

AGENDA ITEM NO. 8/2(a)

Parish:	Heacham	
Proposal:	Proposed extension to an existing established static caravan site	
Location:	Meadows Caravan Park Lamsey Lane Heacham King's Lynn Norfolk PE31 7LA	
Applicant:	McDonnell Caravans	
Case No:	21/01877/FM	
Case Officer:	Brian McParland	Date for Determination: 24th January 2022 Extension of Time Expiry Date: 13th May 2022
Reason for Referral to Planning Committee – Objection from Heacham Parish Council		
Neighbourhood Plan: Draft Heacham Neighbourhood Plan 2017 - 2036		

Case Summary

The application is for an extension to an existing caravan site located to the west which benefits from 10 approved static caravans (ref: 19/02115/F). This application is for the proposal of an additional 36 static caravans with an associated access route, individual parking provision and landscaping. The application site measures 2.4 hectares (approx.).

The site lies outside of the development boundary for Heacham and therefore within land designated as countryside. The site is within 280m of the boundary of the North Norfolk AONB to the east. The AONB also comes within 650m of the site to the south.

Key Issues

Principle of Development
Form and Character and Impact on the Countryside
Neighbour Amenity
Highway Safety
Protected Sites and Species
Other Material Considerations

Recommendation:**APPROVE****THE APPLICATION**

The application is for an extension to an existing caravan site located to the west which benefits from 10 approved static caravans (ref: 19/02115/F). This application is for the proposal of an additional 36 static caravans with an associated access route, individual parking provision and landscaping. The application site measures 2.4 hectares (approx.).

21/01877/FM

Planning Committee
09th May 2022

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The site lies within Flood Zone 1 (the lowest risk of flooding).

SUPPORTING CASE

None submitted at the time of writing report.

PLANNING HISTORY

19/02115/F - Proposed Extension to an existing established static caravan site – Approved 3.3.20 – COMMITTEE DECISION

RESPONSE TO CONSULTATION

Parish Council: OBJECT: *Heacham Parish Council uphold their previous objections to this planning application: This application is an extension to a new extension not just an established site. It is adjacent to AONB and SSSI and against the planning inspectorate from the refused appeal of Marea Farm Estate plans. The Parish Council also supports the CPRE comments and suggestions. The Parish Council also supports the letter from Gemma Clarke which sets out the situation very clearly. It is also against the emerging Heacham Neighbourhood plan as it is outside the village boundary`.*

Highways Authority: NO OBJECTION and recommended a compliance condition relating to car parking and turning areas etc.

Environment Agency: NO OBJECTION.

Historic Environment Officer: NO OBJECTION and recommended archaeological conditions.

PROW: NO OBJECTION received and would like access to be from Lamsey Lane and not School Road.

Natural England: NO OBJECTION.

CPRE: OBJECTS: CPRE Norfolk objects to the above planning application as approval would go against various policies within the adopted Local Plan and the National Planning Policy Framework (NPPF).

Internal Drainage Board: *Review of the documents provided on the planning portal, the Board have several queries regarding the proposed drainage strategy. The applicant implies there is a direct drainage route (referred to as point 11 on drawing MCD02-02-09 D) from the impermeable areas to the water course, Heacham Main. The Board's understanding is that the proposed drainage strategy relies on surface water from the impervious surfaces and downpipes informally infiltrating into the field to enter the land drains beneath the site, to be ultimately discharged into Heacham Main. The Board recommends that the LPA satisfy themselves that this informal strategy is appropriate in line with National Planning Policy and the Non-statutory technical standards for SuDS`.*

REPRESENTATIONS

ONE letter of **OBJECTION** has been received in regard to the absence of a business management plan and the use of screening would only create more visual disturbance in the landscape.

LDF CORE STRATEGY POLICIES

CS01 - Spatial Strategy

CS02 - The Settlement Hierarchy

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

DM2 – Development Boundaries

DM11 – Touring and Permanent Holiday Sites

DM15 – Environment, Design and Amenity

DM17 - Parking Provision in New Development

NEIGHBOURHOOD PLAN POLICIES

Policy 11 – Holiday Accommodation

Policy 15 – Dark Skies

Policy 17 – Settlement Breaks

NATIONAL GUIDANCE

National Planning Policy Framework (NPPF)

Planning Practice Guidance (PPG)

National Design Guide 2019

PLANNING CONSIDERATIONS

The main considerations are:

Principle of Development
Form and Character and Impact on the Countryside
Neighbour Amenity
Highway Safety
Protected Sites and Species
Other Material Considerations

Principle of Development

The site lies within countryside where development is generally restricted. However, both the NPPF and Local Plan acknowledge the importance of supporting the rural economy and the importance of tourism.

The Draft Heacham Neighbourhood Plan is proceeding to Referendum on 16th June 2022. Various policies are relevant in the determination of this application including Policies, 11, 15 and 17 of the NP.

The NPPF states, at paragraph 83, that: *'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.'*

It adds at paragraph 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.'*

Core Strategy Policy CS06 generally restricts development in the countryside unless it is essential for a rural enterprise. Core Strategy Policy CS10 likewise seeks to direct employment uses to within development boundaries whilst recognising that some tourism uses are appropriate outside of these boundaries where:

- They are located in or adjacent to the boundaries
- Are of a high standard of design
- Will not be of detriment to the landscape and
- Mechanisms are in place to permanently retain the tourism related use.

Site Allocations Plan Policy DM11 expands on the above strategic policies and is particularly relevant to the proposed development as it relates specifically to holiday accommodation. It states: *'(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.)

Proposals for new holiday accommodation sites or units or extension or intensification to existing holiday accommodation 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;
- 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 indicated on the Policies Map, or within areas identified as tidal defence breach Hazard Zone in the Borough Council's Strategic Flood Risk Assessment and the Environment Agency's mapping.'

In relation to the above:

The extension is an extension of the existing Caravan Park known as, McDonnell Caravans and will be run in association with it; an appropriate and proportionate business plan has been submitted demonstrating how the existing site and proposed extension will be managed. The caravans are for holiday use only and not for a person(s) sole or main residence and no sub-letting is permitted on the park. The site is centrally managed with specific terms and conditions relating to standards and maintenance of the park. The existing Park is well operated and maintained with no recorded complaints. Clearly the proposal supports tourism with the benefit of being at low risk of flooding. The layout, screening and landscaping is of an appropriate standard and there are no long public views suggesting any impact on the visual amenity of the locality. This issue is expanded upon below. There are no nearby designated or non-designated heritage assets that would be affected. The site can be safely accessed.

It is therefore considered these objectives are met.

Policy DM11 goes on to state that *'Small-scale proposals for holiday accommodation will not normally be permitted within the Norfolk Coast Area of Outstanding Natural Beauty (AONB) unless it can be demonstrated that the proposal will not negatively impact on the landscape setting and scenic beauty of the AONB or on the landscape setting of the AONB if outside the designated area. Proposals for uses adversely affecting Sites of Special Scientific Interest (SSSIs) or European Sites will be refused permission.'*

The Norfolk Coast Area of Outstanding Natural Beauty ("AONB") lies 280m to the east of the site on rising ground and 650m to the south of the site at Ken Hill Wood. The topography within the site is on a rise from the northwest to the southeast. The landscape is strongly influenced by the proximity to the coast and land rises from the coast in the west to a plateau landscape to the east. The design process has sought to reduce any visual connection between the AONB and the site by moving the caravans down the slope, so no ridgelines are visible from the east; the site is likely to be viewed within the context of the built form of the village or within the scattered buildings between the A149 and the coast and not as part of the setting of the AONB. Additionally, the proposal includes a landscape scheme that will incorporate native species trees into a landscape buffer along the southern edge to screen the proposals from the elevated parts of the Norfolk Coast AONB. The applicant has provided a Landscape and Visual Impact Assessment (report and figure volume) which has been reviewed and accepted. The impact on SSSIs and other European Sites is covered later in this report.

Policy DM11 requires conditions to be applied to new holiday accommodation to ensure they are genuine and will be operated and maintained as tourist facilities in the future. To achieve this aim occupancy conditions will be placed on future planning permissions requiring that:

- The accommodation is occupied for holiday purposes only and shall be made available for rent or as commercial holiday lets;
- The accommodation shall 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 these available at all reasonable times to the Local Planning Authority.

It is considered that the proposal complies with Policy DM11 of the SADMPP

Draft Heacham NP Policy 11 requires:

Policy 11: Holiday Accommodation

In order to maintain and improve Heacham's attraction as a quiet uncommercialised holiday centre, applications for further holiday accommodation beyond existing defined holiday areas, will only be supported where the proposals:

1. Maintain the distinction between the contrasting holiday centres of Heacham and Hunstanton and do not diminish the physical separation between these centres; and
2. Do not have any unacceptable impact on local infrastructure, including green infrastructure; and
3. Minimise any visual and physical impact on the village by including, where appropriate, a landscaping plan incorporating the use of landform, native trees and locally appropriate planting; and
4. Are not directly adjacent to any residential areas; and
5. Do not need to be accessed through the village centre of Heacham; and
6. Incorporates high quality accommodation for which adequate parking and servicing arrangements are provided; and
7. Can demonstrate a link to wider tourism or land use initiatives that provide demonstrable benefits to the local area.

The proposal maintains the distinction between the Heacham and Hunstanton. Heacham, being a Key Rural Service Centre, has many services and facilities and the development in combination with the rest of the park would not have an unacceptable impact on local infrastructure. Given existing landscaping and that proposed, the development not adversely affect the AONB, and surrounding countryside as demonstrated by the LVIA. The site is not directly adjacent to a residential area and does not need to be accessed through the village centre. The site is an extension of an existing well established caravan site with existing site management procedures promoting tourism with this holiday centre locality.

Whilst the comments of the Parish Council, CPRE and NCP are noted, given that the site is an extension of an existing caravan park promoting tourism uses, is well screened and it has been demonstrated by the submission of and LVIA that there would be limited visual harm to the AONB and wider countryside, the proposal would comply with the NPPF, Policies CS06, CS10 and CS12 of the Core Strategy 2011 and Policies DM11 and DM15 of the SADMPP 2016. The proposal would also comply with Policy 11 and 17 of the Draft Heacham Neighbourhood Plan.

Impact on the Countryside

The existing Caravan Park is very well maintained and there is no reason to consider the extension would not be kept to the same high standard. The layout is low density which enables landscaping between caravans as well as on the outer boundaries. The immediate landscape condition is relatively good however, hedgerows have been lost. The proposals will restore hedge lines on the site boundary. The recommending planning officer is satisfied that the proposed planting is appropriate for the site and its wider setting in terms of landscape impact subject to additional hedgerow planting to be secured by condition.

In relation to the impact on the intrinsic character and beauty of the countryside, there are no long public views from the A149 to the east or the AONB beyond, from the east the views would be primarily of existing caravans; and from the north the views are private rather than public and still not significant. The character of the countryside would be maintained.

Policy 17 of the NP identifies settlement breaks in the neighbourhood area to safeguard the countryside. The plan outlines 'Gaps separating settlements are important in maintaining the separate identities of smaller settlements, providing their setting and preventing coalescence. Land immediately outside settlement boundaries may be important to the form and character of a settlement, providing both the foreground and the background views of the settlement from a distance and opportunities for views from the settlement'. The application site lies outside the south-east settlement edge of Heacham however, it is isolated in nature and well screened therefore, it is considered it would not prejudice visual or physical local gaps.

Policy 15 of the NP seeks to safeguard the dark skies environment in the parish. It comments that development proposals will be supported that include sensitive external lighting that will minimise the extent of any light pollution subject to conformity with other development plan policies. The applicant has provided a sensitive lighting scheme which outlines areas of minimum light spill and would be confined within the plot which would be conditioned accordingly.

The proposal therefore complies with the NPPF, Policy CS06 and DM15 of the Local Plan and Policies 15 and 17 of the Draft Heacham Neighbourhood Plan.

Neighbour Amenity

There would be no overlooking, overbearing or overshadowing impacts to any non-associated residential uses.

The main impact on neighbour amenity would be via vehicular activity; given the distance from the site to the nearest non-associated residential property it is considered any impact from the use of the site itself would be negligible. However, this is via the existing access and through the existing caravan park and as such would not be material.

The proposal complies with Policy CS08 of the Core Strategy and Policy DM15 of the SADMPP.

Highway Safety

The Local Highway Authority raises no objection on the grounds of highway safety with the existing access being satisfactory and parking provision is in line with current standards subject to condition.

The proposal therefore complies with Policy CS11 of the Core Strategy and Policy DM15 and DM17 of the SADMPP

Protected Sites and Species

In relation to Protected Sites, consideration has been given to the impact from increased recreational disturbance from occupiers of the caravans to the following protected sites:

The Wash and North Norfolk Coast Special Area of Conservation
The Wash Special Area of Conservation
The Wash Ramsar
The Wash Site of Special Scientific Interest and
Heacham Brick Pit Site of Special Scientific Interest.

Natural England has no objection to the proposal. The applicant has also provided an ecological assessment and a lighting scheme. Insofar as any potential for recreation disturbance on the SSSI to the west, the SSSI would be protected from dog walkers via proposed fencing as shown on the submitted plan.

Bats

The loss of a small area of improved grassland within the footprint of the development will not impact important foraging and commuting habitat. Impacts to roosting

Badgers

Impacts on badgers associated with loss or damage of setts or loss of foraging habitat are not anticipated.

Hazel dormouse

The proposal will not result in the loss of habitat which is considered to be suitable for dormice. Therefore, no impacts on dormice are anticipated.

Hedgehog

No evidence of hedgehog was recorded, but the site supports suitable habitat. Impacts on hedgehog will be associated with the loss of foraging and potentially cover habitats. In addition during the construction phase, particularly if deep excavations are left uncovered or filled with water these could prove hazardous to hedgehogs.

Reptiles

Typically, reptiles do not persist well in agricultural environments due to the continually changing ground conditions.

Great crested newts

The proposed development will take place on habitat which supports negligible suitability for great crested newt resting places and will not extend into any suitable GCN habitat. As such, the proposal will not result in the loss of any GCN resting places.

Breeding birds

The proposal will not result in the loss of suitable breeding bird habitat. Therefore, impacts on breeding birds are not anticipated.

The Ecology Report concludes that no further surveys or European Protected Species licenses are required.

Enhancements are proposed and these could be suitably conditioned if permission is granted.

The proposal therefore complies with the NPPF and Policy CS12 of the Core Strategy 2011.

Other matters

The PRoW Officer states `We understand that a previous site development used Heacham Restricted Byway 13 as access to the site. There is no public right to use the route in motorised vehicles. Consequently, the developer will need to prove private rights of access to the site via the RB if it were to be used again for access. It has been suggested that the prior smaller scale development significantly damaged the Restricted Byway surface. We would therefore suggest that if consent is granted for the proposal that a condition is imposed requiring access is via the existing site off Lamsey Lane and not via school road and the Restricted Byway`.

However, the caravan site is proposed to be accessed via Lamsey Lane as outlined in the submitted plans therefore, the recommended condition is not required.

The Historic Environment Service states: `The proposed development lies in an area rich in cropmarks. To the northeast lie cropmarks of enclosures and Iron Age or Roman settlement. To the south lie cropmarks again of Iron Age or Roman settlement and of probable prehistoric pit alignments (one of these alignments may continue into the proposed development area) while to the southeast are the cropmarks of a possible ploughed-out Bronze Age burial mound. Consequently, there is potential that heritage assets with archaeological interest (buried archaeological remains) may be present at the site and that their significance will be affected by the proposed development.

If planning permission is granted, we therefore ask that this be subject to a programme of archaeological mitigatory work in accordance with National Planning Policy Framework. Ministry of Housing, Communities and Local Government (2021). para. 205`.

Archaeological investigation and remediation will therefore be conditioned accordingly in accordance with the NPPF and Policy CS12 of the Core Strategy.

The site is located in the lowest flood zone 1.

The existing caravan park is served by an existing drain. The proposed caravan area would be served via surface water drainage as illustrated on the proposed plan. No other details have been provided. In the absence of further drainage details coupled with the concerns raised by the IDB's, more information would be required. This can be controlled via a condition.

Crime and Disorder

There are no specific crime and disorder issues arising from the proposed development.

CONCLUSION

The application is for the expansion of an existing tourism / business use within the countryside. The proposal is considered to accord with the overarching policy considerations relating to such development. The development would not result in any material impact on visual or neighbour amenity or highway safety. Neither would the development result in conditions detrimental to the setting of the AONB. As a result, the proposal complies with the NPPF, Policies 6, 8 ,10, 11 & 12 of the Core Strategy, Policies DM11, 15 and 17 of the SADMPP and is in accordance with Draft Heacham Neighbourhood Plan Policies 11, 15 and 17 and is therefore recommended that the application be approved subject to the following 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.
 1. Caravan Drawings MCD02.02.02 C
 2. Proposed Lighting Scheme MCD02.02.10
 3. Site Layout Plan MCD02.02.09 D
 4. Extended Phases 1 Ecological Assessment
 5. Sauro E27 technical details
 6. Landscape and Visual Impact Assessment January 2022
 7. Landscape and Visual Impact Assessment A3 Figure 2 Volume January 2022
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 proposed on-site car parking and turning areas shall be laid out, demarcated, levelled and surfaced in accordance with the approved plan and retained thereafter available for that specific use.
3. Reason: To ensure the permanent availability of the parking/manoeuvring areas, in the interests of satisfactory development and highway safety.
4. Condition: The caravans hereby permitted shall only be used for short stay holiday accommodation (no more than 28 days per single visit) and shall not be occupied as a person's sole or main place of residence. The owners / operators shall maintain an up-to-date register of visits / occupation and shall make these available at all reasonable times to the Local Planning Authority.
4. Reason: The site lies within in an area in which the Local Planning Authority would not normally permit residential development. This permission is granted because accommodation is to be used for holiday purposes only in accordance with the NPPF and Local Plan Policy DM11.
5. Condition: All hard and soft landscape works shall be carried out in accordance with approved plan drawing no: MCD02.02.09 Rev.D. 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.
5. Reason: To ensure that the work is carried out within a reasonable period in accordance with the NPPF.

6. Condition: Notwithstanding the details approved under Condition 5, prior to the first occupation/use of the development hereby permitted, a plan shall be submitted to and approved in writing by the Local Planning Authority detailing a green perimeter boundary using native planting. The boundary treatment shall be completed before the first occupation/use hereby permitted or before any caravan is occupied 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.
6. Reason: To ensure that the development is compatible with the amenities of the locality in accordance with the NPPF.
7. Condition: No development shall take place until an archaeological written scheme of investigation has been submitted to and approved by the local planning authority in writing. The scheme shall include an assessment of significance and research questions; and
 - a. The programme and methodology of site investigation and recording,
 - b. The programme for post investigation assessment,
 - c. Provision to be made for analysis of the site investigation and recording,
 - d. Provision to be made for publication and dissemination of the analysis and records of the site investigation,
 - e. Provision to be made for archive deposition of the analysis and records of the site investigation and
 - f. Nomination of a competent person or persons/organization to undertake the works set out within the written scheme of investigation.
7. Reason: In the interest of proper planning and in accordance with the NPPF Ministry of Housing, Communities and Local Government (2021). para. 205.
8. Condition: No development shall take place other than in accordance with the written scheme of Investigation approved under condition (6).
8. In the interest of proper planning and in accordance with the NPPF Ministry of Housing, Communities and Local Government (2021). para. 205.
9. Condition: The development shall not be occupied until the site investigation and post investigation Assessment has been completed in accordance with the programme set out in the archaeological written scheme of investigation approved under condition (6) and the provision to be made for analysis, publication and dissemination of results and archive deposition has been secured. In this instance the programme of archaeological mitigatory work will comprise the monitoring of groundworks for the development under archaeological supervision and control.
9. Reason: In the interest of proper planning and in accordance with the NPPF Ministry of Housing, Communities and Local Government (2021). para. 205.
10. Condition: The development hereby permitted shall be carried out in full accordance with the Mitigation and Enhancements proposed under sections 14 & 15 of the Ecological Report that accompanied the application (undertaken by Phillips Ecology `Final Report` dated August 2021).
10. Reason: To reduce the impacts on Protected Species in accordance with the NPPF and Development Plan.
11. Condition: No development shall commence on site until full details of the surface water drainage arrangements have been submitted to and approved in writing by the Local

Planning Authority. The drainage details shall be constructed as approved before any part of the development hereby permitted is brought into use.

11. Reason: To ensure that there is a satisfactory means of drainage in accordance with the NPPF.