

Parish:	Methwold	
Proposal:	Change of Use of land from agricultural to leisure (D2)	
Location:	Cherry Tree Farm Thornham Road Methwold Norfolk	
Applicant:	Tracy Peckham	
Case No:	18/01729/CU (Change of Use Application)	
Case Officer:	Mrs C Dorgan	Date for Determination: 22 November 2018 Extension of Time Expiry Date: 8 February 2019

Reason for Referral to Planning Committee – Called in by Councillor Lawrence

Neighbourhood Plan: No

Case Summary

This application is seeking consent for the change of use of an area of agricultural land to leisure (D2). The applicant is intending to use the site for a maximum of 6 log cabins, camp site for up to 12 pitches, petting farm and 2 fishing lakes, however this detail does not form part of this application.

The site is located outside the development boundary for the village of Methwold, which is categorised as a joint Key Rural Service Centre (with Northwold) in the adopted Local Plan (specifically the Site Allocations and Development Management Policies Plan (SADMP).

This application sits alongside application 18/01730/F for the Retention of caravan for temporary residential use, and application 18/01791/F for Retention of access track and entrance walls.

Key Issues

- * Principle of development
- * Form and Character
- * Highways/ Access
- * Other material considerations.

Recommendation

APPROVE

THE APPLICATION

The site is located outside the development boundary for the village of Methwold, which is categorised as a joint Key Rural Service Centre (with Northwold) in the adopted Local Plan (specifically the Site Allocations and Development Management Policies Plan (SADMP)).

The site is on land designated as countryside in the adopted Local Plan. It is within the 10m buffer of a county wildlife site, and also has a gas pipeline across the site.

This application is seeking consent for the change of use of an area of agricultural land to leisure (D2), the site is 5.8ha in total and is identified on the Location Plan submitted with the application. The intention of the applicant is to provide 6 log cabins for use as holiday lets with special intention to provide facilities, on site, to families who care for sufferers of dementia/ alzheimers. There will be two fishing lakes stocked differently to appeal to a range of fisherman. In addition there will be a petting farm consisting of goats, ponies, sheep and alpacas/ lamas. There will also be a camp site at the venue.

The cabins will be a range of sizes, all be built with the disabled and dementia sufferers in mind. They will have a small garden area and fishing pegs for each. The applicant is a trained dementia carer, and the intention is to offer rest bite and assistance for dementia carers and families. The petting farm will complement the accommodation offer, bringing joy to those with disabilities/ dementia sufferers.

A detailed business plan, with financial projections, has been submitted as part of the application and this makes clear the intention of the applicant. It provides a business plan for the next three years showing how the business will be developed over this time, and projections of the likely income to be generated. The applicant makes the case that the two accommodation types, alongside the fishing lake and petting farm, will all complement each other and generate sufficient income for the business to be a successful enterprise.

This application should be considered alongside two other applications on this site, brought before Planning Committee. Application 18/001730/F for the Retention of caravan for temporary residential use, and application 18/01791/F for Retention of access track and entrance walls both of which are to serve the change of use proposed.

SUPPORTING CASE

The adjacent site to the west of the application site is known as the Thornham Lake fishing and holiday cottages site. It was granted planning permission in 2006 for use as a commercial fishing lake and siting of log cabins. In April 2017 a further planning permission was granted for an additional six holiday lodges and a managers dwelling. The planning officers and Committee both approved this application against a recommendation for refusal from County Highways. The officer's report to Committee stated "On balance it is considered that given the fact that Thornham Road is not in high demand, there have been no traffic incidents within the last seven years of operation, there are some informal passing points along the most likely route to the site and the application is for the expansion of a rural enterprise which is to be encouraged, officers believe that an approval can be recommended."

The 'most likely route to the site' is from Severalls Road. Although this is a single width carriageway, as the planning officer observed before, it is not in high demand. In fact, it is in very low demand. On various recent occasions, the route has been driven in order to see what happens when encountering other traffic. Unfortunately, it has not been possible to monitor that event, because no other traffic has been met. It was observed, however, that

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between the Severalls Road junction and the site entrance, (a distance of just under 1 kilometre or 0.6 miles) there are eight informal passing places, gateways or field entrances, which provide passing provision.

It was also observed that, owing the very nature of Thornham Road, traffic speed was around 20 - 25mph along this stretch of roadway and that excellent visibility was available at the Thornham Road/Severalls Road junction.

It is typical with the type of accommodation provided, that holidaymakers will remain on the site for most of their stay and that arrival and departure times vary considerably. It is unlikely that there would be a sudden "rush hour" of traffic trying to get in and out of the site. The applicants intend the site to be heavily orientated toward provision of facilities for disabled and frail clients, to be able to pursue a fishing hobby in specially adapted facilities. Additionally, it is intended to make special provisions for disabled or under-privileged children to stay at the site, to enjoy the countryside and mix with the petting farm animals. Such visits would involve only a single minibus travelling to and from the site for the duration of the stay. It is, therefore, suggested that the additional traffic generated by the proposal development would not create a problem.

Para 109 of the NPPF states that "Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. It is not considered that this would be the case if this development was allowed.

The applicant has provided a detailed business plan for the next three years, which provides the required evidence for policy DM11.

PLANNING HISTORY

18/01791/F: Retention of access track - Cherry Tree Farm Thornham Road

18/01729/CU: Change of Use of land from agricultural to leisure (D2) - Cherry Tree Farm

18/01730/F: Retention of caravan for temporary residential use - Cherry Tree Farm

RESPONSE TO CONSULTATION

Parish Council: SUPPORT

Highways Authority: OBJECT. As we have previously advised the applicant at an informal stage NCC would not support the use of this site for leisure because Thornham Road is not considered to be suitable for habitual increases in traffic.

As the applicant's agent acknowledges within their statement Thornham Road is of single track width. Thornham Road does not have formal passing provision for the significant majority of its length and additionally it is of poor construction has narrow verges and ditches to its sides. I also observe that despite our informal advice the applicant has not demonstrated provisions or an ability to provide any new formal passing area to help mitigate against their development. Cars when meeting would therefore be required to reverse in some cases long distances to locate an area to pass or squeeze past each other on unstable verges.

I note that the applicant puts weight on the principle that Thornham Road is not in high demand which was the basis on which the LPA approved previous applications in connection to neighbouring fishing lakes. You will be aware that NCC were not however in

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agreement with that approval and I am of the firm opinion that an approval of this application can only lead to further intensification of traffic on this road, given that 6 holiday cabins, two fishing lakes and a petting farm are planned. This will clearly increase the likelihood of two vehicles meeting and alter the demands on the road.

It would appear from the information submitted that there would be limited services on site and therefore travelling to and from the site is likely to be common. I also observe that the applicant is likely to pursue later facilities on the site. I am of the firm view that any site visit made will find that the road conditions are not suitable and an approval of the application would result in conditions to the detriment of highway safety. I therefore recommend the application is refused

Cadent Gas: NO OBJECTION to the proposal in principle.

- There is a high pressure pipeline local to the proposal, the pipeline has a 19.7m 'Building Proximity Distance' (BPD) applicable, Cadent Gas will object to any building that is sited within this distance of the pipeline.
- The high pressure pipeline is classed as a 'Major Accident Hazard Pipeline - High Pressure' and is sited within the HSE consultation zones.

The application has been put through the HSE Land Use Planning (LUP) process, and consequently the HSE does not advise, on safety grounds, against the granting of planning permission in this case.

CSNN: NO OBJECTION I have no objection the principle of the proposed end use for the siting of holiday cabins, camping, fishing and the farm animal petting. I am not requesting any conditions at this stage based on the final paragraph of the Planning Statement dated 24 September 2018 which states this application is purely to establish the change of use and that the actual facilities and site design will be subject to a further planning application.

As advised at the pre-app stage (18/00030/PREAPP) we would need to see full details on surface water drainage, foul drainage and external lighting, as well as storage of waste and recycling at any future application stage.

Foul water drainage is something which could generate a refusal from this team at a later stage, if it could not be proved that foul water could be safely treated and disposed of – we do object to rural nonmains camping or lodge sites etc due to concerns over the potential for failure of treatment systems during the winter period due to non-use, as bacteria die without a constant supply of food resulting in untreated waste water being discharged. I note that a Falcon Wastewater Treatment System was proposed previously which states the bacteria are supplied with food even when there is little or no wastewater coming in, such as during low use and holiday periods. This appears to be a suitable plant and should be considered in any future application.

Environmental Quality: No comments.

IDB: No comments.

REPRESENTATIONS

8 letters of **SUPPORT** t have been received for the proposed change of use.

LDF CORE STRATEGY POLICIES

CS06 - Development in Rural Areas

CS08 - Sustainable Development

CS10 - The Economy

CS11 - Transport

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PLAN 2016

DM1 – Presumption in Favour of Sustainable Development

DM11 – Touring and Permanent Holiday Sites

DM15 – Environment, Design and Amenity

NATIONAL GUIDANCE

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

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

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

PLANNING CONSIDERATIONS

The issues for consideration include:

- Principle of development
- Form and Character
- Highways/ Access
- Other material considerations.

Principle of development

The site is located outside the built extent of the village of Methwold, approximately a mile to the north west of the built extent of the settlement. It is categorised as a joint Key Rural Service Centre (with Northwold) in the adopted Local Plan (specifically the Site Allocations and Development Management Policies Plan (SADMP)). There is a development boundary for the village however the site is some distance from this and is classed as being within the countryside.

Policy DM2 Development Boundaries (SADMP) specifies that areas outside development boundaries will be treated as countryside where new development will be restricted and limited to that identified as suitable in rural areas by other local plan policies; including CS10.

Policies CS06 Development in Rural Areas and CS10 The Economy (Core Strategy (CS)) support the rural economy and provide a flexible approach to employment generating development. Policy CS10 supports the development of new tourist accommodation subject

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to certain criteria. Policy DM11 (Touring and permanent holiday sites) sets out the Council's location requirements for any new holiday sites, and the conditions to be applied to such sites. Requiring a business plan demonstrating how the site will be managed and will support tourism in the area, a high standard of design, safely accessed, and in accordance with policies on flood risk.

The agent states that the applicant wishes to develop accommodation on the site, fishing lakes and a petting farm, as part of the leisure/ tourism use of the site, and that these uses would mutually support each other. The applicant has provided detailed financial information to support the application, which identifies a business plan and financial projections for three years. The applicant has demonstrated that significant personal funds would be invested in the business which along with the business plan, demonstrates a firm intention and ability to develop the enterprise. The information provided meets the requirements of that required by policy DM11.

The site layout and design features are to be submitted in a subsequent application, and the site is not at risk of flooding. The issue as to whether the site can be safely accessed is discussed further below.

The applicant has provided sufficient evidence of their intention and ability to develop a rural enterprise,
and based on the information provided to date, the principle of the change of use of the land is entirely acceptable and in line with the policies detailed above.

Form and Character

The form and character of the locality is rural in nature, with a similar type of development located on the neighbouring site to the west. This proposal is for the change of use of the land from agricultural land to leisure. At this stage there is limited information available regarding the layout and detail of the site and the applicant has confirmed this will come forward for consideration as part of a subsequent planning application. Importantly the number of cabins and pitches are provided, with the extent of the lakes and petting farm broadly indicated, which gives us a general scale of development proposed.

Highways/ Access

The Local Highway Authority has objected to the proposal on the grounds that Thornham Road is not considered to be suitable for habitual increases in traffic. As the applicants agent acknowledges within their statement Thornham Road is of single track width, with no formal passing provision for the significant majority of its length and is of poor construction with narrow verges and ditches to its sides. The applicant has not demonstrated an ability to provide any new formal passing area to help mitigate against their development. Cars when meeting would therefore need be required to reverse in some cases long distances to locate an area to pass or squeeze past each other on unstable verges.

The applicant puts weight on the principle that Thornham Road is not in high demand which was the basis on which a previous application in connection to neighbouring fishing lakes was approved. The Local Highway Authority were not in agreement with this approval. However the holiday use was already established and the Planning Committee made reference to the fact that this was the expansion of a rural enterprise which is to be encouraged.

The approval of this application would lead to further intensification of traffic on this road, increasing the likelihood of two vehicles meeting and alter the demands on the road. It would

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appear from the information submitted that there would be limited services on site and therefore travelling to and from the site is likely to be common.

The Local Highway Authority is of the firm view that any site visit made will find that the road conditions are not suitable and an approval of the application would result in conditions to the detriment of highway safety. The Local Highway Authority consider that the scheme is therefore contrary to the NPPF and Policy CS11 of the Core Strategy.

Other material considerations

The site is within Flood Zone 1 and therefore a FRA is not required. The application site is also within the vicinity of a high pressure gas pipeline, although Cadent Gas and HSE have no objections to the scheme.

There are no further objections raised from consultees.

CONCLUSION

The proposed scheme would be located within the countryside and the general principle of holiday accommodation, at the scale proposed, in this location, is considered acceptable based on the evidence provided. It is the officer's view that the applicant has on balance made a case that there is clear evidence of a firm intention, and ability to develop the business which has been planned on a sound financial basis.

Critically, the application includes the scale regarding the type and number of accommodation units proposed and the general site layout. The detailed information regarding the proposal will be considered as part of a subsequent application.

The Local Highway Authority has objected to the scheme due to inadequate access to the site. The applicant is unable to provide a reasonable solution to address these concerns. However there is a similar use next door which has been given planning consent to expand further. There are also two routes to the site, Thornham Road and Severalls Road, both of which have informal passing points. On balance it is considered that given the fact that Thornham Road is not in high demand, there are some informal passing points along the most likely route to the site, and the application is for a new rural enterprise which is to be encouraged, officers believe that an approval can be recommended.

Consequently the proposal is in accordance with the National Planning Policy Framework, Policies CS06 and CS10 of the King's Lynn and West Norfolk Adopted Core Strategy 2011 and Policies DM2, DM11, and DM15 of the Site Allocations and Development Management Policies Plan 2016, and Members are duly recommended to approved the application.

RECOMMENDATION:

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

- 1 Condition: The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- 1 Reason: To comply with Section 91 of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.

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- 2 Condition: The development hereby permitted shall be carried out in accordance with the following approved plans (Drawing No 13173).
- 2 Reason: For the avoidance of doubt and in the interests of proper planning.
- 3 Condition: This permission relates to the use of the land as a leisure site (as identified on Dwg 13173) for up to 6 holiday cabins, creation of two fishing ponds, camping area for up to 12 pitches and a petting farm.
- 3 Reason: In order that the Local Planning Authority may retain control over the development in the interests of the amenities of the locality in accordance with the NPPF.
- 4 Condition: The holiday cabins (up to 6) and camping pitches (up to 12) hereby permitted shall:
- be occupied for holiday purposes only and shall be made available for rent or as commercial holiday lets;
 - be for short stay accommodation only (no more than 28 days per single let) and shall not be occupied as a person's sole or main place of residence; and
 - the owners / operators shall maintain an up-to-date register of lettings/occupation and shall make this available at all reasonable times to the Local Planning Authority.
- 4 Reason: For the avoidance of doubt and to ensure that the buildings are not used for unrelated purposes that would be incompatible with the provisions of the NPPF.
- 5 Condition: On the camping pitches hereby approved no touring caravans or tents shall remain on site for more than 28 days, be fixed to a hard standing or drain, or be stationed for the purposes of letting.
- 5 Reason: To ensure that the use of the site and the occupation of the caravan(s) is restricted to holiday use since permanent occupation is inappropriate in this location in accordance with the NPPF.
- 6 Condition: The holiday lodges hereby approved shall meet the definition of a caravan as defined within the Caravan Sites and Control of Development Act 1960 and the Caravan Sites Act 1968 (as amended).
- 6 Reason: For the avoidance of doubt and in the interests of proper planning.