

Parish:	Little Massingham	
Proposal:	Retrospective erection of agricultural barn	
Location:	Little Massingham Manor Station Road Little Massingham King's Lynn	
Applicant:	Mr Topham	
Case No:	23/01104/F (Full Application)	
Case Officer:	Mrs Jade Calton	Date for Determination: 21 August 2023 Extension of Time Expiry Date: 11 September 2023

Reason for Referral to Planning Committee – Parish Council comments are contrary to officer recommendation and Sifting Panel referred the application to Planning Committee

Neighbourhood Plan: No

Case Summary

The application site relates to Little Massingham Manor, situated on the western side of Station Road, Little Massingham.

The application seeks retrospective consent for the construction of an agricultural barn within the extensive grounds of the site.

Little Massingham is classified as a Smaller Village and Hamlet within the settlement hierarchy of the Development Plan.

Key Issues

- Principle of Development
- Impact on countryside
- Other Materials Considerations

Recommendation

APPROVE

THE APPLICATION

The application site relates to Little Massingham Manor, situated on the western side of Station Road, Little Massingham.

The application seeks retrospective consent for the construction of an agricultural barn within the extensive grounds of the site.

Whilst the retrospective building is described as an 'agricultural barn', the land is no longer used for agricultural purposes and appears to be 'parkland'. The building is used for the storage of vehicles and equipment to maintain the land, which comprises approx. 27 hectares.

The site is located within the countryside and comprises the Manor House (residential), an 'ancillary' bungalow, and a number of outbuildings operating a variety of small business uses currently being considered under three separate applications for retrospective change of use (listed under the Planning History section below in this report). Those uses include a beauticians; 2 no. holiday let shepherds huts; and a single holiday let within an ancillary building.

The Planning Enforcement Team are also currently investigating other uses potentially operating from the site. If it becomes apparent that they require consent, further application(s) will be encouraged.

The building subject of this application is sited some 300 metres back from the main road to the front of the main dwelling and outbuildings. It is constructed using timber cladding and has a pitched corrugated grey roof with an open front to its southern elevation.

The building has a footprint of approx. 224 square metres and is 3.3m to its eaves and 4.8m to its ridge.

SUPPORTING CASE

There is no supporting case accompanying the application.

PLANNING HISTORY

23/01419/F: PENDING CONSIDERATION – retrospective installation of shepherds huts to serve as holiday lets - Little Massingham Manor, Station Road, Little Massingham

23/01395/F: PENDING CONSIDERATION - Retrospective Change of Use from Ancillary Building to Holiday Let - Little Massingham Manor, Station Road, Little Massingham

23/01345/CU: PENDING CONSIDERATION - Retrospective - Change of Use from a Residential Ancillary Building to a Beauticians. - Little Massingham Manor, Station Road, Little Massingham

18/00666/O: APPLICATION REFUSED (Delegated): 14/09/18 - Outline Application: Proposed Replacement Dwelling - Manor Bungalow, Station Road, Little Massingham

Appeal Dismissed 10/04/19;

08/01565/CU: APPLICATION PERMITTED (Delegated): 28/08/08 - Change of use from C2 to residential - Little Massingham Manor, Station Road, Little Massingham

09/00118/F: APPLICATION PERMITTED (Delegated): 19/03/09 - Construction of new entrance gates and wall - Manor Lodge, Station Road, Little Massingham
King's Lynn

2/03/1476/F: APPLICATION PERMITTED (Delegated): 23/10/03 - Provision of mobile classroom - Little Massingham Manor

2/03/1152/CU: APPLICATION PERMITTED (Delegated): 04/09/03 - Change of use from residential to educational use - Little Massingham Manor

2/02/0228/CU: APPLICATION PERMITTED (Delegated): 25/03/02 - Change of use from retreat centre to residential dwelling - Massingham St Mary

RESPONSE TO CONSULTATION

Parish Council: **OBJECT** on the following grounds –

- Size of shed excessive for the stated purpose.
- Barn built for more than agricultural purposes based on the business website for the property as a leisure facility.

REPRESENTATIONS

ONE OBJECTION received from a Third Party: -

- Erected without permission.
- Intrusive to the neighbours.
- Height of roof line.
- Actual height appears to differ from the retrospective plans.
- The property is not an agricultural site.
- Leisure facility.

LDF CORE STRATEGY POLICIES

CS02 - The Settlement Hierarchy

CS06 - Development in Rural Areas

CS08 - Sustainable Development

CS01 - Spatial Strategy

CS11 – Transport

CS12 - Environmental Assets

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PLAN 2016

DM1 – Presumption in Favour of Sustainable Development

DM2 – Development Boundaries

DM15 – Environment, Design and Amenity

NATIONAL GUIDANCE

National Planning Policy Framework (NPPF)

Planning Practice Guidance (PPG)

National Design Guide 2021

OTHER GUIDANCE

PLANNING CONSIDERATIONS

The main considerations in the determination of this application area as follows: -

- Principle of Development
- Impact on the Countryside
- Other Material Considerations

Principle of Development:

Little Massingham is classified as a Smaller Village and Hamlet within the settlement hierarchy of the Development Plan. However, the site is located within the countryside where development is limited to specific identified needs in accordance with Policy CS06 'Development in Rural Areas'.

Policy CS06 is supportive of farm diversification schemes and conversion of existing buildings for business purposes in accordance with other relevant Development Plan Policies. Proposals should meet sustainable development objectives, be consistent in its scale with its rural location, and should not adversely affect the surrounding area or detract from residential amenity.

It is considered that the retrospective building is acceptable in principle in accordance with the development Plan.

Impact on the Countryside:

Development Plan Policy CS06 aims to protect the countryside for its intrinsic character and beauty, seeking to main the local rural context and high quality environment.

The building is set back from the road by more than 300 metres and cannot be seen from the public domain due to screening from the roadside hedgerow and mature trees across the site.

The building is sited in front of existing buildings with a group of mature trees in between. The building is therefore not isolated and is considered to relate to the rural character and context of the site, and wider area, in terms of its barn like appearance and use of appropriate materials.

The canopies of the mature trees within proximity to the building are sited approx. 1.4m to the north-west and approx. 3.3m to the south-west. Given the limited foundations to the perimeter of the building and the likelihood of those being outside the root protection zones, it is not considered that there would be undue harm that would result in the loss of the trees.

It is considered that the building causes no harm to the quality of the landscape character, in accordance with Development Plan Policies CS06, CS08, CS12 and DM15 and the general provisions of the NPPF.

Other Material Considerations:

Crime and Disorder

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

Third party comments

The Parish Council and Third Party concerns have been taken into consideration in reaching a recommendation for this application.

The nearest residential dwelling is approx. 250m from the retrospective building and as such it will have limited to no impact on residential amenity.

The building was surveyed as built by the Applicant's agent and as such the measurements on the submitted plans are accurate.

Regarding the Parish's concerns that the building is excessive in size, it is of a size required for the storage of vehicles reasonably necessary to maintain the land, akin to an agricultural storage barn, and thus relates to the size and nature of the wider site.

The building itself is required for no other reason than has been specified within the application, this is clearly evident on site. In regard to the concerns surrounding the use as a 'leisure facility', three further applications have been submitted in relation to other small business uses on the wider site, to which this application does not relate. Each application should be considered on its individual merits.

CONCLUSION:

The principle of the development accords with countryside protection Policy CS06 and it is considered that the size and use of the building to house machinery in connection with the maintenance of the land is acceptable.

It is your officer's opinion that the building causes no visual harm to the character and appearance of the countryside, nor does it compromise the quality of the wider landscape.

As such, the development accords with Development Plan Policies CS01, CS06, CS08, CS12, DM1 and DM15; and the general provisions of the NPPF.

RECOMMENDATION:

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

- 1 Condition: The application has been determined in accordance with the following approved plans: 676 – 001 (Elevations and Floor Plan) and 676 – 002 (Location Plan).
- 1 Reason: For the avoidance of doubt and in the interests of proper planning.
- 2 Condition: The use of the building hereby approved, shall be limited to the storage of vehicles / machinery / equipment in connection with the maintenance of the wider site under the applicant's control only, and for no other unrelated business or commercial uses. Nor shall the building be independently let, leased, or occupied.
- 2 Reason: For the avoidance of doubt and to ensure that the building is not used for unrelated purposes that would be incompatible with the Development Plan and provisions of the NPPF.