

AGENDA ITEM NO: 8/3(e)

Parish:	Stoke Ferry	
Proposal:	Three holiday lets, visitor reception/store, access and car parking	
Location:	Flint Farm Oxborough Road Stoke Ferry King's Lynn PE33 9QH	
Applicant:	Mr and Mrs Dudley Pender	
Case No:	21/01720/F (Full Application)	
Case Officer:	Mrs C Dorgan	Date for Determination: 2 November 2021 Extension of Time Expiry Date: 12 November 2021

Reason for Referral to Planning Committee – Called in by Councillor Sampson.

Neighbourhood Plan: No

Case Summary

The application seeks full planning consent for the construction of three holiday cabins and a visitor office/ store for holiday use only with associated open space and the creation of a new access and parking area. The access will be via Oxborough Road.

The application site is 1.1ha in size and currently utilised as a private garden area for the adjacent donor dwelling Hanks Ranch (formally known as Flint Farm) identified within the blue land.

The site lies approximately 1km to the northeast of the built extent of the village of Stoke Ferry to the north of the A134. Stoke Ferry is categorised as a Key Rural Service Centre in the Site Allocations and Development Management Policies Plan (SADMPP)(2016) but the application site is on land designated as countryside in the Plan.

Key Issues

Principle of Development
Highways / Access
Impact on Visual Amenity
Residential Amenity
Other Material Considerations

Recommendation

APPROVE

THE APPLICATION

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The modest holiday cabins are to be constructed from timber with a corrugated iron roof. They are approximately 5m by 3m in footprint and two are 4.2m in height at ridgeline, with one unit (the chapel) being 5.2m to ridge height with a steeple of just over 1.5m beyond this. The units sleep two people and provide independent cooking and washing facilities, and a raised decking area/ veranda. The visitor reception / store is again to be constructed from timber and iron and approximate 7m by 4m in size by 4m in height. All units will have a traditional American western appearance and include names such as 'Saloon', 'Sheriff's Office' and 'General Store'.

The units are proposed to be located to the north of the site, close to the existing maintenance store and will look towards the south onto a large established landscaped area which will be further enhanced. The parking area is to be located to the east of the site close to the proposed access.

The accommodation will be managed and run by the owners of Hanks Ranch and information has been submitted in the form of a business plan as to how this will operate. It is largely self-catering accommodation with some limited meals available to cook within the cabins.

SUPPORTING CASE

This application follows the pre planning application and meeting with the planning officer to ensure the application is in line with local planning regulations and policies.

Further to the Stoke Ferry parish council meeting 22nd September where the Parish council advised they liked the idea of the proposed planning application but did not agree to approve solely on the point of this being outside of the development boundary.

I would like to highlight that the application for the 3 holiday let cabins and visitor centre/ store room is of a modest scale both in terms of each unit and the number of guests that could be accommodated on the site. The structures will be of temporary construction and for the purpose of holiday lets only and this is not an application for any type of permanent structures or any other type of development other than that stated in the application and as such should not be considered in a similar vein to a large scale housing development but on the merits of being an asset to the local parish in terms of tourism.

The site is screened from public views by existing trees and hedgerows which also give privacy to the site. The proposal has been designed to be sympathetic with the nature of the site and maintain the habitats and natural planting already in situ

The proposed development will be of benefit to tourism in the parish and is compliant with the policy CS06 - Development in Rural Areas and DM11 – Touring and Permanent Holiday Sites. (See design and access statement for more details of policies considered in this application).

PLANNING HISTORY

10/00346/F: Application Permitted – Delegated decision: 04/05/10 - Erection of steel framed agricultural barn for storage of agricultural vehicles, implements and equipment - Flint Farm, Oxborough Road

21/00069/PREAPP: PreApp -Possible Approval with Amendment: 08/07/21 - PRE-APPLICATION ENQUIRY WITH CONSULTATIONS AND WITH MEETING: Full: 4 x Log cabins and 1 x commercial cabin for self catering holidays. - Hanks Ranch, Oxborough Road

RESPONSE TO CONSULTATION

Parish Council: OBJECTION

The Stoke Ferry Parish Council felt that they would have been able to support the application in that it is for temporary structures to benefit tourism in the parish, however they have decided to object to the application based on one reason in that it is outside of the development boundary.

Local Highway Authority: NO OBJECTION subject to conditions

With reference to the revised plan 01/01 (with added visibility splay notes) and previous correspondence. I am now of the view that access, parking and turning could be provided to accord with the adopted standards and as a result I recommend conditions are attached re access, visibility splays and parking and turning.

Environment Agency: NO COMMENTS

We have reviewed the information submitted and have no comment to make on this application.

Contamination - The site is located above a Principal Aquifer. However, we do not consider this proposal to be High Risk. Therefore, we will not be providing detailed site-specific advice or comments with regards to land contamination issues for this site. The developer should address risks to controlled waters from contamination at the site, following the requirements of the National Planning Policy Framework and the Environment Agency Guiding Principles for Land Contamination.

Infiltration Sustainable Drainage Systems (SuDS) - The water environment is potentially vulnerable and there is an increased potential for pollution from inappropriately located and/or designed infiltration (SuDS). We consider any infiltration (SuDS) greater than 2.0 m below ground level to be a deep system and are generally not acceptable. If the use of deep bore soakaways is proposed, we would wish to be re-consulted. All infiltration SuDS require a minimum of 1.2 m clearance between the base of infiltration SuDS and peak seasonal groundwater levels. All need to meet the criteria in our Groundwater Protection: Principles and Practice (GP3) position statements G1 to G13. In addition, they must not be constructed in ground affected by contamination.

IDB: NO OBJECTION

CSNN: NO OBJECTION subject to conditions

As the fourth cabin is described as a 'Visitor Reception/Store' on the site plan rather than a 'visitor centre' as per the application heading, I have no concerns, although I recommend a revision to the application wording to alleviate this issue and clarify the proposed use of the fourth cabin - a visitor centre can be associated with large numbers of visitors to the site. At the PreApp stage I requested details regarding lighting and the existing septic tank at any future application stage. These have been supplied and are agreeable.

Please condition the use as being connected with the host dwelling and named applicants to avoid separation of the site from the dwelling, which could pose amenity issues to any future occupiers of the dwelling.

Environmental Quality: NO OBJECTION

With reference to the above planning application, the site for the proposed development is an agricultural field with land surface generally natural and there seems to be no contamination legacy according to BCKLWN historic archives. In addition, the existing use of the site is currently private garden which is not vacant and is not known to be contaminated or suspected of any contamination either in part or all of the site according to the application form. Consequently, we have no objection and no further observation may be required in relation to contaminated land assessment.

Natural England: NO COMMENTS

Arboricultural Officer: NO OBJECTION

Public Rights of Way Officer (PROW): NO OBJECTION

We have no objection in principle to the application but would highlight that a Public Right of Way, known as Stoke Ferry Footpath 1 is aligned adjacent to the southern boundary of the site. The full legal extent of this footpath must remain open and accessible for the duration of the development and subsequent occupation.

REPRESENTATIONS: NO REPRESENTATIONS RECEIVED

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

DM2 – Development Boundaries

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)

National Design Guide 2019

PLANNING CONSIDERATIONS

In the assessment and recommendation of the application the following issues have been considered-

Principle of Development

The National Planning Policy Framework (2021) refers to supporting sustainable rural tourism and leisure development that benefits rural areas, including 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.

Policy CS06 of the Core Strategy states: “the Council will promote opportunities to improve and enhance the visitor economy throughout the borough and in regards to 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 the natural environment.”

Policy CS10 of the Core Strategy states: “...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.

The Council will permit the development of new tourism accommodation in rural areas subject to the following criteria being met:

- It should be located in or adjacent to our villages and towns;
- It should be of a high standard of design in line with national guidance;
- Will not be detrimental to the landscape;
- Mechanisms will be in place to permanently retain the tourism related use...”

Policy DM 2 of the Site Allocations & Development Management Policies Plan (SADMPP) states:

“Development will be permitted within the development boundaries of settlements shown on the Policies Map provided it is in accordance with the other policies in the Local Plan.

The areas outside development boundaries (excepting specific allocations for development) will be treated as countryside where new development will be more restricted and will be

limited to that identified as suitable in rural areas by other policies of the local plan, including...

- tourism facilities (under Core Strategy Policy CS10)..."

Policy DM 11 of the SADMPP relates to Touring and Permanent Holiday Sites (NOTE – For the purposes of this policy the term ‘holiday accommodation’ is used to describe caravan based accommodation, including touring and permanent sites/units, as well as permanent buildings constructed for the purpose of letting etc.)

Location requirements

Proposals for new holiday accommodation sites... 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 environmental 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 ...

In terms of meeting Policy CS10 the scheme has proposed a good quality form of site layout and design, which is not detrimental to the landscape of the locality. A condition is proposed to retain and control the use of the tourism accommodation in accordance with the policy. While the site is outside the built extent of Stoke Ferry, some 1km at the closest point, the nature of this tourist scheme is based around this particular rural location.

Considering the requirements of Policy DM11, the applicant has submitted a business plan, and a document on market research. The market research document discusses the local tourism markets, local attractions and local offers such as bird watching and food and drink establishments. The business plan outlines the facilities on offer, how the site will operate, pricing and marketing of the accommodation. This meets the policy requirements. The other policy requirements are discussed below in detail.

The Parish Council has objected to the application on the grounds that the site is outside the development boundary for Stoke Ferry. However, in terms of the principle of development, the scheme proposed largely accords with the NPPF, Policies CS06 and CS10 of the CS (2011) and Policies DM2 and DM11 of the SADMPP (2016) subject to other policies within the plan and issues discussed below.

Highways / Access

The scheme includes the creation of a new access from Oxborough Road to serve the holiday accommodation, in addition to the existing residential access (to the north of this). Discussions were held during the application process, and subject to the realignment of a boundary hedge the Local Planning Authority (LPA) are satisfied with the proposed access and site layout. The LPA has no objections subject to the recommended conditions regarding the access, visibility splays, and parking and turning arrangements. It is considered the scheme is in line with the NPPF, Policies CS11 (CS 2011) and Policies DM15 and DM17 (SADMPP 2016).

Impact on Visual Amenity

The cabins will be within close proximity to an existing storage barn on the application site, and will be viewed against this existing larger structure. There is existing landscaping and planting on the site and the applicant proposes to enhance this further. Firstly by planting native hedging along the western boundary of the site to protect views across the countryside towards the site and minimise the visual impact of the development. A section of the existing boundary hedge fronting Oxborough Road will need to be removed to facilitate an adequate visibility splay, and the applicant intends to replant this boundary hedge set further back into the site behind the required splay. A condition is attached to ensure these boundary treatments are secured. Conditions are also attached to require details and secure the implementation of the further planting of trees and natural species of plants to be added, alongside the meadow and woodland walk the applicant states is being created.

The scheme proposed, subject to the recommended conditions, is in accordance with the NPPF, Policies CS08 and CS12 (CS 2011) and DM15 (SADMPP 2016).

Residential Amenity

Aside from the donor dwelling, there are no other residential neighbours within the vicinity of the application site. A condition is attached to the consent to tie the holiday use/ accommodation units to the donor dwelling known as 'Hanks Ranch' (formerly known as Flint Farm). The accommodation units and the visitor reception/ store are proposed to be located to the south west of the site, adjacent to the maintenance shed, with screening in the form of planting between the holiday units and the dwelling. The parking area will be located to the east of the site adjacent to the proposed access. The site will be managed by the residents of the dwelling and therefore the relationship between these uses is considered acceptable. Information re drainage and proposed lighting has been submitted and CSNN have no objections. The application is in line with the NPPF, Policy CS08 (CS 2011) and Policy DM15 (SDAMPP 2016),

Other Material Considerations

Ecology – The application seeks to retain the majority of the well established planting on site, with only part of the front boundary hedge to be replaced to secure the visibility splay. Additional planting is intended and conditions are attached accordingly. The siting of the accommodation units are however on a grassed area of the site and is unlikely therefore to have a notable impact on ecology. The closest protected site is 200m to the northeast, Boughton Fen SSSI, which is considered to be unaffected by this low key proposal.

Flood Risk – The application site lies within Flood Zone 1 of the adopted SFRA Maps, with a small area to the south of the site at risk of fluvial flooding based on the climate change maps. This is some distance from the location of the proposed accommodation units within an area of established planting which is to be retained.

Environmental Quality – Given the condition and historical use of the land there are no land contamination concerns.

Drainage – The applicant has submitted information to evidence the fact that the existing septic tank and field drainage system (soakaway) is more than capable of being able to cope with the additional flow generated by the proposed holiday lets. CSNN has no objections to the arrangements.

CONCLUSION

The application seeks consent for holiday cabins and associated facilities on land designated as countryside approximately 1km to the northeast of Stoke Ferry. The Parish Council has objected to the scheme on the grounds that the site is outside of the development boundary. However, this is a tourist scheme and developments of this nature (holiday cabins) are almost inevitably located in the countryside. This is recognised in national and local policies, and in terms of the principle of development the proposal is considered to be in accordance with Policies CS06 and CS10 (of the CS) and DM2 and DM11 (of the SADMP).

In terms of assessing the detailed impacts, there are no other objections to the scheme, and no visual amenity issues, highways issues or neighbour amenity concerns. The application is therefore recommended for approval subject to the appropriate conditions-

RECOMMENDATION:

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

- 1 Condition The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- 1 Reason To comply with Section 91 of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.
- 2 Condition The development hereby permitted shall be carried out in accordance with the following approved plans (Drawing Nos-

01/01 Site Layout Plan received 15 Oct 2021
01/02 Proposed General Store Plans and Elevations received 2 Sept 2021
01/03 Proposed Chapel Plans and Elevations received 2 Sept 2021
01/03 Proposed Sheriffs Office Plans and Elevations received 2 Sept 2021
01/03 Proposed Saloon Plans and Elevations received 2 Sept 2021).
- 2 Reason For the avoidance of doubt and in the interests of proper planning.
- 3 Condition Prior to the first use of the development hereby permitted the vehicular / pedestrian / cyclist access shall be constructed in accordance with the highways specification TRAD 5 and thereafter retained at the position shown on the approved plan. Arrangement shall be made for surface water drainage to be intercepted and disposal of separately so that it does not discharge from or onto the highway.
- 3 Reason To ensure construction of a satisfactory access and to avoid carriage of extraneous material or surface water from or onto the highway in the interests of highway safety.
- 4 Condition Notwithstanding the provision of the Town and Country Planning (General Permitted Development) Order (2015), (or any Order revoking, amending or re-enacting that Order) no gates/bollard/chain/other means of obstruction shall be erected across the approved access unless details have first been submitted to and approved in writing by the Local Planning Authority.
- 4 Reason In the interests of highway safety.

- 5 Condition Prior to the first use of the development hereby permitted visibility splays shall be provided in full accordance with the details indicated on the approved plan. The splay(s) shall thereafter be maintained at all times free from any obstruction exceeding 0.6 metres above the level of the adjacent highway carriageway.
- 5 Reason In the interests of highway safety in accordance with the principles of the NPPF.
- 6 Condition Prior to the first use of the development hereby permitted the proposed access / on-site car parking / turning area shall be laid out, levelled, surfaced and drained in accordance with the approved plan and retained thereafter available for that specific use.
- 6 Reason To ensure the permanent availability of the parking/manoeuvring areas, in the interests of satisfactory development and highway safety.
- 7 Condition The development hereby permitted and identified as the land outlined in red on Drawing No 01/01, shall be held in association with the dwelling known as Hanks Ranch (formerly known as Flint Farm) identified as the land outlined in blue on Drawing No. 01/01 and shall at no time be used as a separate business or commercial use.
- 7 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.
- 8 Condition The accommodation hereby permitted shall only be used as short-stay holiday accommodation (no more than 28 days per single let) and shall not be occupied as a person's sole or main place of residence. The owners shall maintain an up-to-date register of lettings/occupation and shall make the register available at all reasonable times to the Local Planning Authority.
- 8 Reason In the interests of the amenities of the locality in accordance with the NPPF and Policy DM11 of the SADMPP (2016).
- 9 Condition Prior to first occupation/use of the development hereby permitted, a plan shall be submitted to and approved in writing by the Local Planning Authority indicating the positions, heights and materials of the boundary treatments to be erected/ planted, including the replacement hedging on the front (southeast) elevation. This should include, where appropriate, planting plans with schedules of plant noting species, plant sizes and proposed numbers and densities. The boundary treatment shall be completed before the use hereby permitted is commenced or in accordance with a timetable to be approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and thereafter retained in perpetuity.
- 9 Reason To ensure that the development is compatible with the amenities of the locality in accordance with the NPPF.
- 10 Condition Prior to the first use or occupation of the development hereby approved, full details of both hard and soft landscape works shall have been submitted to and approved in writing by the Local Planning Authority. These details shall include finished levels or contours, hard surface materials, refuse or other storage units, street furniture, structures and other minor artefacts. Soft landscape works shall include planting plans, written specifications (including cultivation and other operations

associated with plant and grass establishment) schedules of plants noting species, plant sizes and proposed numbers and densities where appropriate.

- 10 Reason To ensure that the development is properly landscaped in the interests of the visual amenities of the locality in accordance with the NPPF.
- 11 Condition All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation or use of any part of the development or in accordance with a programme to be agreed in writing with the Local Planning Authority. Any trees or plants that within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species as those originally planted, unless the Local Planning Authority gives written approval to any variation.
- 11 Reason To ensure that the work is carried out within a reasonable period in accordance with the NPPF.