

AGENDA ITEM NO: 8/1(b)

Parish:	Watlington	
Proposal:	Change of use of a former quarry site to a Wildlife Park including the erection of a 2.15-metre-high perimeter stock proof fence, siting of a static caravan to serve as a site office/reception, and creation of a hardstanding to provide for car parking and storage of park buggies	
Location:	Watlington Quarry Lynn Road Tottenhill Norfolk	
Applicant:	Watlington Farms Ltd	
Case No:	18/01691/FM (Full Application - Major Development)	
Case Officer:	Mr K Wilkinson	Date for Determination: 21 December 2018

Reason for Referral to Planning Committee – The views of the Parish Council are contrary to the Officer recommendation and the application raises issues of wider concern.

Neighbourhood Plan: No

Case Summary

This proposal seeks the change of use of a former quarry site to a Wildlife Park, including the erection of a 2.15m high perimeter stock proof fence, siting of a static caravan to serve as a site office/reception, and creation of a hardstanding to provide for car parking and storage of park buggies.

The site for the wildlife park lies on the former quarry site to the east of the village and up to the A10 near the 'Tottenhill Retail Park'. It is bounded by the A10 to the east, Thieves Bridge Road to the south, Mill Road/Plough Lane/Lynn Road to the west and Whin Common Road to the north. A culvert under Whin Common Road (formerly used to accommodate a conveyor belt during excavation of sand) forms a link with the office/reception/parking facilities within part of the working quarry site to the north (Frimstone Ltd) with an existing vehicular access off Watlington Road close to the Oakwood roundabout (junction of A10, A134 and Watlington Road).

The site lies within both Parishes of Watlington and Tottenhill.

Key Issues

Principle of development
Impact upon character and appearance of countryside
Highway issues
Impact upon adjoining properties
Ecological issues
Other material considerations

Recommendation

A) Within 4 months of the date of this resolution, a Section 106 agreement with NCC to secure that future maintenance, inspection regime and replacement of the culvert under Whin Common Road is at the applicant's expense is completed then the application be **APPROVED** subject to certain conditions stated in this report; or

B) In the absence of a Section 106 agreement with NCC being completed within the above timeframe, the application be **REFUSED** on the grounds of highway safety.

THE APPLICATION

This proposal seeks the change of use of a former quarry site to a Wildlife Park, including the erection of a 2.15m high perimeter stock proof fence, siting of a static caravan to serve as a site office/reception, and creation of a hardstanding to provide for car parking and storage of park buggies.

The site for the wildlife park lies on the former quarry site to the east of the village and up to the A10 near the 'Tottenham Retail Park'. It is bounded by the A10 to the east, Thieves Bridge Road to the south, Mill Road/Plough Lane/Lynn Road to the west and Whin Common Road to the north. A culvert under Whin Common Road (formerly used to accommodate a conveyor belt during excavation of sand) forms a link with the office/reception/parking facilities within the central part of the working quarry site to the north (Frimstone Ltd) with an existing vehicular access off Watlington Road close to the Oakwood roundabout (junction of A10, A134 and Watlington Road).

The site lies within both Parishes of Watlington and Tottenham.

The application is accompanied by a Planning Statement, Transport Note, Preliminary Ecology Appraisal & Addendum, and Flood Risk Assessment.

The applicant, Mr Pope, has spent a considerable amount of his time carrying out conservation projects globally. This has led to him to develop a breeding programme, in collaboration with a number of zoos and safari parks such as Tierpark in Germany and Woburn Safari Park, Bedford, to protect endangered species, many of which are already extinct in the wild. He is passionate about the conservation of endangered animals and birds and has for several years provided a refuge and breeding programme for deer and antelope. Now he wants to build on that work by expanding this refuge to create an inspirational centre for education, visitor experiences that people can enjoy, and a site for extraordinary wildlife encounters. This is also a diversification of the Watlington estate which has been in the Pope family for many generations.

The main Wildlife Park site is the southern part of the Watlington Quarries site, referred to as 'Police House Field' & '60 Acre Field'. This site was granted planning permission for sand and gravel extraction in 2000. Quarrying of this area of the site ceased in 2017 and landscaping has been carried out as part of remediation plans relating to the quarry consent.

The proposed development retains the reinstated land and water bodies, but proposes to utilise this newly created landscape as a wildlife habitat for both native and non-native birds and mammals, whilst allowing public access to areas of the site for education and leisure purposes. As a centre for conservation excellence, the park will offer the chance to see extraordinary, non-predatory wildlife close-up in a natural, open environment without cages

or pens including markhor, zebra and buck, rare great bustards, flamingos, ibex and wildebeest.

Visitors will be required to pre-book tickets to maintain a maximum visitor number. The initial proposal is for visitor access to be by pre-booked buggy only. Proposed buggy numbers are for ten buggies which can be booked for an AM or PM session, up to seven days a week. Each buggy holds up to four people.

The buggies will be electric and so emit no noise or pollution. They will have GPS in each that will track and monitor movement within controlled zones, along with providing clues and information as to where the visitor may be able to view the animals.

SUPPORTING CASE

The agent has submitted the following comments in support of this application:

“The Pope family has managed the Watlington estate for many generations. This proposal forms the latest chapter in the diversification and management of the estate and its environmental assets. The applicant, Mr Pope has spent a considerable amount of his time carrying out conservation projects globally. This has led to him to develop a breeding programme to protect endangered species, many of which are already extinct in the wild. A number of such animals, including 55 water buffalo and over 200 deer and antelope currently reside on land around Watlington including at Mr Pope’s home. This is in addition to birds and ducks from all over the world including the Great Bustard, made extinct in the UK in 1832; Norfolk being their last strong hold.

Following cessation of quarrying activity on the application site, the site is in the process of being restored to an area for nature conservation. The site offers the chance to create the ideal conditions for animal and bird conservation. The grazing of animals on the site would not require planning permission. However, planning permission is required for a 2.15 metre high perimeter fence to contain the site.

Mr Pope also wishes to create a public benefit from his conservation work. The application is therefore seeking planning permission for a change of use of the site to a wildlife park to enable Mr Pope to bring visitors onto the site. Visitor infrastructure is limited to a temporary reception building and small car park. The application will limit visitor numbers by facilitating access by electric buggy which will be limited to ten in number, each one able to carry up to four people. It is hoped to also provide access to a small number of supervised education/school groups.

Whilst it is the applicant’s vision to potentially grow the number of visitors and associated visitor buildings and accommodation in the future, this initial ‘soft start’ to the visitor experience will allow the applicant to capture feedback on the Wildlife Park offer, which will help inform any scheme for the development of any visitor infrastructure on the site in the future. Any such development will be subject to further planning applications and will be to support an established and proved enterprise.

Over the last twelve months the applicant and his team have engaged with the LPA and local community about developing a visitor attraction on the site. One of the main concerns expressed by the public during that engagement was in relation to visitor traffic. As such the scheme has been designed so that no visitor traffic will need to travel through the villages of Watlington or Tottenhill to reach the site.

We also acknowledge that some nearby residents remain concerned about impact on the enjoyment of their homes from proximity to the park and visitor activity. Therefore, the main

park boundaries will not extend westwards to the boundary with Mill Road/Plough Lane. These areas of the site will be reserved as grazing areas for the animals and will have restricted access.

We note comments have been raised regarding on-going earthworks at the site. These have been carried out as part of the post quarrying restoration works. In respect of some elements, these works vary from those approved by the county council for example the lake is larger and the areas of landscaped bunding has been extended, with a view to the proposed wildlife park use. The applicant is liaising with the county council planners in order to formalise these works as part of the agreed restoration plan. However, the proposed development will retain the key elements of the approved remediation plan whilst increasing benefits by way of wildlife conservation, public access and benefits to the local economy through visitor spend and job creation.

No objections have been raised to the proposed development by any technical consultees including Highways, the Environment Agency, Natural England or the Wildlife Trust.

Both the KLWN Local Plan and the National Planning Policy Framework support economic growth including farm diversification and sustainable tourism initiatives. The tourism market is acknowledged as a key component of the West Norfolk economy. There will be job creation from the opening of the park and the opportunity to increase day visitors to the area at the benefit of other local businesses.

The proposed development would deliver a unique education and tourism resource and make a meaningful contribution to the social, economic and environmental sustainability of the district and wider region.”

PLANNING HISTORY

18/00191/CM: NO OBJECTION TO NCC APP: 13/03/18 - County Matters Application: Variation of conditions 1, 3 and 18 of planning permission C/2/2015/2007 to extend time period for restoration of Sixty Acre Field and allow continued use of plant site to service proposed quarry extension (MIN 76), until 31 December 2023

15/00311/CM: NO OBJECTION TO NCC APP: 30/03/15 - COUNTY MATTERS APPLICATION: Variation of condition 1 and 3 of planning permission C/2/2011/2023 to allow continued use of plant site until 1 August 2020, to service the proposed quarry extension

11/01042/CM: NO OBJECTION TO NCC APP: 19/07/11 - Variation of condition 8 of planning permission C/2/2000/2022 to enable the phased extraction of the remaining reserves in accordance with a new phasing plan

10/01497/CM: Application Withdrawn: 15/02/11 - COUNTY MATTERS: Variation of Conditions 8 & 25 of PP C/2/2000/2022 to amend the restoration plan to take into consideration reduced sand and gravel extraction

2/00/1552/CM: NO OBJECTION TO NCC APP: 05/01/01 - Extension of sand and gravel extraction erection of new processing plant and retention of access

RESPONSE TO CONSULTATION

Watlington Parish Council: NO OBJECTIONS

Tottenham Parish Council: OBJECTS - Concerns were expressed about potential traffic congestion at the roundabout, especially if the numbers of proposed visitors increase. Also the potential of increase noise and smells with the prevailing winds.

Highways Authority (NCC): NO OBJECTION – subject to condition regarding provision of parking areas; and applicant will need to enter into a S106 agreement to ensure that future maintenance, inspection regime and replacement of the culvert under Whin Common Road is at the applicants expense not the public purse.

Norfolk County Council Minerals & Waste: NO OBJECTION – raise issues relating to: approx. 40 HGV movements per day from the active quarry which could give rise to conflict between aggregate lorries and users of the entrance/access road; culvert under Whin Common Road to be subject of a Section 106 agreement as above; it will be necessary for the applicant to gain retrospective permission to regularise revisions to the approved restoration and aftercare scheme; this is not a 'brownfield site' as quoted in the application paperwork; and a potential mineral extraction site to the north of Whin Common Road would be dissected by the proposed buggy route which may cause conflict if approved and worked.

Internal Drainage Board: No comments received

Environmental Health & Housing – Environmental Quality: NO COMMENTS

Environmental Health & Housing – Licensing: NO OBJECTION - We currently issue a Dangerous Wild Animal Licence to Mr Pope for the retention of specific types of antelope on this land and are aware of this plan to expand into this new business venture. There are no concerns from Licensing in respect of this planning permission request.

Environmental Health & Housing – Community Safety & Neighbourhood Nuisance: NO OBJECTION – subject to suggested conditions covering lighting scheme; foul water drainage; storage of recycling, refuse and waste materials; odour management; and noise protection.

Environment Agency: NO COMMENTS - We have reviewed the submitted documents and note that no structures are proposed within Flood Zones 2 or 3.

Natural England: NO COMMENTS

Norfolk Wildlife Trust: NO OBJECTION - We strongly recommend that the potential impacts of overgrazing on the two CWS are assessed as part of the ecological appraisal. This should include baseline surveys of their existing condition and an ecological management plan, which should also incorporate the outstanding recommendations from the Preliminary Ecological Appraisal. The provision of these measures could be secured through a planning condition or other appropriate agreement to ensure they are delivered before the site opens.

Arboricultural Officer: NO OBJECTION

REPRESENTATIONS

Cllr Peter Hodson: Makes the following comments:

“Further to submission of the above planning application, I wanted to write as Ward Councillor, to express my support for the application.

Mr Pope first contacted me last year to discuss his proposed Wildlife Park proposals. I believe this is an exciting opportunity to provide a unique educational resource for the local community and in time make a meaningful contribution to the tourism and visitor economy in West Norfolk and King's Lynn.

I think Mr Pope's approach to introduce a 'soft start' to the proposals is a sensible one and will allow impacts to be carefully managed and understood, and this should help ensure that any future scheme for further visitor accommodation on the site will be designed with full knowledge of operational requirements and impacts.

I believe the proposed access point off Watlington Road just off the A10 roundabout an improvement off the Thieves Bridge Road proposed access, which should allow the visitor numbers to be managed without impact on local residents.

I do not believe the scheme as currently subject to this planning application would result in any unacceptable impacts and believe the Council should support this farm diversification project. It has potential to provide for additional job creation and unique learning opportunities. I understand Mr Pope has already been approached by numerous students keen to get involved in the project.”

THREE items of **SUPPORT** raising the following issues:

- Amazing idea – fantastic addition for the village and town;
- Wish to buy a season ticket;
- Opportunity for all to learn about conservation programmes and species at risk;
- New attraction would be a welcome addition to Norfolk tourism accessed by train and allow all to enjoy Norfolk countryside; and
- Bring people into the area, increase trade and offer jobs – also educational visits.

FOUR items being **NEUTRAL** – neither in favour nor against the proposal.

NINETEEN items of **OBJECTION** raising the following grounds:

- Road network not suitable to take traffic movements – congestion at Oakwood roundabout builds up at peak times especially in summer;
- A10 and A134 already very busy roads;
- Will cause traffic through the village from the west;
- Impact on residential amenity – rubbish, noise and road pollution – already disturbed by quarrying;
- Lack of information on future development/landscaping/perimeter lighting;
- Should include footpath along Thieves Bridge Road;
- No footpath link to village, station and bus stop;
- Drainage concerns;
- Earthworks already undertaken in excess of 2m high without permission;
- Electric buggies should be charged by renewable energy source;
- Additional traffic generated into working quarry;
- Arable land used;
- Too close to dwellings to the west;
- State/condition of trees;

- Insufficient detail on internal layout of park;
- Ecological survey limited scope – feel that EIA is required;
- Plough Lane can't support additional traffic for feeding and animal delivery;
- Use of 'allotment field' for car parking;
- Mature trees falling on fence risk breach; and
- Parking for coaches?

LDF CORE STRATEGY POLICIES

CS01 - Spatial Strategy

CS06 - Development in Rural 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

DM12 - Strategic Road Network

DM15 – Environment, Design and Amenity

DM17 - Parking Provision in New Development

NEIGHBOURHOOD PLAN POLICIES

NATIONAL GUIDANCE

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

PLANNING CONSIDERATIONS

The key considerations in assessing this proposal are as follows:

- Principle of development
- Impact upon character and appearance of countryside
- Highway issues
- Impact upon adjoining properties
- Ecological issues
- Other material considerations

Principle of development

18/01691/FM

Planning Committee
 3 December 2018

This is effectively a tourism and leisure use within the countryside. The new NPPF endorses a prosperous rural economy and states at Paragraphs 83 – 84:

“83. Planning policies and decisions should enable:

- a) the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed new buildings;
- b) the development and diversification of agricultural and other land-based rural businesses;
- c) sustainable rural tourism and leisure developments which respect the character of the countryside; and
- d) the retention and development of accessible local services and community facilities, such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship.

84. Planning policies and decisions should recognise that sites to meet local business and community needs in rural areas may have to be found adjacent to or beyond existing settlements, and in locations that are not well served by public transport. In these circumstances it will be important to ensure that development is sensitive to its surroundings, does not have an unacceptable impact on local roads and exploits any opportunities to make a location more sustainable (for example by improving the scope for access on foot, by cycling or by public transport). The use of previously developed land, and sites that are physically well-related to existing settlements, should be encouraged where suitable opportunities exist.”

The proposal must be judged against the policies of the Development Plan - Core Strategy Policies CS01, CS06, CS08, CS10, CS11 & CS12 of the LDF plus Policies DM1, DM12, DM15 & DM17 of the SADMPP. Key considerations will be addressed in main categories subsequently in this report.

Policy CS08 of the LDF relates to Sustainable Development and states inter alia:

“All new development in the borough should be of high quality design. New development will be required to demonstrate its ability to: protect and enhance the historic environment; enrich the attraction of the borough as an exceptional place to live, work and visit; respond to the context and character of places in West Norfolk by ensuring that the scale, density, layout and access will enhance the quality of the environment...”

Policy CS10 of the LDF relates to Tourism, Leisure and Town Centre Uses which states inter alia:

“Retail, tourism, leisure, and cultural industries are key elements of the economic and social vibrancy of our borough, and contribute to the regeneration and growth of the area... The Council will promote opportunities to improve and enhance the visitor economy:

- Supporting tourism opportunities throughout the borough...
- Smaller scale tourism opportunities will also be supported in rural areas to sustain the local economy, providing these are in sustainable locations and are not detrimental to our valuable natural environment...

... In the Countryside, preservation of the natural and historic environment should be a priority (also refer to Environmental Assets)...”

In terms of sustainability, the proposal lies adjacent to Watlington, which is defined as a Key Rural Service Centre in Core Strategy Policy CS02 of the LDF, the A10 (which is part of the Strategic Road Network) and a relatively short distance from the railway station. The site is

capable of being accessed by different modes of transport, but in this set up phase would initially attract car-borne visitors, plus pre-arranged group visits from schools etc. via mini-bus.

The applicant identifies the following benefits to the local economy:

- Creation of a year-round visitor attraction;
- Creation of a unique conservation programme and educational resource
- Enormous opportunities for presenting measurable net gains in biodiversity on the site.
- Directly create 6.5 FTEs involved in managing the site, promoting it and providing an educational facility in addition to animal management;
- Indirectly create 11.8FTE jobs in the local economy;
- Increase additional day visitors to the Watlington area by up to 22,000 by year four;
- Encourage additional overnight stays in the area benefitting other local businesses; and
- Increase spend in wider economy. Visit England estimates for every £1,000 generated in tourism related activities there is a further £1,800 supported elsewhere in the economy through the supply chain and consumer spending.

Impact upon character and appearance of countryside

Policy CS06 of the LDF relates to Development in Rural Areas which states inter alia: "The strategy for rural areas is to:

- promote sustainable communities and sustainable patterns of 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;
- ensure employment, housing (including affordable housing), services and other facilities are provided in close proximity.

...Beyond the villages and in the countryside, 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..."

The site is well screened from public areas by existing mature landscaped belts along road frontages with earth bunding beyond (ranging in height between 2m to 5m), which obscures views into the proposed park, plus it creates a further line of security. Whilst some of the earthworks are in excess of the permitted development height of 2m, they can be sought to be regularised by the submission of a retrospective planning application (under the provisions of Section 73A of the Planning Act) which would be determined on its own merits. However 2m high earth bunding would also create an effective screen. The applicant is now aware of this issue and indicates his intention to pursue the matter with a further application.

The physical development for consideration as part of this submission is the stock fencing, which is wire mesh 'otter' fencing on 2m timber supports/posts with angled tops and buried sections. The overall height is 2.15m – once again permitted development rights allow 2m high fencing in these positions, so the visual impact created by an extra 150mm (approx. 6in) would be negligible.

The visual impact of the proposed wildlife park in the Police House Field and 60 Acre Field is therefore considered to be acceptable.

Within the site there are two County Wildlife Sites (CWS) the implication for these will be addressed in the section on Ecological issues later in this report.

Highway issues

This is the most contentious matter in terms of objections raised to the proposed development.

Policy CS11 of the LDF relates to Transport which states inter alia:

“Dealing with transport issues in new development

Development proposals should demonstrate that they have been designed to:

- Reduce the need to travel.
- Promote sustainable forms of transport appropriate to their particular location and related to the uses and users of the development...
- Provide for safe and convenient access for all modes.”

Policy DM12 of the SADMPP relates to Strategic Road Network and states inter alia:

“The Strategic Road Network within the Borough, comprising the A10, A17, A47, A134, A148, A149, A1101 & A1122 and shown on the Policies Map, will be protected as follows outside of the settlements specified within Core Strategy policy CS02:

New development, apart from specific plan allocations, will not be permitted if it would include the provision of vehicle access leading directly onto a road forming part of this Strategic Road Network;

New development served by a side road which connects to a road forming part of the Strategic Road Network will be permitted provided that any resulting increase in traffic would not have a significant adverse effect on:

- The route’s national and strategic role as a road for long distance traffic
- Highway safety
- The route’s traffic capacity
- The amenity and access of any adjoining occupiers.

In appropriate cases a Transport Assessment will be required to demonstrate that development proposals can be accommodated on the local road network, taking into account any infrastructure improvements proposed...”

The application is accompanied by a Transport Note. This indicates that the site is in a relatively sustainable location, given its semi-rural setting; the proposed development at the level sought would have a minimal impact in the highway peak periods; and the development would not have a significant adverse effect in terms of the criteria of Policy DM12 above.

The Local Highway Authority (LHA) has indeed raised no objection to the proposed access to the site via the existing quarry access off Watlington Road, close to the Oakwood roundabout. Whilst this is an active quarry, any potential conflict between HGVs and visiting vehicles could be managed within the site; and the existing access is wide enough for HGVs to pass without interfering with the free flow of traffic on the highway.

There is an under-pass beneath Whin Common Road which formerly accommodated the conveyor line when the 60 Acre Field was excavated. This is now redundant and is sought to be improved and re-used by buggies to gain access to the park. Norfolk County Council point out that whilst there is no objection to this being retained and used for that purpose, a Section 106 agreement would be necessary to ensure that future maintenance, inspection

regime and replacement of the culvert is at the applicant's expense not the public purse. The applicant is aware of this requirement and the implications, which he is content to pursue.

There is ample room to create appropriate parking facilities for both the park buggies and visitor's vehicles. Its provision prior to the commencement of use of the park may be secured via condition – as requested by the LHA.

Impact upon adjoining properties

The nearest dwellings to the site are located on Mill Road (rear boundaries abutting the site) and Plough Lane (opposite side of the road). The land in the south-western corner of the site is to be used for containing deer and is proposed to be bounded by 2m high stock fencing. This would be no different from normal farming activity; however the applicant has included this area within the park to allow for guests to encounter/pet young deer as part of the overall experience. The non-native species are to be contained within the higher fenced zone which lies behind a landscaped belt with earth bunding beyond as described above. CSNN raise no concerns regarding the parking and administrative facilities as they are not situated near homes. They have however suggested conditions regarding prospective lighting, foul drainage for the toilets and rubbish/waste disposal.

CSNN opine that whilst this is an expansive site, with an increase in the numbers of species, the proximity of the site to the dwellings in Plough Lane and Mill Road means that there is the potential for odour to affect the amenity of the residents, particularly in the warmer weather when windows are open. It is assumed animal faeces will be widely dispersed and allowed to naturally decompose where deposited, however, with the animals being allowed to roam freely, there needs to be some measures in place to avoid accumulations of waste in the areas of the park nearer to residents, in order to avoid nuisance issues from odour and flies. Some species identify a preferred site to toilet, and will therefore return to use it, which can result in accumulations of waste. It would be beneficial for a plan to be put in place to identify how this will be controlled or avoided and therefore this should be conditioned.

Additionally, some of the species have loud calls. Again, given the open access around the park for birds and animals, some form of noise management plan will be needed to try to control and limit noise issues for residents. This is more likely to take the form of a reactive plan rather than to try and avoid noise in the first place, given the unpredictable nature of wildlife, so should look at monitoring the movement and settlement of wildlife around the park, the risk of noise from calls (depending on the species), public complaints received etc. and take steps at the point there are issues or potential issues to move species on from settling near the perimeter by moving food sources or herding them to another location. It should also consider the stocking of the park to try to avoid homing species known for loud or persistent calls. A noise management condition this therefore recommended.

With the above matters controlled via condition, the proposed development would not adversely affect the amenities of adjoining properties and could accord with Policy DM15 of the SADMPP.

Hours of use are expected to be between dawn to dusk to allow differing experiences in animal behaviour; however the level of usage is intended to be controlled via the number of active buggies on site and two tours per day. Given the containment of the site and the likelihood that visitors will be respectful of the animals and their environment, the hours of use are not sought to be restricted in this instance – indeed CSNN have not requested such action. However should the use of the park be sought to increase at a future date, then this matter would be reviewed.

Ecological issues

The Planning Application has been considered in accordance with Regulation 8 (1) of the Town & Country Planning (Environmental Impact Assessment) (England & Wales) Regulations 2017. The current development proposed does not fall within the description of development given in Schedule 2 Part 12 of the Regulations which is the nearest category (tourism & leisure). In this instance the development proposed does not require EIA.

It must however be noted that any prospective future development and additional facilities may fall within Category 12(c) and will require further screening.

Policy CS12 of the LDF relates to Environmental Assets which states:

“Proposals to protect and enhance our historic environment and landscape character, biodiversity and geodiversity will be encouraged and supported.

...The Council will protect and enhance County Wildlife Sites, ancient woodlands, Biodiversity Action Plan Species and Habitats, Regionally Important Geological Sites and designated sites of historical value from development which damages their interest or significance unless the need for, and public benefits of the development outweigh the loss of interest or significance.

Development should seek to avoid, mitigate or compensate for any adverse impacts on biodiversity, geodiversity and heritage as well as seeking to enhance sites through the creation of features of new biodiversity, geodiversity and heritage interest. The design of new development should be sensitive to the surrounding area, and not detract from the inherent quality of the environment...”

The application is accompanied by an Ecological Appraisal plus an Addendum which acknowledges that the site already is of high ecological value and enhancements to be undertaken with the restoration and aftercare scheme. With appropriate measures recommended within the appraisal, the development proposal would not adversely impact upon protected species.

The proposed boundary for the safari park includes two County Wildlife Sites (CWSs), Runs Wood Meadow - a semi-improved neutral grassland, and Thieves' Bridge Meadow - a mosaic of unimproved and semi-improved neutral grassland, a pond, a drain and scattered trees. Norfolk Wildlife Trust strongly recommends that the potential impacts of overgrazing on the two CWSs are secured through a planning condition or other appropriate agreement to ensure they are delivered before the site opens. Officers are of the opinion that this may be pursued with a suitably worded condition.

It will be noted from the Consultation section above, that Natural England raises no objection to the proposal.

Whilst there are some amendments to be authorised in connection with the restoration and management scheme agreed with County Council, the nature conservation and biodiversity enhancement aims of the applicant appear to be consistent with earlier agreements. This is expected to be resolved by retrospective application to the Minerals Authority (NCC) and a deed of variation. That scheme included a permissive footpath along the northern side of Thieves Bridge Road which could be maintained. It is understood that negotiations have already been commenced between those parties involved.

Should this project fail to be pursued/implemented, then the fall-back position is the restored quarry with nature conservation areas.

Other material considerations

There are no land drainage issues raised by the proposed change of use and physical development.

No structures are proposed within Flood Zones 2 or 3 of the Environment Agency's flood mapping. The proposed uses are therefore considered to be compatible within these areas and the EA have no comment to make on this application.

There are no significant crime and disorder issues raised by this proposal.

The condition of trees adjoining residential properties is a civil matter and needs to be addressed by both parties involved.

CONCLUSION

It is considered that the proposed development operated at the level/intensity described, and being capable of control via condition, would accord with the provisions of the NPPF and the Development Plan. Future expansion proposals would however require further planning permission which would be considered on its own merits.

The application is therefore recommended for approval subject to certain conditions stated below and the completion of a Section 106 agreement to secure that future maintenance, inspection regime and replacement of the culvert under Whin Common Road is at the applicant's expense and not the public purse.

RECOMMENDATION:

A) Within 4 months of the date of this resolution, a Section 106 agreement with NCC to secure that future maintenance, inspection regime and replacement of the culvert under Whin Common Road is at the applicant's expense is completed then the application be **APPROVED** subject to certain conditions stated in this report;

- 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 Prior to erection, the exact position of the otter/stock fencing shall be submitted to, and agreed in writing by, the Local Planning Authority. The fencing shall be erected as agreed.
- 2 Reason To define the position of the fence in the interests of visual amenity and to comply with the provisions of Policy CS06 of the LDF and Policy DM15 of the SADMPP.
- 3 Condition Prior to the commencement of use of the wildlife park, details of a grazing regime for the two County Wildlife Sites (Runs Wood Meadow & Thieves' Bridge Meadow) contained within the overall site shall be submitted to, and agreed in writing by, the Local Planning Authority. The grazing regime shall be implemented as agreed unless otherwise agreed in writing by the Local Planning Authority.

- 3 Reason In order to ensure that the nature conservation aims of the site and County Wildlife Sites are not compromised, and to accord with the provisions of Policy CS12 of the LDF.
- 4 Condition Prior to the commencement of the use of the site office/reception caravan, full details of the means of foul water disposal shall be submitted to, and agreed in writing by, the Local Planning Authority. It shall be implemented as agreed prior to use of said caravan.
- 4 Reason To ensure that there is a satisfactory means of drainage in accordance with the NPPF.
- 5 Condition Prior to the commencement of use of the site hereby approved, facilities shall be provided within the site for the storage of recycling, refuse and waste materials in accordance with details to be submitted to, and approved in writing by, the Local Planning Authority.
- 5 Reason To ensure that there is a satisfactory means of waste disposal in accordance with the NPPF.
- 6 Condition Prior to the commencement of the use hereby approved a scheme for the control of odour shall be submitted to, and approved in writing by, the Local Planning Authority. The scheme shall identify the source of odour and controls that will reduce the potential for odour from the development to cause disturbance or disamenity to local residents. The scheme shall be implemented as approved and maintained thereafter.
- 6 Reason In the interests of the amenities of the locality in accordance with the provisions of the NPPF and Policy DM15 of the SADMPP.
- 7 Condition Prior to the commencement of the use hereby approved, a scheme to protect the surrounding residents from noise shall be submitted to, and approved in writing by, the Local Planning Authority. The scheme shall be implemented as approved.
- 7 Reason To ensure that the amenities of nearby residents are safeguarded, in accordance with the provisions of the NPPF and Policy DM15 of the SADMPP.
- 8 Condition There shall be no more than 10 No. visitor buggies active on the wildlife park at any one time; and there shall be no more than two tours per day (one morning and one afternoon).
- 8 Reason In order to define the terms of this permission and to control the number of visitors and associated traffic generation to accord with the submitted Transport Note forming part of this application; and accord with the provisions of the NPPF, Policy CS11 of the LDF and Policy DM12 of the SADMPP.
- 9 Condition Prior to the first use of the wildlife park hereby permitted, the proposed on-site car 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.
- 9 Reason To ensure the permanent availability of the parking/manoeuvring areas, in the interests of satisfactory development, and highway safety and to accord with the provisions of the NPPF, Policy CS11 of the LDF & Policy DM17 of the SADMPP.

- B)** In the absence of a Section 106 agreement with NCC being completed within the above timeframe, the application be **REFUSED** on the grounds of highway safety.