risk assessment of potentially damaging construction activities.
 - b) Identification of "biodiversity protection zones".
 - c) The location and timing of sensitive works to avoid harm to biodiversity features.
 - e) A precautionary working methods to avoid the risk of impacts to amphibians, breeding birds and badgers.
 - f) Details of security/construction lighting including the design, location, orientation and level of illuminance which must specify the avoidance of illuminating ecological features such as hedges, garden boundaries and mature tree to maintain dark corridors.
 - i) Responsible persons and lines of communication.
 - j) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person where required.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.

A 'statement of good practice' shall be signed upon completion by the competent ecologist, and be submitted to the LPA, confirming that the specified enhancement measures have been implemented in accordance with good practice upon which the planning consent was granted'.

- 6 In order to safeguard the ecological interests of the site in accordance with Policy CS12 of the Kings Lynn and West Norfolk Core Strategy (2011); Policies HNTS 7, HNTS 8, and HNTS 22 of the Holme-Next-The-Sea Neighbourhood Plan (2021); the general principles of the Thornham Neighbourhood Development Plan (2021) and Section 15 of the NPPF.

The details are required prior to commencement to ensure the ecological interests of the site are not prejudiced by the construction process.

- 7 The development hereby approved shall be carried out in strict accordance with the mitigation and enhancement measures outlined in Section 4.8 of the Preliminary Ecological Appraisal Report prepared by SLR Consulting Limited 4 July 2024. The mitigation and enhancement measures shall include the provision of:

- a) Wildlife-friendly planting
- b) Invertebrate habitat features
- c) Bat boxes
- d) Bird boxes
- e) Enhancements for hedgehogs
- f) Any lighting will be in accordance with bat conservation trust guidance on bats and lighting

The specific details of all of the required mitigation and enhancement measures aforementioned, including dimensions, location and construction methodology together with a scaled plan or drawing illustrating the requirements, shall be submitted to and approved in writing by the local planning authority prior to installation. The mitigation and enhancement measures shall be carried out in accordance with the approved details and thereafter retained in a suitable condition to serve the intended purpose.

- 7 In order to ensure the development does not result in the loss of habitat for protected species and to enhance biodiversity on the site in accordance with Policy CS12 of the Kings Lynn and West Norfolk Core Strategy (2011); Policies HNTS 1, HNTS 7, HNTS 8, and HNTS 22 of the Holme-Next-The-Sea Neighbourhood Plan (2021); the general principles of the Thornham Neighbourhood Development Plan (2021) and Paragraph 174 of the NPPF.

- 8 No development shall commence until full details of the foul water drainage arrangements for the site, which must be specifically suited to non-domestic, intermittent use, have been submitted to and approved in writing by the Local Planning Authority. The drainage details shall be constructed as approved before any part of the development hereby permitted is brought into use.

- 8 To ensure that there is a satisfactory means of drainage in accordance with Development Plan Policies and the principles of the NPPF.

This needs to be a pre-commencement condition as drainage is a fundamental issue that needs to be planned for and agreed at the start of the development.

- 9 Prior to the installation of any air source heat pump(s) a detailed scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall specify the make, model and sound power levels of the proposed unit(s), the siting of the unit(s) and the distances from the proposed unit(s) to the boundaries of the site,

plus provide details of anti-vibration mounts, and noise attenuation measures. The scheme shall be implemented as approved and thereafter maintained as such.

- 9 In the interests of the amenities of the locality in accordance with Policy CS08 of the Core Strategy (2011); Policy DM15 of the Site Allocations and Development Management Policies Plan (2016); the aims and provisions of the Holme-Next-The-Sea Neighbourhood Plan (2021) and the Thornham Neighbourhood Development Plan (2021) and the general principles of the NPPF.
- 10 Prior to the occupation of any part of the development permitted, facilities shall be provided within the curtilage of the site for the storage of recycling, refuse and waste materials in accordance with details to be submitted to and approved by the Local Planning Authority. Such facilities should ensure that no waste or recycling is burnt in order to dispose of it.
- 10 In the interests of the amenities of the locality in accordance with Policy CS08 of the Core Strategy (2011); Policy DM15 of the Site Allocations and Development Management Policies Plan (2016); the aims and provisions of the Holme-Next-The-Sea Neighbourhood Plan (2021) and the Thornham Neighbourhood Development Plan (2021) and the general principles of the NPPF.

BACKGROUND PAPERS

Application file reference: 24/00264/F
LDF Core Strategy Policies
Site Allocations and Development Management Policies Plan 2016

CONTACT OFFICER: Mrs Jade Calton Planner 01553 616772



Signature: Case Officer**J. Calton**..... Date: ...06-08-24.....

Recommendation Agreed **YES**

Signature(s): Principal Planning Officer : P Harris Gorf Date: 7.8.24

Planning Control Manager, Environment and Planning

..... Date:

**THE TOWN AND COUNTRY PLANNING (ENVIRONMENTAL IMPACT ASSESSMENT) REGULATIONS
2017 SCREENING MATRIX**

Case Details		
	24/00264/F	Brief description of the project / development Tourism and Leisure – Five Glamping Holiday Lodges
Agent	Triptych PD Ltd	
LPA	BCKLWN	
EIA Details		
Is the project Schedule 1 development according to Schedule 1 of the EIA Regulations?		No
If YES, which description of development (THEN GO TO Q4)		Click here to enter text.
Is the project Schedule 2 development under the EIA Regulations?		Yes
If YES, under which description of development in Column 1 and Column 2?		12 (e) – Permanent campsites
Is the development within, partly within, or near a 'sensitive area' as defined by Regulation 2 of the EIA Regulations?		Yes
If YES, which area?		SSSI Impact Risk Zone North Norfolk Coast SAC 450m North Norfolk Coast SPA 355m North Norfolk Coast Ramsar 355m The Wash SPA 2.8km The Wash and North Norfolk Coast SAC 450m The Wash Ramsar 2.8km
Are the applicable thresholds/criteria in Column 2 exceeded/met?		No – not independently but exceeded in cumulation with the wider development site. Although not over the NPPG threshold criteria of 200 pitches.
If yes, which applicable threshold/criteria?		1Ha
LPA/SOS SCREENING		
Has the LPA or SoS issued a Screening Opinion (SO) or Screening Direction (SD)? (In the case of Enforcement appeals, has a Regulation 37 notice been issued)		No
If yes, is a copy of the SO/SD on the file?		N/A
If yes, is the SO/SD positive?		N/A
Environmental Statement		
Has the appellant supplied an ES for the current or previous (if reserved matters or conditions) application?		No

WHEN COMPLETING THIS DOCUMENT IN RELATION TO AN ENFORCEMENT APPEAL, THE UNDERSIGNED OFFICER HAS HAD REGARD TO THE PROJECT AS ALLEGED IN THE RELEVANT ENFORCEMENT NOTICE WHEN REFERRING TO THE PROJECT / DEVELOPMENT.

Question	(Part 2a) / (Part 2b) – Answer to the question and explanation of reasons (Yes/No or Not Known (?) or N/A) Briefly explain answer to Part 2a and, if applicable and/or known, include name of feature and proximity to site (If answer in Part 2a / 2b is 'No', the answer to Part 3a / 3b is 'N/A')	(Part 3a) / (Part 3b) (only if Yes in part 2a) – Is a Significant Effect Likely? (Yes/No or Not Known (?) or N/A) Is a significant effect likely, having regard particularly to the magnitude and spatial extent (including population size affected), nature, intensity and complexity, probability, expected onset, duration, frequency and reversibility of the impact and the possibility to effectively reduce the impact? If the finding of no significant effect is reliant on specific features or measures of the project envisaged to avoid, or prevent what might otherwise have been, significant adverse effects on the environment these should be identified in bold.
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Question	(Part 2a) / (Part 2b) – Answer to the question and explanation of reasons (Yes/No or Not Known (?) or N/A)		(Part 3a) / (Part 3b) (only if Yes in part 2a) – Is a Significant Effect Likely? (Yes/No or Not Known (?) or N/A)	
Natural resources				
Will construction, operation or decommissioning of the project involve actions which will cause physical changes in the topography of the area?	Yes	The lodges will be supported by screw piles - no concrete foundations or pads. The screw piles will be hand drilled and will have significantly lesser environmental impact compared with concrete. At the end of the lodges 'lifespans, the land can then be returned to its previous condition.	No	Will introduce a degree of engineering works causing physical change to the topography but would be minimal and would result in a change to the landscape, but would be of a small scale, compatible with the surroundings. Would not be intrusive or prominent and would not impact the special qualities of the National Landscape. The development would be temporary and reversible; therefore the effect would not be significant.
Will construction or operation of the project use natural resources above or below ground such as land, soil, water, materials/minerals or energy which are non-renewable or in short supply?	Yes	The proposal would use land, materials and energy in the construction process. However, the holiday lodges are pre-manufactured off site and transported at 95% complete.	No	Limited construction phase impacts; therefore the effect would not be significant.
Are there any areas on/around the location which contain important, high quality or scarce resources which could be affected by the project, e.g. forestry, agriculture, water/coastal, fisheries, minerals?	Yes	Grade 2 agricultural land – 'Very Good Quality'. No loss of trees or vegetation.	No	Higher grade agricultural land involved but the proposed land use is reversible and the site itself comprises a small parcel of land associated with a much wider site with more extensive high grade agricultural land – ongoing orchard use. Continued planting programme. The effect would not be significant.
Waste				
Will the project produce solid wastes during construction or operation or decommissioning?	No	The holiday lodges are pre-manufactured modular units constructed off site and transported in large parts, fixed together in situ on site therefore construction and decommissioning waste would be limited.	No	Limited waste from construction and operation would be managed in accordance with the Borough Council's refuse arrangements. Not likely to create a significant effect.

Question	(Part 2a) / (Part 2b) – Answer to the question and explanation of reasons (Yes/No or Not Known (?) or N/A)	(Part 3a) / (Part 3b) (<u>only if Yes in part 2a</u>) – Is a Significant Effect Likely? (Yes/No or Not Known (?) or N/A)

Question	(Part 2a) / (Part 2b) – Answer to the question and explanation of reasons (Yes/No or Not Known (?) or N/A)		(Part 3a) / (Part 3b) (only if Yes in part 2a) – Is a Significant Effect Likely? (Yes/No or Not Known (?) or N/A)	
POLLUTION AND NUISANCES				
Will the project release pollutants or any hazardous, toxic or noxious substances to air?	Yes	Small increase in vehicular movements.	No	Small scale development. Limited and localised impact. The site is not within an Air Quality Management Area (AQMA). Not likely to create a significant effect
Will the project cause noise and vibration or release of light, heat, energy or electromagnetic radiation?	Yes	There would be light and noise associated with the use of the site.	No	This would be very localised and in association with an existing wider use. Based on submitted supporting documentation the number of pitches would be less than the indicative threshold of more than 200 pitches. Not to the extent that would have a significant effect.
Will the project lead to risks of contamination of land or water from releases of pollutants onto the ground or into surface waters, groundwater, coastal waters or the sea?	No		N/A	
Are there any areas on or around the location which are already subject to pollution or environmental damage, e.g. where existing legal environmental standards are exceeded, which could be affected by the project?	No		N/A	
population and human health				
Will there be any risk of major accidents (including those caused by climate change, in accordance with scientific knowledge) during construction, operation or decommissioning?	No		N/A	
Will the project present a risk to the population (having regard to population	No		N/A	

Question	(Part 2a) / (Part 2b) – Answer to the question and explanation of reasons (Yes/No or Not Known (?) or N/A)		(Part 3a) / (Part 3b) (only if Yes in part 2a) – Is a Significant Effect Likely? (Yes/No or Not Known (?) or N/A)	
density) and their human health during construction, operation or decommissioning? (for example due to water contamination or air pollution)				
water resources				
Are there any water resources including surface waters, e.g. rivers, lakes/ponds, coastal or underground waters on or around the location which could be affected by the project, particularly in terms of their volume and flood risk?	No		N/A	
BIODIVERSITY (SPECIES AND HABITATS)				
Are there any protected areas which are designated or classified for their terrestrial, avian and marine ecological value, or any non-designated / non-classified areas which are important or sensitive for reasons of their terrestrial, avian and marine ecological value, located on or around the location and which could be affected by the project? (e.g. wetlands, watercourses or other water-bodies, the coastal zone, mountains, forests or woodlands, undesignated nature reserves or parks. (Where designated indicate level of designation (international, national, regional or local))).	Yes	<p>SSSI Impact Risk Zone North Norfolk Coast SAC 450m North Norfolk Coast SPA 355m North Norfolk Coast Ramsar 355m The Wash SPA 2.8km The Wash and North Norfolk Coast SAC 450m The Wash Ramsar 2.8km</p> <p>Limited potential for pollutant spillage, light and noise disturbance from construction works and operation given the small scale of the development.</p> <p>The site is surrounded by a Priority Habitat deciduous woodland and traditional orchard adjacent to the Site boundaries. – limited potential for disturbance through noise, vibration, light, dust or pollutant spillage given the scale and nature of the development.</p>	No	<p>Due to the scale and nature of the proposal it is considered unlikely to have any more than localised visual, environmental or transport related impacts.</p> <p>Notwithstanding this, these impacts would be fully considered under separate legislation in regard to GIRAMS and the Habitat Regulations Assessment procedure.</p> <p>The HRA Appropriate Assessment has been carried out alongside the EAI screening and the GiRAMS fee of £1054.20 has been paid to the LA to mitigate against / compensate for the effects caused by increased recreational pressure on protected site and it is concluded that there would be no adverse effects.</p> <p>A PEA supports the application and no further surveys were recommended.</p> <p>A CEMP will be conditioned to embed mitigation and avoidance measures to suitably address any potential</p>

Question	(Part 2a) / (Part 2b) – Answer to the question and explanation of reasons (Yes/No or Not Known (?) or N/A)		(Part 3a) / (Part 3b) (only if Yes in part 2a) – Is a Significant Effect Likely? (Yes/No or Not Known (?) or N/A)
			<p>impacts on priority habitats.</p> <p>Biodiversity enhancements are recommended within the PEA and will be conditioned.</p> <p>Furthermore, the number of pitches would be less than the indicative threshold of more than 200 pitches alone and in-combination.</p> <p>Subject to the appropriate mitigation and compensation measures, the effect would not be significant.</p>

Question	(Part 2a) / (Part 2b) – Answer to the question and explanation of reasons (Yes/No or Not Known (?) or N/A)		(Part 3a) / (Part 3b) (only if Yes in part 2a) – Is a Significant Effect Likely? (Yes/No or Not Known (?) or N/A)	
<p>Could any protected, important or sensitive species of flora or fauna which use areas on or around the site, e.g. for breeding, nesting, foraging, resting, over-wintering, or migration, be affected by the project?</p>	Yes	<p>The PEA identified habitats on site are suitable to support:</p> <ul style="list-style-type: none"> • Reptiles; • nesting birds; • foraging and commuting bats; and • hedgehog <p>One species-rich hedgerows comprising native species.</p> <p>There were no notable plant species found during the PEA survey. Majority of the grassland areas within the Site are maintained at a short sward height, with limited opportunity for any notable plant species.</p>	No	<p>Recommended enhancements:</p> <ul style="list-style-type: none"> • Wildlife friendly planting. • Invertebrate habitat features. • Bird boxes. • Bat boxes. • Enhancements for hedgehogs. <p>The PEA recommends to avoid any removal of the species rich hedgerow.</p> <p>The Site has negligible potential for notable plant species.</p> <p>Subject to the appropriate mitigation and compensation measures, the effect would not be significant.</p>
30				

Question	(Part 2a) / (Part 2b) – Answer to the question and explanation of reasons (Yes/No or Not Known (?) or N/A)		(Part 3a) / (Part 3b) (only if Yes in part 2a) – Is a Significant Effect Likely? (Yes/No or Not Known (?) or N/A)
<p>Are there any areas or features on or around the location which are protected for their landscape and scenic value, and/or any non-designated / non-classified areas or features of high landscape or scenic value on or around the location which could be affected by the project?¹ Where designated indicate level of designation (international, national, regional or local).</p> <p>31</p>	Yes	<p>Norfolk Coast National Landscape</p> <p>PRoW – Norfolk Coastal Path and National Trail</p> <p>Wider coastal landscape</p> <p>Protected Sites</p> <p>SSSI</p>	<p>No</p> <p>There are no impacts on the physical features of the landscape such as hedgerows and trees and the proposals seek to implement more vegetation.</p> <p>There are no views impacted and the settlement patterns are not affected.</p> <p>There is a sense of tranquillity within the woodlands but there is a PRoW route adjacent to the site and access is from the Drove Orchard existing complex and therefore, the sense of tranquillity is reduced closer to the villages and facilities.</p> <p>The proposals are a very small component part within the wider NCA and local LCAs and are so closely linked with the existing offer and the main Drove Orchard provision that there will be no noticeable impact on the physical or perceptual landscape features.</p> <p>The site lies inside the boundary of the Thornham Neighbourhood Plan however it does not compromise any of the criteria set out in the key policies.</p> <p>It is a scale and type of development compatible with its surroundings, is not prominent or intrusive, does not impact on any identified key views or on any designated local Green Spaces. The scale of the development, at just five lodges is unlikely to increase the visitors by any noticeable amount and therefore will not disturb the special qualities of the area.</p> <p>There will be direct impacts on the site itself through the introduction of the five lodges, however they are not a permanent fixture, do not impact any physical features and are part of a wider offering in this location.</p>

Question	(Part 2a) / (Part 2b) – Answer to the question and explanation of reasons (Yes/No or Not Known (?) or N/A)		(Part 3a) / (Part 3b) (only if Yes in part 2a) – Is a Significant Effect Likely? (Yes/No or Not Known (?) or N/A)	
				<p>Overall it is considered that the impacts are low to negligible on the wider and local landscape character, the TNP area and the site itself.</p> <p>The effect would not be significant</p>

Question	(Part 2a) / (Part 2b) – Answer to the question and explanation of reasons (Yes/No or Not Known (?) or N/A)		(Part 3a) / (Part 3b) (only if Yes in part 2a) – Is a Significant Effect Likely? (Yes/No or Not Known (?) or N/A)
<p>Is the project in a location where it is likely to be highly visible to many people? (If so, from where, what direction, and what distance?)</p> <p>33</p>	Yes	<p>Sensitive receptors: -</p> <ul style="list-style-type: none"> • Users of the PRow along the western edge of the site – medium sensitivity. • Receptors on the PRowS beyond the plantation and on the Peddars Way and Norfolk Coast Path – medium sensitivity. • Users of the local road network and PRowS to the south of the site – high sensitivity. • Receptors on the edge of Thornham – medium to high sensitivity. 	<p>No</p> <p>Those receptors identified as most sensitive to the proposals are the users of the adjacent PRow and the wider public routes on the coastal edge and the coastal slopes.</p> <p>Limited views are available due to dense vegetation adjacent to the routes.</p> <p>The lodges on the southern site will be more visible but in the context of the existing brick barn and the two lodges to the north will be glimpsed against the wooded back drop.</p> <p>These receptors have a high sensitivity as they are accessing the coastal paths through the AONB however they are aware of the wider offer of the holiday accommodation and the facilities at Drove Orchard. Considering the low key nature of the proposals, the limited views and the surrounding uses it is judged that there will be a low impact on these receptors.</p> <p>There are no views available of the site or the proposals from the coastal paths to the north, the edge of the settlement to the east and the longer distance views from the coastal slopes to the south.</p> <p>Overall, it is judged that there will be a low to negligible impact for those receptors identified on the nearest public route but no impact beyond.</p> <p>No mitigation required.</p> <p>The effect would not be significant</p>

Question	(Part 2a) / (Part 2b) – Answer to the question and explanation of reasons (Yes/No or Not Known (?) or N/A)		(Part 3a) / (Part 3b) (only if Yes in part 2a) – Is a Significant Effect Likely? (Yes/No or Not Known (?) or N/A)	
<p>Are there any areas or features which are protected for their cultural heritage or archaeological value, or any non-designated / classified areas and/or features of cultural heritage or archaeological importance on or around the location which could be affected by the project (including potential impacts on setting, and views to, from and within)? Where designated indicate level of designation (international, national, regional or local).</p>	No	<p>The site is well screened and is not viewed in direct context with any heritage assets.</p> <p>There are no known archaeological implications.</p>	N/A	
Transport and Access				
<p>Are there any routes on or around the location which are used by the public for access to recreation or other facilities, which could be affected by the project?</p>	Yes	PRoW	No	Proposals do not impact upon surrounding PRoWs.
<p>Are there any transport routes on or around the location which are susceptible to congestion or which cause environmental problems, which could be affected by the project?</p>	Yes	<p>Accessed from the A149, a main corridor of movement and major route to the coast.</p> <p>The proposal will utilise the existing vehicular access.</p> <p>10 parking spaces on the wider site are proposed with a 'buggy' service to transfer to the holiday lodges.</p> <p>On foot access to all essential facilities on the wider site.</p>	No	<p>Limited and localised impact – the residual cumulative impacts on the road network would not be severe.</p> <p>NCC confirms that the low-key nature of the proposal (only 5 additional lodges) along with the existing wider use of the site would not generate a significant increase in vehicular movements to the detriment of highway safety.</p> <p>The effect would not be significant</p>
land use				
<p>Are there existing land uses or community facilities on or around the</p>	Yes	<p>The site forms part of a wider 'commercial' site with two other small associated campsites and</p>	No	<p>Limited and localised impacts due to the small scale of the proposal in connection with the</p>

Question	(Part 2a) / (Part 2b) – Answer to the question and explanation of reasons (Yes/No or Not Known (?) or N/A)		(Part 3a) / (Part 3b) (only if Yes in part 2a) – Is a Significant Effect Likely? (Yes/No or Not Known (?) or N/A)	
location which could be affected by the project? E.g. housing, densely populated areas, industry / commerce, farm/agricultural holdings, forestry, tourism, mining, quarrying, facilities relating to health, education, places of worship, leisure /sports / recreation.		<p>day-today facilities.</p> <p>Wider agricultural land and orchards connected to the site.</p> <p>A neighbouring dwelling is located centrally within the site but it independent from the use of the wider site.</p>		<p>larger established use of the wider site.</p> <p>The effect would not be significant</p>
Are there any plans for future land uses on or around the location which could be affected by the project?	No		No	
land stability and climate				
Is the location susceptible to earthquakes, subsidence, landslides, erosion, or extreme /adverse climatic conditions, e.g. temperature inversions, fogs, severe winds, which could cause the project to present environmental problems?	No		No	
cumulative effects				
Could this project together with existing and/or approved development result in cumulation of impacts together during the construction/operation phase?	Yes	<p>The proposed development in combination with the existing wider use of the site, including two other small scale campsites of 8 and 3 pitches, restaurants and other extensive offerings / facilities.</p> <p>Potential increased impact from additional traffic, landscape and visual impact and Biodiversity.</p>	No	<p>Very limited to no impact from construction as described above.</p> <p>Five additional lodges would not result in material increase in development, activity or impact.</p> <p>Limited and localised impact from the ongoing operation of the proposed development as it is small scale, reversable, well screened, closely linked and located in context with the wider established development at Drove Orchards.</p>

Question	(Part 2a) / (Part 2b) – Answer to the question and explanation of reasons (Yes/No or Not Known (?) or N/A)		(Part 3a) / (Part 3b) (<u>only if Yes in part 2a</u>) – Is a Significant Effect Likely? (Yes/No or Not Known (?) or N/A)	
				Not likely to have a significant effect as can be suitably managed / mitigated.
Transboundary effects				
Is the project likely to lead to transboundary effects?²	No	Not across Boroughs.	No	

² The Regulations require consideration of the transboundary nature of the impact. Due to the England’s geographical location the vast majority of TCPA cases are unlikely to result in transboundary impacts.

CONCLUSIONS – ACCORDING TO EIA REGULATIONS SCHEDULE 3

The proposal covers a modest area of land (0.8ha) with the characteristics of the development relatively local and temporary in nature. While the wider character of the area (agricultural land with statutory and national landscape/ ecological designations) are not considered to be significantly impacted upon, mitigation / compensation has been recommended / secured to ensure the reduced impact. This assessment has taken into account whether there would be a cumulative effect of other permanent campsite projects within this locality, however for the reasons set out above, the cumulative impact would not be significant.

screening decision

If a SO/SD has been provided do you agree with it?	No	
Is it necessary to issue a SD?	Yes	
Is an ES required?	No	
Assessment (EIA regs schedule 2 development)	OUTCOME	
Is likely to have significant effects on the environment	ES required	
<u>Not</u> likely to have significant effects on the environment	ES not required	✓
More information is required to inform direction	Request further info	

NAME	Jade Calton
DATE	02 August 2024

ENVIRONMENT AND PLANNING

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e-mail: borough.planning@west-norfolk.gov.uk

Borough Council of
**King's Lynn &
West Norfolk****NOTICE OF DECISION - GRANT OF PLANNING PERMISSION**

Drove Orchards and Wild Luxury
c/o Triptych PD Ltd
Ms Laura Marshall
Platf9rm
Hove Town Hall
Church Road
Brighton And Hove
BN3 2AF
United Kingdom

Reference No: 24/00264/F
Application
Registered: 7 March 2024
Parish: Thornham

Details: **The addition of five holiday lodges to the existing glamping provision plus associated car parking. at Wild Luxury - The Wild Glamping Company Drove Orchards Thornham Road Holme next The Sea Norfolk**

The Town and Country Planning Act 1990 (as amended)
The Town and Country Planning (Development Management Procedure) (England) Order 2015

Permission is granted for the carrying out of the development referred to above in accordance with the application and plans submitted **subject to compliance with the following conditions:**

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
2. The development hereby permitted shall be carried out using only the following approved plans: -
 - 489-P100 Rev. C _Proposed Site Plan
 - 489-F102 _Proposed Floor Plans & Elevations Pods 4 & 5
 - 489-F103 _Proposed Floor Plans & Elevations Pods 1-3
3. The accommodation hereby approved shall be used for short stay holiday purposes only (no more than 28 days per single let) and shall be made available for rent or as commercial holiday lets. The holiday accommodation shall not be occupied, rented or sold off separately as a person's sole or main place of residence.
4. The owners / operators of the holiday accommodation hereby approved shall maintain an up-to-date register of lettings / occupation and shall make this available at all reasonable times to the Local Planning Authority.
5. Prior to the first use of the development hereby permitted the proposed on-site car parking area shall be laid out, levelled, surfaced and drained in accordance with the approved plan and retained thereafter available for that specific use.
6. No development shall take place (including demolition, ground works, vegetation clearance) until a construction environmental management plan (CEMP: Biodiversity) has been submitted to and approved in writing by the local planning authority. The CEMP (Biodiversity) shall include the following as a minimum:
 - a) Risk assessment of potentially damaging construction activities.
 - b) Identification of "biodiversity protection zones".
 - c) The location and timing of sensitive works to avoid harm to biodiversity features.
 - e) A precautionary working methods to avoid the risk of impacts to amphibians, breeding birds and badgers.
 - f) Details of security/construction lighting including the design, location, orientation and level of illuminance which must specify the avoidance of illuminating ecological features such as hedges, garden boundaries and mature tree to maintain dark corridors.

- i) Responsible persons and lines of communication.
- j) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person where required.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.

A 'statement of good practice' shall be signed upon completion by the competent ecologist, and be submitted to the LPA, confirming that the specified enhancement measures have been implemented in accordance with good practice upon which the planning consent was granted'.

- 7. The development hereby approved shall be carried out in strict accordance with the mitigation and enhancement measures outlined in Section 4.8 of the Preliminary Ecological Appraisal Report prepared by SLR Consulting Limited 4 July 2024. The mitigation and enhancement measures shall include the provision of:
 - a) Wildlife-friendly planting
 - b) Invertebrate habitat features
 - c) Bat boxes
 - d) Bird boxes
 - e) Enhancements for hedgehogs
 - f) Any lighting will be in accordance with bat conservation trust guidance on bats and lighting

The specific details of all of the required mitigation and enhancement measures aforementioned, including dimensions, location and construction methodology together with a scaled plan or drawing illustrating the requirements, shall be submitted to and approved in writing by the local planning authority prior to installation. The mitigation and enhancement measures shall be carried out in accordance with the approved details and thereafter retained in a suitable condition to serve the intended purpose.

- 8. No development shall commence until full details of the foul water drainage arrangements for the site, which must be specifically suited to non-domestic, intermittent use, have been submitted to and approved in writing by the Local Planning Authority. The drainage details shall be constructed as approved before any part of the development hereby permitted is brought into use.
- 9. Prior to the installation of any air source heat pump(s) a detailed scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall specify the make, model and sound power levels of the proposed unit(s), the siting of the unit(s) and the distances from the proposed unit(s) to the boundaries of the site, plus provide details of anti-vibration mounts, and noise attenuation measures. The scheme shall be implemented as approved and thereafter maintained as such.
- 10. Prior to the occupation of any part of the development permitted, facilities shall be provided within the curtilage of the site for the storage of recycling, refuse and waste materials in accordance with details to be submitted to and approved by the Local Planning Authority. Such facilities should ensure that no waste or recycling is burnt in order to dispose of it.

The Reasons being:

1. To comply with Section 91 of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.
2. For the avoidance of doubt and in the interests of proper planning.
3. The site lies within an area in which the Local Planning Authority would not normally permit permanent residential development. This permission is granted because the accommodation is to be used for holiday purposes only in accordance with Policy DM11 of the Site Allocations and Development Management Policies Plan (2016); Policy CS06 of the Core Strategy (2011); the general aims and provisions of the Thornham Neighbourhood Development Plan (2021) and Holme-Next-The-Sea Neighbourhood Plan (2021); and the principles of the NPPF.
4. To ensure that this type of development which is permitted in the countryside is genuinely used for holiday accommodation purposes and will be operated and maintained as tourist facilities in the future, in accordance with Policy DM11 of the Site Allocations and Development Management Policies Plan (2016); Policy CS06 of the Core Strategy (2011); the general aims and provisions of the Thornham Neighbourhood Development Plan (2021) and Holme-Next-The-Sea Neighbourhood Plan (2021); and the principles of the NPPF.
5. To ensure the permanent availability of the parking/manoeuvring areas, in the interests of satisfactory development and highway safety, in accordance with Policy DM17 of the Site Allocations and Development Management Policies Plan (2016); Policy CS11 of the Core Strategy (2011); Policies EMP4 and EMP5 of the Thornham Neighbourhood Development Plan (2021); Policies HNTS 6 and HNTS 25 of the Holme-Next-The-Sea Neighbourhood Plan (2021); and the principles of the NPPF.
6. In order to safeguard the ecological interests of the site in accordance with Policy CS12 of the Kings Lynn and West Norfolk Core Strategy (2011); Policies HNTS 7, HNTS 8, and HNTS 22 of the Holme-Next-The-Sea Neighbourhood Plan (2021); the general principles of the Thornham Neighbourhood Development Plan (2021) and Section 15 of the NPPF.

The details are required prior to commencement to ensure the ecological interests of the site are not prejudiced by the construction process.

7. In order to ensure the development does not result in the loss of habitat for protected species and to enhance biodiversity on the site in accordance with Policy CS12 of the Kings Lynn and West Norfolk Core Strategy (2011); Policies HNTS 1, HNTS 7, HNTS 8, and HNTS 22 of the Holme-Next-The-Sea Neighbourhood Plan (2021); the general principles of the Thornham Neighbourhood Development Plan (2021) and Paragraph 174 of the NPPF.
8. To ensure that there is a satisfactory means of drainage in accordance with Development Plan Policies and the principles of the NPPF.

This needs to be a pre-commencement condition as drainage is a fundamental issue that needs to be planned for and agreed at the start of the development.

9. In the interests of the amenities of the locality in accordance with Policy CS08 of the Core Strategy (2011); Policy DM15 of the Site Allocations and Development Management Policies Plan (2016); the aims and provisions of the Holme-Next-The-Sea Neighbourhood Plan (2021) and the Thornham Neighbourhood Development Plan (2021) and the general principles of the NPPF.
10. In the interests of the amenities of the locality in accordance with Policy CS08 of the Core Strategy (2011); Policy DM15 of the Site Allocations and Development Management Policies Plan (2016); the aims and provisions of the Holme-Next-The-Sea Neighbourhood Plan (2021) and the Thornham Neighbourhood Development Plan (2021) and the general principles of the NPPF.



Stuart Ashworth
Assistant Director
Environment and Planning
On behalf of the Council
7 August 2024

Please note that any conditions that may be attached to this decision notice form an integral part of the permission. Failure to comply with any conditions could lead to enforcement action or the need to submit a further formal application.

In accordance with the NPPF, in determining this application for planning permission, the Borough Council has approached it in a positive and proactive way, and where possible has sought solutions to problems to achieve the aim of approving sustainable development. As such the development hereby approved is considered to represent sustainable development.

Section 33 and 34 for the Environmental Protection Act 1990 place a duty on developers to ensure that they manage and dispose of waste appropriately, this includes preventing the escape of waste by storing it in containers that are; clearly and correctly labelled, suitable for the waste and designed to prevent leakage or waste being wind blown off site. You should also ensure that you keep waste transfer records and only transfer waste to an authorised person.

For further information and to ensure that you have appropriate permits or exemptions in place visit:

<https://www.gov.uk/government/publications/waste-duty-of-care-code-of-practice>

<https://www.gov.uk/government/collections/waste-exemptions-treating-waste>

In addition, further information is available on <https://www.ccscheme.org.uk/>

The case officer who dealt with this application was Mrs Jade Calton, telephone number 01553 616772.

TOWN AND COUNTRY PLANNING ACT 1990

Appeals to the Secretary of State

- If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.

Appeals Subject to an Enforcement Notice

- If this is a decision on a planning application relating to the same or substantially the same land and development as is already the subject of an enforcement notice, if you want to appeal against your local planning authority's decision on your application, then you must do so within 28 days of the date of this notice.
- If an enforcement notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against your local planning authority's decision on your application, then you must do so within: 28 days of the date of service of the enforcement notice, or within 6 months [12 weeks in the case of a householder appeal] of the date of this notice, whichever period expires earlier.

Other Types of Appeal

- If this is a decision to refuse planning permission for a householder application, if you want to appeal against your local planning authority's decision then you must do so within 12 weeks of the date of this notice.
- If this is a decision to refuse planning permission for a minor commercial application and you want to appeal against your local planning authority's decision then you must do so within 12 weeks of the date of this notice.
- If this is a decision to refuse express consent for the display of an advertisement, if you want to appeal against your local planning authority's decision then you must do so within 8 weeks of the date of receipt of this notice.
- If you want to appeal against your local planning authority's decision on any other type of application then you must do so within 6 months of the date of this notice.

How to Make an Appeal

- Appeals can be made online at: <https://www.gov.uk/planning-inspectorate>. If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000.
- The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.
- If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority and Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least **10 days before submitting the appeal**. [Further details are on GOV.UK](#).