

<b>Parish:</b>	Ingoldisthorpe	
<b>Proposal:</b>	Construction of a place of worship with car parking and landscaped grounds	
<b>Location:</b>	Coaly Lane Ingoldisthorpe Norfolk	
<b>Applicant:</b>	Watchtower Bible and Tract Society	
<b>Case No:</b>	17/01843/F (Full Application)	
<b>Case Officer:</b>	Mrs Jade Calton	<b>Date for Determination:</b> 6 December 2017 <b>Extension of Time Expiry Date:</b> 15 January 2018

**Reason for Referral to Planning Committee** – The Officer recommendation is at variance with the views of the Parish Council

**Neighbourhood Plan:** No

**Case Summary**

The application site comprises an irregular shaped parcel of land, measuring 1385 square metres and is situated on the southern side of Coaly Lane, off the western side of Lynn Road, Ingoldisthorpe.

The site is currently part of a container storage yard and is located just outside of the development boundary within the countryside. The site benefits from planning permission for a new storage building and siting of storage containers, granted in late 2015.

The application seeks full planning for the construction of a place of worship and associated car parking and landscaping.

**Key Issues**

- Principle of Development;
- Form and Character;
- Neighbour Amenities;
- Highway Safety; and
- Other Material Considerations

**Recommendation**

**APPROVE**

## **THE APPLICATION**

The application site comprises an irregular shaped parcel of land, measuring 1385 square metres and is situated on the southern side of Coaly Lane, off the western side of Lynn Road, Ingoldisthorpe.

The site is currently part of a container storage yard and is located just outside of the development boundary within the countryside. It will be utilising the western end of the site which has no standing containers at present.

The application seeks full planning permission for the construction of a place of worship and associated car parking and landscaping.

The proposed building will be detached with a pitched roof, constructed of brick, render and interlocking roof tiles. It will be positioned to the south-eastern corner of the site. Vehicular access will be provided off Coaly Lane. There will be provision for 30 car parking spaces and 6 bicycle spaces.

The existing hedging to the eastern (front) boundary and the existing mature trees to the northern boundary of the site are shown on the proposed plans to be retained. A new hedge is proposed to the southern and western boundaries and 1.8m high security fencing is proposed to the perimeter.

## **SUPPORTING CASE**

A Design and Access Statement accompanies the application and offers the following supporting case:-

“The proposed building will provide a replacement facility for the existing meeting place at The Green, Hunstanton Road, Heacham. The proposed building is to be designated as a “Place of Worship” (Use Classes Order D1(h) Non-Residential Institution).

Meetings are held for congregation members and the general public. The purpose of such meetings is to provide Bible education. As such, Kingdom Halls are recognized as fulfilling a community function. The meeting hall will not be used for purposes that generate a high volume and frequency of traffic movements, such as a crèche, nursery or social club.

At the present time, services for the congregations take place on a regular basis (usually Sundays and a number of evenings during the week). The meeting hall will also be used on other occasions for weddings, funerals, meetings of the trustees, pastoral care and other ancillary activities such as cleaning and maintenance. Meeting times may vary but typically start after 9am and conclude before 10pm

The proposed new building will fully meet the needs of the applicant, as identified during the initial design stages.

The proposed development provides a building which will be an enhancement of the site in terms of quality of construction, energy use, inclusive access, and is in keeping with the principles of Sustainable Development.

It is considered that the scale, appearance and form of the proposed building are complimentary to the immediate context of the site, and will not detract from the character of its environment.

Car parking will be provided along the eastern and western boundaries, and to the rear of the hall. A total of 30 spaces will be provided, including two new accessible spaces immediately adjacent to the building entrance. Three motorcycle spaces will also be provided.

Provision is made for the secure parking of 6 cycles (3 Sheffield type hoops) close to the building entrance, to encourage "green" travel to the site".

## **PLANNING HISTORY**

16/00142/PREAPP: INFORMAL - Likely to approve: 07/11/16 - PRE-APPLICATION ADVICE (FULL WITH CONSULTATIONS): Construction of Christian Meeting Hall with car parking and landscaped grounds - Coaly Lane, Ingoldisthorpe

16/01063/F: Application Permitted: 04/08/16 - Variation of condition 20 of planning permission 15/01422/F to update approved frontage boundary treatment - Sapphire Developments (Norfolk) Container Storage, Coaly Lane, Ingoldisthorpe

15/01422/F: Application Permitted: 18/11/15 - Construction of new storage building (amended design from approved scheme 12/01799/F) and siting of additional storage containers - Lark Engineering, Coaly Lane, Ingoldisthorpe

14/00366/O: Application Refused: 14/05/14 - Erection of 7 new dwellings and associated works - Land South of Coaly Lane, Ingoldisthorpe, Norfolk

12/01799/F: Application Permitted: 09/04/13 - Construction of new storage building and siting of containers for storage including retention of existing 5 no. storage containers - Land At Coaly Lane, Ingoldisthorpe

09/01978/LDE: Application Refused: 19/01/10 - Lawful Development Certificate:- Use of Land for commercial storage with additional business operation, nursery growing and selling plants - Coaly Lane, Ingoldisthorpe

09/00175/PREAPP: INFORMAL - Likely to refuse: 23/10/09 - INFORMAL REQUEST - Proposed residential development - Land At Coaly Lane, Ingoldisthorpe

07/00153/PREAPP: INFORMAL - Likely to refuse: 17/05/07 - INFORMAL REQUEST: demolition of existing buildings and construction of 8 storage units - Lark Engineering, Coaly Lane, Ingoldisthorpe

11/00069/LDE: Not Lawful: 31/03/11 - APPLICATION FOR CERTIFICATE OF LAWFUL DEVELOPMENT: Continued use of site/land as planning consent 2/82/3451/F for commercial storage & use of site/land for running of business - Coaly Lane Ingoldisthorpe Appeal Dismissed 20/03/12;

## **RESPONSE TO CONSULTATION**

**Parish Council:        OBJECT:-**

- Coaly Lane being an unadopted road which will not be able to handle the volume of traffic expected.

- Coaly Lane is used as a footpath by many parishioners (and those of Snettisham). Increased traffic could cause safety issues.
- Access to Coaly Lane (for the number of cars suggested by the size of the car park) could be dangerous due to lack of sightlines on exiting the road.
- The car park is not large enough, cars will end up parking on the main road and cause safety issues.

**Highways Authority: NO OBJECTION** conditionally.

**Environmental Health & Housing** – Environmental Quality: **NO OBJECTION** conditionally.

**Environmental Health & Housing** – CSNN: **NO OBJECTION**

**Environment Agency:** NO COMMENT TO MAKE.

**Natural England: NO OBJECTION**

## **REPRESENTATIONS**

None received.

## **LDF CORE STRATEGY POLICIES**

**CS01** - Spatial Strategy

**CS08** - Sustainable Development

**CS06** - Development in Rural Areas

**CS02** - The Settlement Hierarchy

**CS13** - Community and Culture

## **SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PLAN 2016**

**DM15** – Environment, Design and Amenity

**DM1** – Presumption in Favour of Sustainable Development

**DM2** – Development Boundaries

**DM9** - Community Facilities

**DM17** - Parking Provision in New Development

## **NATIONAL GUIDANCE**

National Planning Policy Framework (NPPF)  
Planning Practice Guidance (PPG)

National Planning Policy Framework – sets out the Government’s planning policies for England and how these are expected to be applied.

National Planning Practice Guidance - Provides National Planning Practice Guidance, in support of and in addition to the NPPF

## **PLANNING CONSIDERATIONS**

The key considerations in the determination of this application are as follows:

- Principle of Development;
- Form and Character;
- Neighbour Amenities;
- Highway Safety;
- Other Material Considerations

### **Principle of Development**

The application site lies just outside of the development boundary of Ingoldisthorpe. The proposal involves the construction of a community facility within the countryside where restrictive policies generally apply.

The intention is to relocate the existing facility which is currently located at The Green, Hunstanton Road, Heacham.

With regard to national policy, the NPPF states that the planning system can play an important role in facilitating social interaction and creating healthy, inclusive communities. To deliver the social, recreational and cultural facilities and services the community needs, planning should make provision for shared space, community facilities (such as local shops, meeting places, sports venues, cultural buildings, public houses and places of worship) and other local services to enhance the sustainability of communities and residential environments.

Local Policy CS06: Development in Rural Areas aims to:-

- Promote sustainable communities and sustainable development to ensure strong, diverse, economic activity;
- Maintain local character and a high quality environment;
- focus most new development in key rural service centres selected from the Settlement Hierarchy Policy CS02; and
- Ensure employment, housing, services and other facilities are provided in close proximity.

Locally, Development Management Policy DM2: Development Boundaries, states that areas outside development boundaries will be treated as countryside where new development will be more restricted and will be limited to that identified as suitable in rural areas by other policies of the local plan, including:

- Farm diversification (CS06);
- Small scale employment (CS10);
- Tourism facilities (CS10);
- Community facilities, development in support (CS13);
- Renewable energy generation (DM20);
- Rural workers housing (DM6); and
- Affordable housing (CS09).

Core Strategy Policy CS13: Community and Culture aims to deliver community well-being and enhance quality of life through good design; create sustainable communities through the provision of community infrastructure; and protect, enhancing and promote cultural assets as well as facilitating new cultural facilities in growth areas.

Policy DM9 refers specifically to Community Facilities and refers:-

‘The Council will encourage the retention of existing community facilities and the provision of new facilities, particularly in areas with poor levels of provision and in areas of major growth. Development leading to the loss of an existing community facility will not be permitted unless it is demonstrated that either: a) the area currently served by it would remain suitably provided following the loss, or if not  
b) it is no longer viable or feasible to retain the premises in a community facility use.’

The preamble to the policy refers to the need to protect existing community facilities where there is a proven demand and to encourage replacement facilities in the immediate locality if it is not viable to retain the facility on site.

Whilst the site is just outside the village settlement boundary within the countryside, it is on a brownfield site with planning permission for B8 storage use. This is a material consideration. Furthermore, although the application site is part of a storage container yard, the red line area is not currently used for storage and is grass land. The proposal would therefore not result in any significant loss of employment land.

The loss of the existing community facility in Heacham would be considered separately through any potential planning application for that site and the proposed replacement, although not within close proximity, will be provided only two villages away which is relatively easily accessible by car and public transport.

In principle therefore the replacement of a new, improved community facility in this location is to be supported in policy terms, subject to other material considerations.

### **Form and Character**

As mentioned above in the report, the site lies just outside of Ingoldsthorpe’s development boundary and within the countryside. The principle of the development is supported in policy terms as it will provide a replacement community facility, albeit technically within the countryside.

The application is currently part of a storage container yard but the parcel outlined in red is not used; it is grass land lined with mature trees to its western boundary.

The neighbouring dwelling to the east; 'Aldorcar' is the last house within the development boundary along Coaly Lane. However, planning permission has been approved for the construction of a bungalow (16/01633/RM - not yet commenced) on a parcel of land between Aldorcar and the storage container site. The proposed building will be situated to the west of the container site, continuing the built form along Coaly Lane, therefore in context, the building will be in keeping with the form and layout of the area.

The proposed building will be of simple construction; a single storey building with a pitched roof, facing brickwork, render, and interlocking roof tiles. It is considered that the proposed development would be in keeping with the building characteristics of the locality and is not considered to cause any adverse impact on the character and appearance of the surrounding countryside.

### **Neighbour Amenity**

The nearest current neighbouring dwelling is 'Aldorcar' to the east of the site. As mentioned above, permission has been granted for a dwelling directly to the west of Aldorcar. The storage container yard sits in between the site and the neighbouring properties; therefore it is not considered that the proposal would cause any direct adverse impact upon the amenities, in terms of loss of privacy, loss of light or overbearing impact to those residents.

There is likely to be a relatively low level of noise and disturbance associated with the proposed place of worship which may affect the two properties that are currently accessed from Coaly Lane; Aldorcar and no. 161. The new dwelling has not been constructed yet so that would become a 'buyer beware' situation.

As far as the LPA is aware the land owner of the application site and the storage yard is the same as at Aldorcar, Coaly Lane. The applicant of this proposal will purchase the land subject to planning permission being approved; the correct notices have therefore been served. Whilst the LPA has to consider the impact on neighbour amenity regardless of any situation, the fact that Aldorcar is willing to sell the land for the purposes proposed indicates that they consider no disamenity will arise. There have been no representations or objections received from this, or any other, address.

The lane already experiences comings and goings from the storage yard site. The place of worship will inevitably increase the amount vehicular traffic on the lane. However, whilst there are some loose chippings, the track is not made up of loose shingle so the noise associated with this will be minimal. Given the nature of the lane vehicles cannot travel at any speed to exacerbate this.

No. 161 is bounded along Coaly Lane by a 2m wall, leylandi hedging, shrubs and a mature tree, and Aldorcar is bounded by a 1.2m close boarded timber fence and shrubs which will help reduce any impact from car headlights and associated noise and disturbance.

There is a gap between the application site and the neighbouring dwellings where the containers are sited. This will offer a break between buildings and reduce any impact from noise associated with activities taking place within the hall. The agent has confirmed that the building will have an integrated sound system which has a public address system designed to only be audible to users inside the building. Services do not consist of live music.

## **Highway Safety**

A new vehicular access will be provided off Coaly Lane. It is proposed to provide 30 car parking spaces, including two accessible spaces, 3 motorcycle spaces and hoops for 6 bicycles.

Norfolk County Highways have been consulted on the application and have advised that with consideration of the improvements previously made to the access, the proposed parking provision which is in accordance with current requirements and the presence of pedestrian facilities linking to adjacent villages of Dersingham and Snettisham, they have no objection to the proposed development.

The Parish Council have raised an objection to the proposal on highway grounds as they are concerned that Coaly Lane, being an unadopted road, won't be able to handle the volume of traffic and that the increase could cause safety concerns. However, a material consideration in this case is the fact that the application site is already part of a storage container yard and has planning permission for a Class B8 storage building which could potentially result in significant vehicle movements, including HGV's. The proposed use is therefore unlikely to result in such an increase in traffic to warrant refusal of the application on highway safety grounds.

## **Other Material Considerations**

Crime and Disorder:

Section 17 of the Crime and Disorder Act 1998 requires Local Authorities to consider the implications for crime and disorder in the carrying out of their duties. The application before the Committee will not have a material impact upon crime and disorder.

Drainage:

The agent is awaiting infiltration test results so as to ascertain a suitable design for drainage/storm water. Investigations are ongoing with Anglian Water and the vendor with regards to Foul Sewers. All possible options are being thoroughly investigated and although the final technical solution has not been designed at this stage, full details of drainage will be the subject of a pre-commencement condition.

Full details of drainage will be conditioned.



## CONCLUSION

This application seeks permission for a place of worship on the edge of the settlement boundary in the countryside. The site is considered to be brownfield land as it is currently part of a storage container yard. Local and National Policies support development for community facilities in rural areas.

The potential impact on neighbour amenities associated with the noise and disturbance from vehicular movements along Coaly Lane are considered to be minimal and would not lead to an objection from Officers.

Although the Parish Council have raised concerns of highway grounds, it is not considered that the proposal would adversely affect highway safety, given the previous uses on the site, the highway improvements that have occurred already and the lack of a highway authority objection.

Based on the above, it is your officer's opinion that the proposed place of worship would be acceptable in this location as it complies with relevant local and national planning policies and other material considerations. The application is therefore recommended to be approved subject to conditions.

## RECOMMENDATION:

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

- 1 Condition: The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- 1 Reason: 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 Condition: The development hereby permitted shall be carried out in accordance with the following approved plans 1705/PL001, 1705/PL002, 1705/PL003 and 1705/PL004.
- 2 Reason: For the avoidance of doubt and in the interests of proper planning.
- 3 Condition: Prior to the commencement of the use hereby permitted the proposed access / on-site car and cycle parking / servicing / loading, unloading / turning area shall be laid out, demarcated, levelled, surfaced and drained in accordance with the approved plan and retained thereafter available for that specific use.
- 3 Reason: To ensure the permanent availability of the parking / manoeuvring area, in the interests of highway safety.
- 4 Condition: No development shall commence until full details of the foul and surface water drainage arrangements for the site 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.
- 4 Reason: To ensure that there is a satisfactory means of drainage in accordance with the NPPF.

5 Condition: The premises shall only be used between the hours of 08:00 and 22:00 Monday to Saturday and 08:00 to 18:00 on Sundays, Bank and Public Holidays unless otherwise approved in writing by the Local Planning Authority.

5 Reason: In order that the Local Planning Authority may retain control over the development in the interests of the amenities of the locality in accordance with the NPPF.

6 Condition: Prior to the commencement of groundworks, an investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:

(i) a survey of the extent, scale and nature of contamination;

(ii) an assessment of the potential risks to:

- \* human health,
- \* property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
- \* adjoining land,
- \* groundwaters and surface waters,
- \* ecological systems,
- \* archaeological sites and ancient monuments;

(iii) an appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

6 Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors. This needs to be a pre-commencement condition given the need to ensure that contamination is fully dealt with at the outset of development.

7 Condition: Prior to the commencement of groundworks, a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

7 Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried

out safely without unacceptable risks to workers, neighbours and other offsite receptors. This needs to be a pre-commencement condition given the need to ensure that contamination is fully dealt with at the outset of development.

- 8 Condition: The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of groundworks, other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

- 8 Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors. This needs to be a pre-commencement condition given the need to ensure that contamination is fully dealt with at the outset of development.

- 9 Condition: In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of condition 6, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 7, which is subject to the approval in writing of the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition 8.

- 9 Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors. This needs to be a pre-commencement condition given the need to ensure that contamination is fully dealt with at the outset of development.