

AGENDA ITEM NO: 8/2(f)

Parish:	Holme next the Sea	
Proposal:	New retail unit	
Location:	Drove Orchards Thornham Road Holme next the Sea Norfolk	
Applicant:	Drove Orchards Ltd	
Case No:	15/01879/F (Full Application)	
Case Officer:	Mrs K Lawty	Date for Determination: 3 February 2016

Reason for Referral to Planning Committee – Called in by Councillor Mrs Bower and the views of Holme next the Sea Parish Council is contrary to the Officer recommendation.

Case Summary

The application site is part of the Drove Orchards Farm site, located on the northern side of the main A149 coastal road which runs between Hunstanton in the west and Wells in the east. The site is approximately 1 km west of the village of Thornham but lies within the parish of Holme-next-the-Sea. The village of Holme is approximately 1.5km away.

The site comprises a parcel of land to the eastern side of the existing courtyard area at the front of the orchard site.

The surrounding orchards lie to the north, east and west of the site. Other existing retail and commercial uses are to the east of the site, set around the gravelled courtyard area which also serves as part of the parking area for the wider site. South of the site, on the opposite side of the road, are open, arable fields.

This application seeks full planning permission for one new retail unit for a use which is already on another part of the site without the benefit of planning permission.

Key Issues

Principle of Development;
Use of the site;
Impact upon the AONB,
Impact upon Neighbour Amenity;
Accessibility;
Highway Safety.

Recommendation

APPROVE

THE APPLICATION

This application seeks full planning permission for one new retail unit for Gurneys Fish Shop, which is already within a mobile unit located at the front of the site without the benefit of planning permission. The fish shop has been on site for some time, but the planning application submitted for Gurneys in this position was withdrawn, pending objection from officers. This current application seeks to relocate the retail unit to the eastern part of the site.

The application site is part of the Drove Orchards Farm site, located on the northern side of the main A149 coastal road which runs between Hunstanton in the west and Wells in the east. The site is approximately 1 km west of the village of Thornham but lies within the parish of Holme-next-the-Sea. The village of Holme is approximately 1.5km away.

The site comprises a parcel of land to the eastern side of the existing courtyard area at the front of the orchard site.

The surrounding orchards lie to the north, east and west of the site. Other existing retail and commercial uses are to the east of the site, set around the gravelled courtyard area which also serves as part of the parking area for the wider site. South of the site, on the opposite side of the road, are open, arable fields.

SUPPORTING CASE

No supporting documentation accompanies this application.

PLANNING HISTORY

14/00193/F: Application Permitted: 15/04/14 - New retail unit, change of use of the land for siting of tea room and extension to existing farm shop - Drove Orchards

12/00835/F: Application Permitted: 18/07/12 - New retail unit on A3 class designated land - Drove Orchards

09/01281/CU: Application Permitted: 08/12/09 - Change of use from agricultural land to siting of a 'yurt' tent and ancillary structures to be used as a restaurant - The Yurt Restaurant, Drove Orchards

RESPONSE TO CONSULTATION

Parish Council: OBJECTION (Amended plans) Holme-next-the-Sea Parish Council considers the oak cladding represents an improvement to the containerised buildings. However, there seems to be a number of outstanding matters and we request additional information relating to the use of the site and future development.

Highways Authority: NO OBJECTION

Norfolk Coast Partnership:- Further development of the site in this way is inconsistent with para 114 of NPPF on Heritage Coasts ("Local planning authorities should...maintain the character of the undeveloped coast, protecting and enhancing its distinctive landscapes, particularly in areas defined as Heritage Coast...") and with the purpose of designation of AONBs.

It is also not an appropriate location for such development under Local Plan policy CS10 The Economy, and the development of an isolated site in the open coastal countryside of the AONB and Heritage Coast in this way is also inconsistent with Local Plan policy CS12 Environmental Assets, in that through an increasingly developed site, with the additional traffic and erosion of tranquillity, it does not conserve and, where possible, enhance the special qualities and local distinctiveness of the area.

REPRESENTATIONS

Third party correspondence was received from a neighbour regarding land ownership but this has since been resolved.

NATIONAL GUIDANCE

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

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

LDF CORE STRATEGY POLICIES

CS01 - Spatial Strategy

CS02 - The Settlement Hierarchy

CS06 - Development in Rural Areas

CS07 - Development in Coastal Areas

CS08 - Sustainable Development

CS10 - The Economy

CS11 - Transport

CS12 - Environmental Assets

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PRE-SUBMISSION DOCUMENT

DM1 – Presumption in Favour of Sustainable Development

DM10 – Retail Development Outside Town Centres

DM15 – Environment, Design and Amenities

PLANNING CONSIDERATIONS

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

- Principle of Development;
- Use of the site;
- Impact upon the AONB,
- Impact upon Neighbour Amenity;
- Accessibility.
- Highway Safety.

Principle of development

The site lies outside the village settlement boundary of either Holme Next the Sea. The site lies within the confines of the Heritage Coastline and an Area of Outstanding Natural Beauty.

The Drove Orchards site is already used for several retail purposes including a farm shop and clothes shops, as well as two restaurants and play area. This application seeks an additional unit on land to the eastern side of the courtyard area at the front of the larger site.

The Norfolk Coast Area of Outstanding Natural Beauty Management Plan 2004-2009 looks to support the local economy provided that products are sourced from the locality and maintains the traditions that characterise the area, provided that they are not detrimental to the conservation of the area of outstanding natural beauty.

Nationally the NPPF advises that planning policies should support economic growth in rural areas in order to create jobs and prosperity by taking a positive approach to sustainable new development. At paragraph 28 it states that to promote a strong rural economy, local and neighbourhood plans should:

- support the sustainable growth and expansion of all types of business and enterprise in rural areas, both through conversion of existing buildings and well-designed new buildings;
- promote the development and diversification of agricultural and other land-based rural businesses;
- support sustainable rural tourism and leisure developments that benefit businesses in rural areas, communities and visitors, and which respect the character of the countryside. This should include supporting the provision and expansion of tourist and visitor facilities in appropriate locations where identified needs are not met by existing facilities in rural service centres; and
- promote the retention and development of local services and community facilities in villages, such as local shops, meeting places, sports venues, cultural buildings, public houses and places of worship.

However, the underlying principle is for development to be sustainable and this involves economic growth in the right place and which seeks to protect and enhance the natural environment. Paragraph 9 of the NPPF states that pursuing sustainable development involves seeking positive improvements in the quality of the built, natural and historic environment.

Paragraph 114 requires that local planning authorities should maintain the character of the undeveloped coast, protecting and enhancing its distinctive landscapes, particularly in areas defined as Heritage Coast.

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

The Norfolk Coast Management Plan is not an adopted planning policy document but provides guidance as to the character of the area and the role tourism has to play in it. The Plan states that tourism plays an important part in the local economy within areas of outstanding natural beauty. Tourism supports local jobs indirectly and supports community services. However a dependence on tourism for trade leads to part-time jobs and seasonal peaks in unemployment occur. Overall there is a shortage of full-time jobs in the AONB. For sustainability reasons the provision of jobs needs to at worst not damage the conservation status of the area's natural beauty.

At a local level Core Strategy Policy CS06 refers to 'Development in Rural Areas'. It states that:

'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 development of greenfield sites will be resisted unless essential for agricultural or forestry needs.

The strategy will be supportive of farm diversification schemes and conversion of existing buildings for business purposes in accordance with Policy CS10 providing any proposal:

- meets sustainable development objectives and helps to sustain the agricultural enterprise;
- is consistent in its scale with its rural location;
- is beneficial to local economic and social needs;
- does not adversely affect the building and the surrounding area or detract from residential amenity.'

Core Strategy Policy CS10 supports the rural economy through allowing employment exception sites subject to meeting set criteria. The site is between the settlements of Holme and Thornham, on the coastal A149 route, and in this context should be considered as a rural employment exception site in relation to Core Strategy Policy CS10. Policy CS10 refers:

'The Council will support the rural economy and diversification through a rural exception approach to new development within the countryside; and through a criteria based approach to retaining employment land and premises.

Permission may be granted on land which would not otherwise be appropriate for development for an employment generating use which meets a local business need. Any development must satisfy the following criteria:

- It should be appropriate in size and scale to the local area;
- It should be adjacent to the settlement;
- The proposed development and use will not be detrimental to the local environment or local residents.'

Policy DM10 refers to retail development outside town centres. This policy seeks to support and maintain the borough's town centres as major retail centres. The policy states that all new proposals for main town centre uses will be required to locate in the town centre or where sites cannot be found in edge of centre sites.

The proposed development needs to demonstrate that it is acceptable as a rural exceptions site and is acceptable in terms of sustainability.

Use of the site

Drove Orchard is primarily an apple orchard but use of the site for commercial purposes has been steadily growing over the past decade.

The farm has diversified over recent years and the site currently contains a farm shop, a restaurant (yurt), two clothes shops, two other general shops, a fish and chip restaurant and parking facilities. In principle, national planning policy (NPPF) and local planning policy (Policy CS06 Rural Areas) supports rural enterprise and farm diversification schemes. In this context, the business has been permitted to grow to its present level.

The existing Gurneys Fish Shed has been in place at the front of the site for approximately a year. This current application seeks permission for its location to the eastern side of the existing courtyard, in an area where planning permission was previously approved for sheds to be stationed for retail purposes. This location is considered to be less conspicuous than the former location along the roadside frontage of the site. The repositioning of the unit would have a more cohesive layout and the proposed buildings would relate better to the existing use of the site.

The proposed buildings are single storey in height and amended plans have shown the containers to be clad in natural timber. It is considered the design now complements that of other retail units approved on the site.

The Parish Council and Norfolk Coast Partnership have both objected to the fact that development on the site is increasing in a piecemeal fashion. The Parish Council would have preferred a masterplan so that the site would function more effectively and that the extent of the development could be confined. However the nature of the site so far has been to grow in an ad hoc manner as the business grows in response to demand to offer more facilities on this existing site.

In summary, it is considered that the proposed extra retail unit is compatible with existing uses on the site. Whilst it is not recommended that the use of the proposed retail unit is limited to one particular retailer in this case, it is considered that a retail unit of this proportion is well related to the existing business on the site and is therefore consistent with the principles of policies CS06 Rural Areas, CS10 Employment DM10 and consequently would not undermine the principles of sustainability of the NPPF and Core Strategy which seek to concentrate retail developments in settlements or areas designated for growth in development plans and not the countryside.

Impact upon the AONB

Planning permission has previously been granted for several retail units and a restaurant on the site and Drove Orchards is establishing itself as a tourist attraction for the orchard itself as well as the retail elements.

Norfolk Coast Partnership has objected to the proposal. They consider that further development of the site in this way is inconsistent with para 114 of NPPF on Heritage Coasts ("Local planning authorities should...maintain the character of the undeveloped coast, protecting and enhancing its distinctive landscapes, particularly in areas defined as Heritage Coast...") and with the purpose of designation of AONBs.

They consider it is not an appropriate location for such development under Local Plan policy CS10 The Economy, and the development of an isolated site in the open coastal countryside of the AONB and Heritage Coast in this way is also inconsistent with Local Plan policy CS12 Environmental Assets, in that through an increasingly developed site, with the additional

traffic and erosion of tranquillity, it does not conserve or enhance the special qualities and local distinctiveness of the area.

The physical development of the proposed retail unit, as now proposed, is not considered to have a significantly detrimental impact on the landscape character of the protected landscape given its proposed location and that it is of single storey height.

Concerns regarding the attraction of additional visitors to the site and the impact upon the AONB are noted but the site is already used for retail purposes, a restaurant, school educational visits to the orchard and tourism. The site already has adequate parking facilities across the wider site. It is not considered the location of this single unit within an established site would have such a significant impact upon the AONB to warrant refusal of planning permission.

In summary it is not considered that this amended scheme for further development will have a significantly harmful impact upon this sensitive coastal area through its scale or additional activity associated with such use. It is considered that this proposal is not contrary to the provisions of the NPPF or the Core Strategy policy.

Impact upon Neighbour Amenity

The application site lies on the northern side of the A149; the predominant land use in the surrounding area is agricultural. The nearest residential neighbours are sited over 200m north of the application site and approximately 75m to the east (nearest garden boundaries). It is considered that the neighbours would not be materially affected by the proposed development given the distances involved, the nature of the use of the building and the position of trees between the application site and the properties.

There are no outstanding neighbour issues.

Highway Safety

The Highways Authority initially sought additional information regarding surface water drainage and parking arrangements. However, these matters have been resolved following on site meetings and there are no outstanding highway safety issues.

Other matters

The Parish Council has raised concerns regarding inaccuracies within the application, and the lack of Environmental Assessment for the whole development as it is within the AONB and within 500m of a RAMSAR site and an SSSI. They also seek a Traffic Impact and Safety Assessment, to be undertaken to coincide with the summer peak and not off-season, and a review of both the vehicle and pedestrian access, circulation and parking arrangements.

However, this application is for a single retail unit on the existing site and is not for major retail development. Officers do not consider this application warrants the need for such extensive and expensive background reports, when the infrastructure for the site is already in place and the scale of the proposal is relatively modest.

CONCLUSION

The site is between the settlements of Holme and Thornham, on the coastal A149 route, and in this context should be considered as a rural employment exception site in relation to Core

Strategy Policy CS10. The location is not within close proximity to the village envelopes of Thornham and Holme-Next-The-Sea and does not strictly comply with the criteria within Policy CS10.

However, it is acknowledged that the proposals seek to reinforce the current business use of the site and provide improved facilities for an existing rural enterprise. Whilst the principles of sustainability of the NPPF and Core Strategy generally seek to concentrate retail developments in settlements or areas designated for growth in development plans rather than the countryside, the NPPF states there is support for sustainable growth and expansion of all types of business and enterprise in rural areas, both through conversion of existing buildings and well-designed new buildings. It also promotes the development and diversification of agricultural and other land-based rural businesses and supports sustainable rural tourism and leisure developments that benefit businesses in rural areas, communities and visitors, and which respect the character of the countryside.

Following concerns regarding the location of the Fish Shed at the front of the site, the proposal has been amended to provide a more cohesive and comprehensive scheme. It results in a more efficient use of the site and provides improved facilities for visitors. It is not considered the proposed development will have a harmful impact upon this sensitive coastal area, through its scale or additional activity associated with such use.

The proposal will not undermine the character of the undeveloped coast or the distinctive landscape of the AONB and Heritage Coast. It is considered that the proposal accords with the general provisions of the NPPF and Core Strategy Policies CS10, CS12 and DM10.

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 No. DWG NO. 239-9C, Existing Part Site Plan, Proposed Retail Unit 1:250
 - Drawing No. DWG NO. 239-14B, Location Plan 1:1250
 - Drawing No. DWG NO. 239-13H, Proposed Part Site Plan, Proposed Retail Unit 1:250
 - Drawing No. DWG NO. 239-15A, Proposed Plans & Elevations 1:100
- 2 Reason For the avoidance of doubt and in the interests of proper planning.
- 3 Condition Prior to the installation of any flue details of its height, diameter and finish shall be submitted to and approved in writing by the Local Planning Authority. The flue shall be installed as approved and thereafter maintained as such.
- 3 Reason In the interests of the amenities of the locality in accordance with the principles of the NPPF.

- 4 Condition The development hereby permitted shall not be brought into use until the retail unit in the courtyard to the west of the application site, shown as 'Retail unit to be removed' on Drawing No DWG NO. 239-13H has been removed from the Drove Orchard Farm site (blue land on Drawing No. DWG NO. 239/14B) and the land reinstated to its former condition to the satisfaction of the local planning authority.
- 4 Reason In order that the Local Planning Authority may retain control over the development, in the interests of visual amenity and to ensure that the character of the AONB is retained.