

**AGENDA ITEM NO: 8/1(i)**

<b>Parish:</b>	Titchwell	
<b>Proposal:</b>	Proposed development to a small commercial holiday business to include six accommodation lodges, a reception lodge and proposed parking area near entrance	
<b>Location:</b>	Land NW of Junction With Choseley Road And E of Track N of Orchard Cottage Main Road Titchwell Norfolk	
<b>Applicant:</b>	Mr Patrick Wales	
<b>Case No:</b>	18/00066/F (Full Application)	
<b>Case Officer:</b>	Mrs K Lawty	<b>Date for Determination:</b> 9 March 2018

**Reason for Referral to Planning Committee** – Called in by Councillor Mrs Watson.

**Neighbourhood Plan:** No

**Case Summary**

The site is located on the northern side of the main A149 coastal road which runs through the village of Titchwell. During the course of the application the site boundary has been reduced in scale from 1.97 to 0.72 hectares (i.e. approximately 36% of the original site).

The site is currently part of a grassed field although has not been used for agricultural purposes since 2010. The applicant claims that the field is currently used as a private camping site.

The whole field is bounded by tree and hedgerow planting. The applicant confirms that 120 plus native coastal trees have been planted along the eastern field boundary and southern hedgerows and borders.

The southern roadside boundary of the application site has tree and hedgerow planting. The boundary to the north of the application site is undefined.

There is an existing vehicle access point onto the A149 to the south east corner of the site.

The site is within open countryside which is designated as the North Norfolk Coast AONB and Heritage Coast. It is within 10m of a Ramsar Site, Special Area of Conservation, Special Protection Area and SSSI Buffer Area.

Full planning permission is sought for the proposed change of use of the land to form a commercial holiday business to include six accommodation lodges, a reception lodge and proposed parking area for 16 vehicles along the southern boundary of the site. The existing vehicular access point to the south east corner of the site would be improved.

## **Key Issues**

Principle of Development  
Impact upon the AONB  
Impact upon the Conservation Area  
Ecological Matters  
Highway Safety  
Arboricultural Implications  
Flood Risk  
Other Material Considerations

## **Recommendation**

**REFUSE**

## **THE APPLICATION**

The site is located on the northern side of the main A149 coastal road which runs through the village of Titchwell. It is currently part of a grassed field although has not been used for agricultural purposes since 2010.

The applicant claims that the field is currently used as a private camping site and evidence of barbecue equipment and a storage container are sited to the north west corner of the field within the blue land, outside the application site.

Also in the blue land to the northern part of the field is a manmade, circular lake which has become naturalised with the landscape. The whole field is bounded by tree and hedgerow planting. The applicant confirms that 120 plus native coastal trees have been planted along the eastern field boundary and southern hedgerows and borders.

There is an existing vehicle access point onto the A149 to the south east corner of the site.

The site is within open countryside which is designated as the North Norfolk Coast AONB and Heritage Coast. It is within 10m of a Ramsar Site, Special Area of Conservation, Special Protection Area and SSSI Buffer Area.

Full planning permission is sought for the proposed change of use of the land to form a commercial holiday business to include six accommodation lodges, a reception lodge and proposed parking area for 16 vehicles along the southern boundary of the site. The existing vehicular access point to the south east corner of the site would be improved.

During the course of the application the amount of land associated with the holiday use has been made smaller and the site boundary has been reduced in scale from 1.97 to 0.72 hectares (i.e. approximately 36% of the entire site). However, the amount of built form and associated infrastructure has remained the same.

The single storey, flat roof lodges have been designed to resemble timber bird hides with sedum roofs.

## **SUPPORTING CASE**

The application has been supported by a Design and Access Statement (DAS), Landscape and Visual Appraisal, Ecology Report, HRA Ecology Report, Flood Risk Assessment, Emergency and Flood Evacuation Plan and Site Development Assessment.

The DAS concludes:-

'This development will support a start-up business by myself whilst meeting the criteria contained within the King's Lynn & West Norfolk Borough Council Core Strategy and SDMP.

Having lived in Norfolk all my life and witnessing the huge changes along the north Norfolk coast and the emergence of a growing tourism market, this small development meets and delivers a need for a more eco sensitive and responsible approach to an increasing tourism market. This 'set in nature' accommodation concept that has been successfully employed on other recent holiday developments, i.e. Shed Rooms at Somerleyton in Norfolk and Natural Retreats in the Yorkshire Dales and John O'Groats.

In addition, it provides an alternative experience and unique coastal holiday concept, especially for those who have mobility and disability needs which at present is limited to either hotels or holiday cottages.

This development has gained support and engagement from both the RSPB and Norfolk Coast Partnership who have been consulted throughout the development process.

It is supported by a positive Landscape Visual Appraisal both in terms of design and site layout.

Meets approval from the Highways Department in terms of being accessible and without splay concerns.

Will provide a business and employment for local people of the area whilst supporting local businesses.

Is of a high quality design and specification that meets the criteria set out in the Core Strategy.

With the sites unique location and site concept, and the considerations being made on sustainability and environmental consideration, both in design and principals, this proposal meets the criteria of planning and additional site designations considerations.'

Further the applicant has submitted some additional comments to rebut some of the key comments received:

I recognise that the habitats and protection of landscapes and species of the area are of primary concern. To that end, I have engaged and worked from the conception of this site with the Norfolk Coast Partnership, RSPB and Environmental and ecological bodies. In addition, as recommended in CS12 I have commissioned:

1. Both Ecological and Habitats Reports who concluded that the site (which at present is an arable field) would not be adversely affected by the small area of development and have made recommendations to increase biodiversity and management of the site which is to be employed. I feel this does support the NPPF 114 in "positively for the creation, protection, enhancement, and management of networks of biodiversity..."

2. A Visual Landscape Appraisal that supports that the low density, design, and placement of the accommodation would have little impact on the area.

In addition, CS07 and CS12 state that the Council as well as balancing the ecological concerns of the coast should seek to balance nature of the coastline and its associated designations with the economic and social development of the area. In addition, they “will support and develop services which attract visitors throughout the year provide for the local community to increase economic sustainability for businesses and services”.

Overall, these points are key elements of this development. The concept is of supporting the ecological concerns of the area whilst encouraging visitors to the area to do the same. Whilst the area is defined under the AONB as Open Coastal Marshes the site itself is a small field enclosed by large hedges and trees that outlook would not be unduly changed by this small accommodation development which is supported by the LVA.

## **PLANNING HISTORY**

17/00119/PREAPP - PRE-APPLICATION ENQUIRY: Six eco sensitive holiday lodges for year round use - Likely to refuse

## **RESPONSE TO CONSULTATION**

**Parish Council:** Mixed response – both support and object:-

**SUPPORT** due to:

- Carried out proper searches and research about impact
- New scheme for Titchwell good because Titchwell needs to move Forwarded comments to the applicant relating to crime prevention.
- Working with neighbouring facilities e.g. RSPB, Coastal Partnership Natural England

**OBJECT** to:

- Loss of green field
- Will see huts from the road/village; holiday lets
- Security of Site Allocations and Development Management Policies Plan September 2016 (SADMP 2016)
- Already accommodation in the village
- Unsightly

**Norfolk Coast Partnership: OBJECTION** – primarily due to its sensitive location in the undeveloped Heritage Coast.

The North Norfolk Heritage Coast, a section of the coast from Holme-next-the-Sea to Weybourne, was defined in an agreement between local authorities and the Countryside Commission in 1975, recognising this section of coastline as one of the finest stretches of undeveloped coast in England and Wales. 'Heritage Coast' is a non-statutory definition, although it is recognised within the statutory planning system.

The area is defined as Open Coastal Marshes in the AONB Intergrated Landscape Guidance. Key assets vulnerable to change are:

Open, expansive views northwards across a dynamic seascape - there is a strong sense of openness throughout the landscape type.

The patchwork of dunes, shingle, mudflats, brackish lagoons and reed beds, which provide a cohesive visual unit and contribute to a generally undisturbed and natural character.

The lack of buildings and structures, which ensures there are very few detracting elements and which enhances the overall sense of tranquillity and remoteness.

The proposal is in conflict with CS07, CS12 and NPPF 114, 115.

The nature of the proposal and the level of design is of an exceptional standard and we would be supportive of similar developments elsewhere, however the sensitivity of the location itself in undeveloped Heritage Coast is reason for our objection.

**Highways Authority: NO OBJECTION** - conditionally

**Conservation Officer: OBJECT** - This site is outside the conservation area but its south boundary is adjacent to it and any development within it will undoubtedly have some impact on the setting of the CA which is a designated heritage asset. I'm not entirely comfortable with this proposal which is broadly similar to a proposal on an adjacent field last year ref. 16/01290/F and throws up many of the same issues.

The conservation area has an extended linear form with an open character long clear views into/out of the village and between and small clusters of buildings close to the road. Hedges are not thick and there are relatively few trees so the extensive screening proposed, although "green" would be very out of character and disrupt the view into the CA from the west. Heavy screening along the road side would be alien to the area. The design and style of the proposed timber cabins do not reflect any of the characteristics of the area and no mention is made of lighting which can be intrusive, and any paraphernalia which may be required such as sat dishes, bins etc.

On that basis I would not be able to support an application because I consider that the proposal will cause harm to the setting of the designated heritage asset and I'm not convinced that the benefit to tourism outweigh that harm. The proposal is therefore contrary to the NPPF para. 137 (setting) or 134. (public benefit)

**Natural England: NO OBJECTION** - subject to appropriate mitigation being secured. We advise that the development provides:

- A contribution of £50 per dwelling to the Monitoring and Mitigation Strategy as recommended in the Habitats Regulations Assessment (HRA)
- Implementation of mitigation and enhancement as detailed in the Ecology Report
- To offset potential impacts to:
  - North Norfolk Coast Special Area of Conservation
  - North Norfolk Coast Special Protected Area
  - The Wash and North Norfolk Coast Special Protected Area
  - North Norfolk Ramsar
  - North Norfolk Cost Site of Special Scientific Interest

Natural England also gives general advice on other natural environment issues.

**Environment Agency: NO OBJECTION** - but strongly recommend that the mitigation measures detailed in the submitted Flood Risk Assessment by Parsons Consulting Engineers Ltd, referenced 17051-FRA-01 – Version 4 and dated 21/11/2017 are adhered to. The FRA states:

1. Finished ground floor levels to be set no lower than 6.86 metres above Ordnance Datum (AOD).

**Environmental Health & Housing - Environmental Quality:** No comments to make regarding contaminated land or air quality.

**Environmental Health & Housing - CSNN: NO OBJECTION** – conditionally; concerns relating to out of hours noise issues and neighbour amenity; recommend 24 hour staffing which would also benefit site security; recommend bespoke noise management condition.

**District Emergency Planning Officer: NO OBJECTION** - Because of its location in an area at risk of flooding I would suggest that if permission is granted then the following conditions are considered:

- Site managers should sign up to the Environment Agency flood warning system (0345 988 1188 or [www.gov.uk/flood](http://www.gov.uk/flood) )
- A flood evacuation plan should be prepared to the satisfaction of the local authority emergency planning department.
- This will include actions to take on receipt of the different warning levels.
- Evacuation procedures e.g. isolating services and taking valuables etc.
- Evacuation routes

I note that page 5 of the FRA refers to the North Norfolk Joint Flood Plan – this does not cover this area and is only relevant to those in the North Norfolk District Council area that only extends westwards as far as Holkham.

**Arboricultural Officer: NO OBJECTION**

## REPRESENTATIONS

The application has been called to the Planning Committee by Cllr Mrs Watson.

**17** representations received (**9 objections, 2 in support**) referring to the following:-

- This proposed development is in a Conservation Area. Any new buildings in this designation should surely take into account the materials traditionally used in local buildings; predominantly red brick, flint and chalk with red pantile roofs;
- The siting of the units around the boundary on the west side suggests that there might be a further application sometime in the future for more units on the eastern side of the site;
- Highly visible position just to the south of the Titchwell RSPB reserve and in the AONB;
- Titchwell is a small traditional conservation village with holiday accommodation aplenty.
- This type of development would do nothing to augment village life.
- The proposed site is totally inappropriate, being one of an AONB occupying unbroken views of marsh and coastline and making up one of the few remaining areas of North Norfolk coast that hasn't been developed.
- The lack of any buildings, structures or light pollution enhances the overall sense of tranquillity and remoteness of this site along with forming the character and make-up of the village of Titchwell.
- The proposed development seemingly has little public benefit and would therefore only erode away at the beauty of the area.
- It would be detrimental to the aesthetics of the AONB especially regarding unbroken views of marsh and coastline.

- Light and noise pollution - it would be impossible to have a development with a car park for 16-20 cars and up to 24 occupants that would not cause disturbance to local individuals and wildlife.
- Transport grounds - the Design and Access statement mentions a cycle path - none exists. The A149 is extremely busy and it is challenging to safely cross the road. The footpath between Titchwell and Thornham is very narrow, often overgrown and muddy and extremely close to the road. It is impossible to safely and easily take a small pushchair or wheelchair.
- Threats to wildlife/habitat/environment - The area immediately adjacent, to the west of the site, parallel to the A149 has been home to barn owls for many years. Their habitat could be compromised both by the building work to create the development and the use of the site itself.
- The proposed use of the North end by the RSPB could happen irrespective of the planned eco-lodge development and one wonders why it was not discussed earlier.
- There is scant reference to use of renewable resources in the planning application.
- A maximum of the equivalent of 3 full time jobs is proposed with no guarantee of them being given to locals. From an information meeting at Titchwell Church in November 2017 I understand the manager will be the applicant himself. In that meeting we were informed that the proposed path from the site into the RSPB is for occupants of the lodges only and will not be accessible to villagers.
- The activities mentioned (some of which may be extended to the locals) are mostly already available at the RSPB next door (photography, pond dipping etc.) or elsewhere nearby.
- Staff will be onsite during working hours only. Local villages have been subject to excessive disturbance in the evenings and at night e.g. during Hunstanton Tennis week in the past. If the lodges are let out to groups as Destination Research suggests in the Site Need Assessment I would be concerned about disturbance to the community particularly when staff are not present.
- I note various inaccuracies in reports - it is stated that Fieldfare Cottages are all holiday accommodation, that Marshland Barns and cottages nearby have hardly any north facing windows and there is mention of a cycle path outside the site. It is also implied that the site has little wildlife of any significance.
- Titchwell is a tiny village with a relatively large percentage of permanent occupants compared to neighbouring Brancaster and Thornham. A previous attempt to build more holiday accommodation was rejected. Plenty of the holiday properties in the village that were previously family homes are often vacant especially between November and March so I do not consider that demand has outstripped supply. The two hotels already offer high quality disabled accommodation. We have a binocular shop only. There are no facilities for village children and no village hall or other shops but we do have a beautiful environment. This proposed development offers very little to the locality except the promise of visual, noise, traffic and light pollution, and the disturbance and possible destruction of wildlife habitats.
- This planning application for buildings for a letting business in a conservation area is totally unacceptable. There are already plenty of houses for holiday lets; indeed many would say there are already too many, in the local area. There is no demand for any more, and if there was a demand, it could be met in the existing areas designated for housing.
- It was suggested that the existing hedge could be let to grow to cover the sight of the buildings; all this would be to further obscure the view of the
- Given the immediate proximity to bird reserve and salt water marshes, this proposed development would unquestionably have significant detrimental effect on flora and fauna.
- This field is regularly frequented by barn owls, muntjac and roe deer, we assume finding home in the adjacent woodland.

- We have witnessed late night partying on this land with bonfire, strobe lighting and loud music playing into the early hours.
- It must also be of concern that the land in question abuts neighbouring hotel complex grounds, in the event this application were granted, this would surely set precedent for similar development alongside
- Surely the most 'eco sensitive' of options is to leave be.
- The key assets of the AONB would be completely undermined by approving this development
- This would set a dangerous precedent; how many more fields could be turned into holiday parks should their owners apply?
- Titchwell is a 'small village or hamlet' (G.101.1) and 'only very limited development would be expected here' (G.101.2).
- Titchwell Manor and Briarfields already cater for holiday accommodation with 50 rooms and over 30 ground floor rooms for anyone with mobility issues.
- The additional number of units will not make such a difference that it could be taken as any kind of mitigation against the far greater loss to the AONB, this is frankly risible.
- The DAS points at the site expanding in the future as the number of employees is expected to expand to 5 people in future years.
- There is no foundation for the 'eco-sensitive' nature of this development; the cabins will be powered by mains electricity, connected to the mains drain, waste will be in the current rubbish collection, each cabin will have 2 parking spaces and will increase light pollution with some lighting being on throughout the night.
- The level of eco-sensitivity is comparable with a static caravan site.
- The most eco-sensitive element is the location, the fragility of which is protected by planning policies.
- The council should send a clear message that its defence of the AONB, Conservation Area, village plans and other policies will be robust and resolute.
- Will create a huge amount of disturbance particularly in the summer months when these units are the homes of holiday makers bringing with them their boars, barbeques, bicycles etc. and turning a quiet open space into a holiday resort.
- I am not against development in the region but strongly believe there are better locations inland that do not destroy the beauty of the North Norfolk Coast.

#### **Supporting comments:**

- I wish to firmly support this application. I do not accept that the development will significantly detract from the openness of the saltmarsh which characterises the AONB, as the scale of the development is modest, screened from the road frontage by an existing hedgeline, and has a backdrop of clusters of existing trees.
- The proposal is sensitively designed, and whilst unfortunately I doubt it will make any measurable difference to the demographic of the wider village, it is preferable to have purpose-designed accommodation for visitors, rather than the currently prevailing situation where a large percentage of the village's housing stock is taken up by holiday homes and rental properties, left vacant for much of the year.
- The proposed development will benefit RSPB Titchwell Marsh, attracting additional income to their cafe and visitor centre, in particular. Given its location, the development will be perfectly situated to attract birdwatchers for extended periods, where otherwise they might drive in for a single day, reducing income to the area and increasing transport pollution and congestion (which is significant along the A149 in summer). The nature of the accommodation differs from any presently available in the village, and will fill a useful niche for birdwatchers and nature lovers of limited means, who perhaps could not afford the village's hotels or cottage rentals.



- I believe that the balance of benefits outweighs the limited impact, and so is in accordance with relevant national and local policy.
- I am surprised that the Ecology Assessment mentions Great Crested Newts, yet omits any mention of the very much rarer Natterjack Toads that are present on the marsh. I do wonder whether the pond on the site could be managed in such a way to benefit this species.

## **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

**DM3** - Development in the Smaller Villages and Hamlets

**DM11** – Touring and Permanent Holiday Sites

**DM15** – Environment, Design and Amenity

**DM17** - Parking Provision in New Development

## **NATIONAL GUIDANCE**

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

## **PLANNING CONSIDERATIONS**

The main planning considerations in regards to the application are:-

- Principle of Development
- Impact upon the AONB
- Impact upon the Conservation Area

- Ecological Matters
- Highway Safety
- Arboricultural Implications
- Flood Risk
- Neighbour Amenity
- Other Material Considerations

### **Principle of Development**

In policy terms the site lies in the countryside and within the Area of Outstanding Natural Beauty. The majority of the site lies within the Heritage Coast. It is adjacent to the RSPB Nature Reserve at Titchwell. The site is within the one of the most sensitive parts of the borough in terms of nature conservation and visual amenity.

The proposal is for the change of use of the 0.72ha site for holiday use. The proposed physical development includes six detached holiday lodges, a separate detached reception/management building, parking and turning for 16 vehicles and works to widen the vehicular access into the site.

Nationally, the NPPF seeks to protect and enhance the natural, built and historic environment whilst contributing to the achievement of sustainable development. Paragraph 28 states inter alia:

“Planning policies should support economic growth in rural areas in order to create jobs and prosperity by taking a positive approach to sustainable new development. To promote a strong rural economy, local and neighbourhood plans should:

- support the sustainable growth and expansion of all types of business and enterprise in rural areas, both through conversion of existing buildings and well-designed new buildings;
- promote the development and diversification of agricultural and other land-based rural businesses;
- support sustainable rural tourism and leisure developments that benefit businesses in rural areas, communities and visitors, and which respect the character of the countryside. This should include supporting the provision and expansion of tourist and visitor facilities in appropriate locations where identified needs are not met by existing facilities in rural service centres...”

In the Core Strategy Policy CS06 states that in the countryside and rural areas the strategy will be to protect the countryside for its intrinsic character and beauty, the diversity of its landscapes, heritage and wildlife and its natural resources to be enjoyed by all. Development is therefore restricted to that appropriate in a rural area.

Tourism plays a significant role in the Borough’s local economy and the Council takes a positive approach to the development of tourism. The main tourist appeal is based on the unique natural environmental assets and the historic built environment. Locations for proposed holiday accommodation need careful consideration. Proposals for holiday accommodation should also provide for a range of accommodation which will continue to positively contribute to the local economy.

Policy CS10 states that opportunities to improve and enhance visitor economy will be promoted. Smaller tourism opportunities will be supported in rural areas to sustain the local economy, providing these are in sustainable locations and are not detrimental to the valuable natural environment.

The policy also states that the Council will permit the development of new tourism accommodation in rural areas provided it is located in or adjacent to villages and towns, it is of a high standard of design, will not be detrimental to the landscape and mechanisms will be in place to permanently retain the tourism related use.

CS12 refers that proposals to protect and enhance the historic environment and landscape character, biodiversity and geodiversity will be encouraged and supported.

Policy DM11 of the SADMP refers specifically to development of Touring and Permanent Holiday Sites. The preamble to the policy states that permanent holiday sites can have a significant impact on the landscape. It refers to the Core Strategy which seeks to protect the countryside for its intrinsic character and beauty, the diversity of its landscapes, heritage and wildlife and the importance of ensuring a correct balance between encouraging tourism and other policy aims of controlling development in the countryside. It refers to a controlled approach to new development being particularly desirable within the northern coastal area of the Borough which is designated as AONB and SSSI's.

The preamble states there is already a variety of tourist accommodation available in the Borough ranging from log cabins, static caravans, yurts, chalets or pitches for touring tents, camper vans and caravans, and it is preferable to protect this source of accommodation rather than construct new holiday sites in the countryside, particularly within the AONB.

This policy states that:

'Proposals for new holiday accommodation sites or units or extension or intensification to existing holiday accommodation will not normally be permitted unless;

- The proposal is supported by a business plan demonstrating how the site will be managed and how it will support tourism or tourist related uses in the area;
- The proposal demonstrates a high standard of design in terms of layout, screening and landscaping ensuring minimal adverse impact on visual amenity and the historical and natural environment qualities of the surrounding landscape and surroundings; and
- The site can be safely accessed;
- It is in accordance with national policies on flood risk;
- The site is not within the Coastal Hazard Zone indicated on the policies map, or within areas as identified as tidal defence breach Hazard Zone in the Borough Council's Strategic Flood Risk Assessment and the Environment Agency's mapping;

Small scale proposals for holiday accommodation will not normally be permitted within the Norfolk Coast Area of Outstanding Natural Beauty (AONB) unless it can be demonstrated that the proposal will not negatively impact on the landscape setting and scenic beauty of the AONB or on the landscape setting of the AONB if outside the designated area. Proposals for uses adversely affecting sites of specific scientific interest or European sites will be refused permission.'

Tourism plays an important role in the local economy but the core strategy also seeks to protect the countryside for its intrinsic character and beauty, the diversity of its landscapes, heritage and wildlife. It is therefore important to ensure there is a correct balance between encouraging tourism and other policy aims of controlling development in the countryside.

In line with the requirements of policy, the application has been supported by a business plan and financial viability report that demonstrates the business could have a clear prospect of being financially sound.

This site is adjacent to the SSSI and European Designated Sites and is contained within the AONB. The proposal for 6 holiday cabins in the AONB would therefore be contrary to the principle of development unless it can be demonstrated that it does not adversely impact on the landscape setting and scenic beauty of the AONB and the SSSI and European sites.

### **Impact upon the AONB**

The site is on the northern side of the A149, Titchwell and is within the AONB. Part of the site is also within the Heritage Coast.

The site is part of a larger field, is currently grassed and slopes towards the coastline. The existing field is split east-west by a hedge approximately 2/3rds of the way into the site. Beyond the hedge there is an access to a pond area. The application site forms approximately one third of this field. The site has intermittent screening along the southern boundary, trees to the western boundary and hedging along the eastern boundary. Beyond the northern field boundary is the RSPB reserve and a wooded copse area.

Views from the west into the site are limited given the tree belt along the western boundary and views are limited from within the RSPB reserve into the site by virtue of the wooded copse area. Given the less dense hedging along the eastern boundary of the site, the field can be seen in combination with the fields that are adjacent to Briarfields.

Views from the south see the site in a wide panoramic view of the heritage coastline.

Paragraph 115 of the NPPF requires great weight to be given to conserving landscape and scenic beauty in National Parks, the Broads and Area of Outstanding Natural Beauty, which have the highest status of protection in relation to landscape and scenic beauty.

Policy DM15 - Environment, Design and Amenity - development must protect and enhance the amenity of the wider environment including its heritage and cultural value. The scale, height, massing, materials and layout of a development should respond sensitively and sympathetically to the local setting and pattern of adjacent streets including spaces between buildings through high quality design and use of materials.

North Norfolk Coast AONB is very tranquil and settlements are linear in form along the coast road, with sporadic development on both the southern and the northern sides. The National Character Area profile - North Norfolk Coast AONB refers to the development of tourism infrastructure along the coast road such as the development of car parks at popular visitor sites. The character statement refers to such infrastructure weakening the landscape character and reducing the sense of tranquillity and feeling of remoteness. Increased pressure on rural roads as a result of an increase in tourist activity in coastal villages has had a marked impact on the quiet character of historic settlements particularly during the holiday periods according to the publication.

The site sits in Landscape Character Area (LCA) C2 as defined by the CBA assessment commissioned by the Council. The characteristics of the wider Coastal Slopes Landscape Character Type (LCT) include:-

- Open character providing extensive uninterrupted views across the coastal marshes to the sea beyond;
- Land use dominated by arable farming;
- Generally linear settlement pattern along the A149 at the base of the slope;
- Skyline is strong – predominantly defined by the edge of the plateau [to the south];

- Occasional agricultural buildings, churches etc. are the only other visible built structures; and
- Views towards the coastal marshes are extensive and open, unhindered by vertical elements. Views to the plateau landscape are restricted by the edge of the plateau forming a strong visual boundary blocking views beyond. The slopes form an important backdrop and skyline to the coastal edge.

The proposal shows an improved access into the site from the main A149, opposite a road that leads south towards Choseley. Parking facilities are shown for 16 vehicles, including disabled spaces. The parking area will lie adjacent to the southern boundary of the site. A detached building to provide reception facilities and staff facilities is shown close to the access into the site. A footpath is shown to provide access to the 6 lodges which are 10.6m x 7.3m x 2.7m in height, with green roofs and of timber construction.

A pedestrian link through to adjoining land to the north is shown run along the western part of the field. This link through to RSPB land forms part of the application.

Given that the site is within the AONB, a Landscape and Visual Appraisal (LVA) has been submitted with the application, to assess the scale of the proposal and its impact upon the wide panoramic sky line. The LVA considers that the study site has a medium/high landscape value. In addition to the site being within the Norfolk Coast AONB, and close to important national and international sites of ecological value the LVIA confirms it lies adjacent the Titchwell Conservation Area and could be said to fall within the setting of the Grade I listed church of St Mary.

The LVA concludes that the proposed development site is relatively well enclosed and anticipated to have a relatively small zone of visual influence. Although a greenfield site, the LVA considers that the development will fit within the perceived existing village of Titchwell – certainly when viewed from the higher ground to the south. It will not be visible from local listed structures and the scale and style of the development will not be intrusive to the Conservation Area, local footpaths or adjacent properties.

It considers the development will lie outside of designated sites of ecological importance but provide opportunities for habitat enhancement and environmental education. The proposed design will continue landscape enhancement works already undertaken by the owner at the site. The LVA considers the development proposals are in line with the development management guidelines set out in the BCKLWN landscape assessment, namely:

- Retaining landscape pattern – especially in relation to field size and hedgerow management (and restoration)
- Conserving/enhancing grassland habitats and associated biodiversity
- Conserve/enhance woodland habitats and support associated biodiversity
- Avoid urbanising features (with a low/key design approach).

Despite the claims of the applicant the Norfolk Coast Partnership (NCP) objects to the proposal, primarily due to its sensitive location in the undeveloped Heritage Coast. They confirm that the North Norfolk Heritage Coast, a section of the coast from Holme-next-the-Sea to Weybourne, was defined in an agreement between local authorities and the Countryside Commission in 1975, recognising this section of coastline as one of the finest stretches of undeveloped coast in England and Wales. 'Heritage Coast' is a non-statutory definition, although it is recognised within the statutory planning system.

The NCP refer to the area being defined as Open Coastal Marshes in the AONB Integrated Landscape Guidance. They note that the key assets vulnerable to change are:

- Open, expansive views northwards across a dynamic seascape - there is a strong sense of openness throughout the landscape type.
- The patchwork of dunes, shingle, mudflats, brackish lagoons and reed beds, which provide a cohesive visual unit and contribute to a generally undisturbed and natural character.
- The lack of buildings and structures, which ensures there are very few detracting elements and which enhances the overall sense of tranquillity and remoteness.

Accordingly they find that the proposal is in conflict with Policies CS07, CS12 as well as paragraphs 114 and 115 of the NPPF.

They note that the nature of the proposal and the level of design is of an exceptional standard and they would be supportive of similar developments elsewhere. However given the sensitivity of the location itself, in an undeveloped Heritage Coast, they object to this proposal.

The applicant has rebutted these comments by stating that the concept of the development proposal is of supporting the ecological concerns of the area whilst encouraging visitors to the area to do the same. The applicant states that whilst the area is defined under the AONB as Open Coastal Marshes the site itself is a small field enclosed by large hedges and trees and that outlook would not be unduly changed by this small accommodation development which is supported by the LVA.

However, whilst the proposed lodges have been sympathetically designed to sit low in the landscape and are shown to be constructed of materials which may be typically appropriate in an open landscape, they are spread across a significant part of the site and the proposed use would change the character of the whole 0.72 hectare site. The proposal would introduce an intensive form of domestication through the occupation of the units for holiday purposes. The accompanying domestic paraphernalia associated with holiday lodges would change the character from an open agricultural field to one of holiday use on a commercial scale, to the detriment of the peaceful tranquillity of the AONB.

Furthermore, the lodges are proposed to be occupied all year round so the use would not be limited to the summer months. There would be opportunity for the use and domestic paraphernalia to be visible throughout the year. Although the applicant is aware of the sensitivities in the area with the 'Dark Skies' initiative and promotes sensitive lighting, a degree of lighting would be required for health and safety reasons which would have a harmful impact on the dark sky area.

The open fields around the village of Titchwell are part of the recognised inherent character of the AONB. These peripheral areas can often be the most vulnerable, but this should not reduce the value of the protected landscape nor should it serve as a justification for a relaxation of the usual controls; otherwise significant cumulative erosion of the landscape of the AONB would result.

The fact that there may be limited visibility of the site from longer viewpoints does not change the fact that in, context, there would be a significant change to the character of this part of the village through the proposed use of the site, and inevitably of its intrinsic landscape character. The proposal would harm the inherent rural character and appearance of the site and detract from the natural character and quality of the landscape and appearance of the AONB.

Policy DM11 seeks to balance the sensitive nature of the coastal area of West Norfolk with the national and international designations including the AONB for wildlife, landscape and

heritage with the need for economic and social development of the area. Of particular relevance is the need to ensure that any new development enhances the distinctive local character of coastal areas as well as helps to support and enhance services and facilities for local people and visitors alike. In this respect it is considered that the proposal fails to enhance the distinctive local character of the village given the encroachment out into open countryside and the harmful changes that the holiday use would introduce through the physical stationing of the lodge units as well as the accompanying elements of the proposed change of use including the introduction of formalised landscaping, the degree of increased human activity on the site and the repercussions of such activity, including general noise and disturbance, increased vehicle movements, domestic paraphernalia and the introduction of external lighting.

In summary, as presented the proposal is considered to be an intensive development within the AONB, which is noted for its tranquillity and wide panoramic views. The proposed changes to the landscape, including the harmful changes that the holiday use would introduce, would have a harmful impact upon the characteristics of the wider landscape setting of the AONB. This would be contrary to national and local plan policy.

### **Impact upon the Conservation Area**

The southern boundary of the site adjoins the boundary of the Conservation Area.

S.72 of the Town and Country Listed Buildings and Conservation Area 1990, requires the Local Planning Authority in exercising its duty, to preserve or enhance the character of the Conservation Area. The National Planning Policy Framework, paragraph 131 of the NPPF requires local planning authorities to take account the desirability of sustaining and enhancing the significance of heritage assets and the need for new development to make a positive contribution to local character and distinctiveness. Paragraph 132 of the NPPF, “when considering the impact of proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration of destruction of the heritage asset or development within its setting”. Paragraph 134, “where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal”.

Titchwell’s Conservation Area Character Statement notes that “Titchwell is a linear settlement, loosely strung out along the main coastal road; for the most part on one side or other, but not both. As a result the village has a very open character, with views southwards to the higher ground and northwards towards the marshes and the sea.” References to the spacing on the northern side of the main road are inferred from the Conservation Area Character Statement, from the statement that buildings are seen in groupings.

The site lies adjacent to the Conservation Area and therefore impact upon the setting needs to be assessed.

The Conservation Officer comments that the Conservation Area has an extended linear form with an open character with “long clear views into/out of the village and between small clusters of buildings close to the road. Hedges are not thick and there are relatively few trees so the extensive screening proposed, although “green” would be very out of character and disrupt the view into the Conservation Area from the west. Heavy screening along the roadside would be alien to the area. The design and style of the proposed timber cabins do not reflect any of the characteristics of the area and no mention is made of lighting which can be intrusive, and any paraphernalia which may be required such as satellite dishes, bin storage etc. The proposal will cause harm to the setting of the designated heritage asset and

the benefit to tourism does not outweigh the harm. The proposal is therefore contrary to the NPPF para 137(setting) and 134 (public benefit).”

The applicant claims that these comments reflect the pre-application submission but not the current development proposal. However, the Conservation Officer stands by these comments as the key principles are the same; the harm to the setting of the designated heritage asset through the introduction of this use into the open landscape and the changes it would bring, is not outweighed by the benefits to tourism.

Third party comment has referred to the determination of a planning application for holiday cottages adjacent to the Briarfields Hotel to the east of this application site (Ipa ref: 16/01299/F). Here it was considered that the public benefit that the 6 proposed holiday cabins would bring to the area would not outweigh the erosion of an area of open space and the associated harm to the character of the Conservation Area.

Whilst there are some similarities in terms of location within the Borough and scale of the enterprise, this development proposal has different characteristics and impact upon the Conservation Area and has been considered on its own merits.

### **Ecological matters**

The site is within the buffer zones of the North Norfolk Coast SPA, SAC and Ramsar site to the north. Within the blue land to the northern part of the field is a manmade, circular lake which has become naturalised with the landscape. The whole field is bounded by tree and hedgerow planting. Beyond this there is a small copse to the north.

The application incorporates a footpath running northwards which could provide a pedestrian link through to the land owned by the RSPB.

At pre-application stage the application was screened under the EIA regulations and the applicant has taken into account the need for an Environmental Statement. Accordingly the application has been supported by an ecological assessment and Supporting Evidence for HRA.

The Ecology Report refers:

‘The potential ecological impacts of the proposed development have been appraised using a habitat survey and desk study. These have found that most impacts to ecological receptors are predicted to be minor or negligible because of the very small scale of the development proposal. Where there are realistic risks of impacts to valued ecological receptors mitigation measures will be necessary to ensure the risks are avoided or minimised. Assuming the advised mitigation and avoidance measures are adopted there is a high level of confidence that the likelihood and magnitude of negative ecological impacts would be satisfactorily reduced, including all potential impacts which would constitute a legal offence.

The Ecology Report confirms that no further ecological surveys are considered appropriate. It also states that the developed site has scope to incorporate ecological enhancement measures, and advice for this is provided. Assuming the advised measures can be adopted they will contribute to compensating for negative impacts to certain receptors and will likely produce a positive long-term impact for others..’

The Supporting Evidence for Habitats Regulations Assessment refers:

‘It is considered that direct impacts including disturbance from people using the site are extremely unlikely given the small size of the site and its situation adjacent to the A149 and



in close proximity to existing properties. The most proximate European sites (Titchwell RSPB) are likely to experience a very minor increase in additional visitors as a result of the proposed development alone, but no adverse effects on site integrity are predicted.

The creation of a new area for use by the RSPB outside of the European sites could in return provide a minor positive impact, taking people off the SPA, SAC and Ramsar site into a less sensitive area.

Cumulative impacts have been assessed. The planning website of BCKLWN revealed no similar developments within an approximate 8 km buffer of the site.

There is predicted to be no adverse effects from the proposed development, including no in-combination effects.'

Natural England has been consulted on the application and raise no objection subject to the appropriate mitigation being secured. They advise the contribution of £50 per lodge to the Monitoring and Mitigation Strategy as recommended in the Habitats Regulations Assessment (HRA) and the implementation of mitigation and enhancement as detailed in the Ecology Report.

Whilst the RSPB have submitted a letter of support they also refer to the use of the area shown blue on the plans as a wild play area for children and for outdoor teaching activities as well as holding small events. However, this all increases the amount of activity of the land in a currently open, exposed landscape which provides uninterrupted views across the coastal marshes and sea beyond.

In summary, however, the Ecology Report identifies no requirements for further protected species surveys and, subject to mitigation measures, no harmful impact on protected species. In terms of impact on the wider nature conservation areas, again, no harmful impact subject to the payment of the Habitat Mitigation Tariff and appropriate mitigation measures.

### **Highway matters**

The proposal will involve the intensification of an existing access which is directly off the A149 through an established gate.

The highways officer does not object to the proposal provided that a 4.5m wide access is provided to NCC specification, visibility splays of 2.4m x 120m in each direction and parking in accordance with adopted standards.

### **Arboricultural Implications**

The Arboricultural Officer has no objection in principle but requires tree protection measure information and information on how the applicants intend to route the services to the cabins.

### **Flood Risk**

The site lies within an area designated as Flood Zone 3 according to the Local Authorities Strategic Flood Risk Assessment Maps.

The proposal is essentially a change of use from agricultural to residential (albeit for holiday accommodation). In terms of the flood risk vulnerability the site is currently water compatible and the proposal is "more vulnerable".

A Flood Risk Assessment has been provided. The Environment Agency confirms that the maps show the site boundary lies within tidal Flood Zone 3a (high risk). They have no objection to the application but recommend that the mitigation measures detailed in the submitted Flood Risk Assessment are adhered to.

The FRA states that finished ground floor levels to be set no lower than 6.86 metres above Ordnance Datum (AOD).

### **Neighbour Amenity**

The siting of the lodges would be close to the southern and western boundaries of the site . They would be screened by existing tree planting along the roadside boundary.

The nearest neighbours are to the south east and south west, on the opposite side of the main A149. Given the scale and siting of the cabins these neighbours would not be overshadowed nor would they experience an overbearing presence from their siting. The distance and provision of planting would mitigate against any amenity issues from overlooking of the neighbours.

The proposal would generate a degree of general noise and disturbance which does not already exist. That said there is already noise generated from traffic on the A149.

The CSNN Team raises concerns relating to out of hours noise issues and neighbour amenity. They recommend that 24 hour staffing is available, which, they claim, would also benefit site security. However, given the level of the enterprise a 24 hour on-site presence would not be deemed necessary. Arrangements would normally be in place for a 24 hour emergency contact and this is deemed appropriate in this case.

The CSNN recommendation for bespoke noise management condition is not considered necessary in this case either given the low level of units proposed.

It is not considered there will be a significantly detrimental impact upon the amenity of the neighbouring properties in terms of overlooking, being overshadowed or noise as a result of this proposal.

### **Other Matters**

The application has been supported by a Site Need Assessment and Financial Viability Report in accordance with the provisions of Policy DM11. The reports refer to the economic venture of 6 lodges providing employment for up to 4 full time equivalent on-site staff to manage the day to day operations and maintain the natural environment as well as providing contracts for local businesses to support the onsite operations e.g. laundry services, plumbing and general maintenance and events suppliers.

The applicant has submitted additional information to clarify the staffing information and anticipates 80 hours of employment for a full time reception/administration worker, plus part time cleaners and ground care/ general maintenance workers.

Most of the third party comments have been addressed within the report above as many relate to the principle of the development and the impact on the AONB and its open characteristics.

The application incorporates a footpath running northwards which could provide a pedestrian link through to the land owned by the RSPB. However, the application proposes no mechanism to ensure this is available to users of the site or, indeed, for users of the RSPB

to access this application site. There is no intention within the submitted application for this footpath to be available to members of the public.

Third party comments have stated that the proposed use of the north end by the RSPB could happen irrespective of the planned eco-lodge development. The northern part of the field no longer forms part of the application site but it is correct to say that provided the use does not amount to development that requires planning permission, the RSPB could utilise the field.

Third party comments have referred to inaccuracies within the supporting documents with reference to holiday accommodation available within the vicinity. These comments are noted but have little impact upon the overall demand for holiday accommodation in the area.

Comments about links to public rights of way for disabled people are noted but these relate to matters outside of the control of the applicant.

Third party comment has questioned the eco-sensitive qualities of the proposal, which will be powered by mains electricity, on mains drainage and have waste collected in the normal fashion and 2 parking spaces per lodge. This is noted. The lodges are of timber construction with sedum roofs and have been designed to sit low in the landscape. However, this is only one of the planning considerations of the proposal and is part of the planning balance.

## **CONCLUSION**

The site is outside the village settlement boundary and within the countryside where in principle, new development is strictly controlled. The site is one of the most sensitive parts of the borough and is within the AONB. The key characteristics of the AONB are the wide, uninterrupted views of the heritage coastline and the sense of tranquillity.

In this case the design of the lodges shows single storey timber structures with sedum roofs to attempt to blend in with the surrounding landscape. A great deal of effort has been spent on the scheme to ensure it has as little impact as possible. The site and blue land also incorporates areas of landscaping and improved biodiversity. However, the proposed site is an existing open, arable field which is a characteristic of the wider landscape.

Despite the claims of the LVA it is considered the proposed development would be apparent in this open, arable landscape. The materials are partially recessive and the buildings have been designed to sit within the site. Landscaping will assist with the assimilation of the development into the countryside over time but this in itself introduces a new characteristic into the otherwise open landscape. A commercial holiday use on the site would introduce all year round activity in an otherwise open landscape, which would be detrimental to the sense of tranquillity.

It is considered that the proposed development, including the buildings, use of the land and the amount of enhanced landscaping, would interrupt this landscape characteristic and that this intrusion would result in significant material harm, contrary to policy. The proposal would fail to protect and enhance the character of the AONB and its distinctive landscapes, on the edge of the Heritage Coast. Consequently it is considered that the proposal fails to maintain the character of the AONB and fails to protect and enhance its distinctive landscapes, on the edge of the Heritage Coast.

The Conservation Area boundary runs across the site's frontage and one of the key characteristics of development in the Titchwell Conservation Area is the gaps between the built form. The proposal, through the combination of the use and the physical structures,

would visually erode this gap with structures and would harm the setting of the Conservation Area.

There may be benefits in terms of biodiversity, but these could come forward in their own right, and the benefits of the proposal are not outweighed by the significant material harm that would result to the AONB from the intrusion of this use and the buildings into the landscape.

Whilst the development would undoubtedly provide additional tourism and benefits to the local economy, this should not be at the expense of the tranquillity or the natural beauty of the area. The harm arising to the views across the AONB would outweigh the benefits of the development.

For the above reasons the development would harm the character and appearance of the area and the landscape and scenic beauty of the AONB contrary to Policies CS06, CS07 and CS10 of the Core Strategy and Policy DM11 of the King's Lynn and West Norfolk Local Plan - Site Allocations & Development Management Policies (SADMP) Plan (2016) which amongst other matters seek to protect the special character of the area and the AONB. It would also conflict with the similar aims of the Framework in particular Paragraph 115.

Additionally the proposal would not offer a form of public benefit that would outweigh the harm to the setting of Titchwell's Conservation Area, contrary to paragraphs 128, 131, 132, 134 of the National Planning Policy Framework and Policy CS12 of the Local Development Framework Core Strategy 2011.

The protection of the AONB and the setting of the Conservation Area are legitimate aims in the wider public interest. Accordingly it is recommended that this application be refused.

## **RECOMMENDATION:**

**REFUSE** for the following reason(s):

- 1 The site lies within an Area of Outstanding Natural Beauty which is characterised by its openness, wide uninterrupted views of the heritage coastline and the sense of tranquility. The proposal by virtue of the significant and harmful change in the character of the area through the physical stationing of the lodges as well as the accompanying elements of the proposed change of use including the introduction of formalised landscaping, the degree of increased human activity on the site and the repercussions of such activity, including general noise and disturbance, increased vehicle movements, domestic paraphernalia and the introduction of external lighting, will result in a development that fails to safeguard the intrinsic character of the AONB. The proposal is therefore contrary to paragraph 115 of the NPPF and Policy CS07 and CS12 of the Local Development Framework Core Strategy 2011 and Policy DM 11 and 15 of the Site Specific Allocation and Development Management Plan Policy Document.
- 2 The proposed development will, through the interruption of the open landscape character with structures and paraphernalia associated with a commercial holiday use, cause harm to the setting of Titchwell's Conservation Area that is not outweighed by

the public benefit that the six holiday cabins would bring to the area. The proposal is therefore considered to be contrary to paragraphs 128, 131, 132 and 134 of the National Planning Policy Framework and Policy CS12 of the Local Development Framework Core Strategy 2011.