

AGENDA ITEM NO. 8/2(b)

Parish:	Fring (VACANT)	
Proposal:	Change of use of historic barns and associated building works to create 5 units for holiday accommodation including associated internal and external works and amenity space.	
Location:	Church Farm, Docking Road, Fring, PE31 6SE	
Applicant:	Oykel Farms Ltd	
Case No:	22/01216/F (Full Application)	
Case Officer:	Olivia Luckhurst	Date for Determination: 5 September 2022 Extension of Time Expiry Date: 8 December 2022

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

Neighbourhood Plan: No

Case Summary

Church Farm is located within Fring which is classified as a Smaller Village and Hamlet within Policy CS02 of the Core Strategy 2011. The site is not within a defined settlement boundary and is therefore, considered as countryside in policy terms.

The site is located within the Conservation Area of Fring and comprises of a cluster of agricultural barns which are classified as non-designated heritage assets with an integral grassed courtyard positioned to the north of the site and accessed via Docking Road. Residential properties are positioned to the north and east of the barns with agricultural buildings located to the south along the main access road. All Saints Church (Grade II*) is positioned to the south west of the barns with open space separating the sites.

The proposal seeks permission for the change of use of historic barns and associated building works to create 5 units for holiday accommodation including associated internal and external works and amenity space. Parking for the holiday lets will be located to the south of the site and is sought for under application 22/01203/F.

Amended plans were submitted to show a new brick and flint wall positioned adjacent the proposed drop off area and changes to fenestration. A plan was also provided showing the individual uses and associated traffic movements for the neighbouring buildings and a plan annotating the 'guest only' entrance and exit.

This application should be considered in conjunction with application 22/01203/F which seeks permission for the change of use of an agricultural barn to become a 'Welcome Barn' and the change of use of agricultural hardstanding to parking.

Key Issues

Principle of Development

Form and Character and Impact on the Conservation Area

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Impact on Neighbour Amenity
Highway Safety and Parking
Other Material Considerations

Recommendation

In the event that application 22/01203/F considered earlier on this agenda is **Approved**:

APPROVE subject to the imposition of conditions

OR

In the event that full application 22/01203/F considered earlier on this agenda is Refused, to ensure a comprehensive and high quality design and layout is achieved across the whole site, and to protect residential amenity then this application would also be recommended for **REFUSAL**.

THE APPLICATION

The application site is located within the small village of Fring. The proposal consists of the change of use of historic barns and associated building works to create 5 units for holiday accommodation including associated internal and external works and amenity space.

Users would park at the Welcome Barn which is being considered under application 22/01203/F and is accessed via a separate access off Docking Road.

The majority of the proposed works to the barns would allow for internal alterations and the opening up of existing windows and doors.

A drop off area would be positioned to the east of the site which would allow guests to park up on arrival and drop off luggage. Guests would then be encouraged to travel between the welcome barn and the accommodation on foot.

SUPPORTING CASE

This application seeks planning consent for the conversion of a historic range of Barns to provide 5 holiday units. The application has been submitted simultaneously with a 'partner' application which would provide a dedicated means of access and parking to be used in association with the proposed new holiday units, as well as a 'Welcome Barn' which would serve as a hub for visitors.

Whilst each of these applications can stand alone, they are presented to the committee as a conjoined proposal. The reason for this slightly unusual format is primarily because whilst the initial proposal (for holiday units alone) was considered acceptable by relevant technical consultees (albeit subject to comments which have subsequently been addressed), several neighbours to the site expressed specific concerns about impact on amenity and the character and appearance of the area, as well as a more general concern that the lack of a focal point for guests (particularly those arriving to site) leading to disturbance for nearby residents. Residents explained that in the past their houses have been mistaken as being connected to holiday cottage lets elsewhere on the Fring Estate, leading to problems for residents.

In response to these concerns, the applicant met with neighbours to the proposal, and invited anyone with concerns to attend a public meeting held in the local church. The result

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of this engagement was the addition of the Welcome Barn, along with a dedicated access and parking area. Accordingly, the original application was withdrawn, some amendments made to address other consultation comments, and the proposed conversion of the barns was resubmitted along with the conjoined application for the Welcome Barn.

The net result is a carefully considered proposal which would secure the future of a range of historic barns through sensitive restoration and redevelopment. Whilst not Listed, it is recognised the barns lie in a sensitive location in respect of heritage and, following helpful initial discussions, we are pleased to note there are no objections from the Authority's Heritage Officer to either application.

Securing the future of these historic buildings will help preserve the character of the Fring Conservation Area- – a character which owes a great deal to the way in which the applicants have managed the Fring Estate over previous decades. The proposal also represents the successful diversification of the traditional agricultural operations based at the farm, with the development creating new jobs and new opportunities for existing local businesses achieved through appropriate re-use of existing, underused buildings, whilst not adversely impacting operations on the farming unit.

Throughout the design and application process, care has been taken to protect the amenity of local residents. The applicants are pleased to note that, following detailed discussions with the Authority's CSNN officer, that there are no objections from any technical consultee in respect of impact on amenity.

In summary then, taken together these applications for conversion of barns to provide holiday units, and the change of use of a barn to provide a Welcome Barn, would deliver the sympathetic and sustainable reuse of a historic range of barns. The proposal is compliant with all relevant Local Plan policies, received no objections from technical consultees and directly accords with the provisions of the National Planning Policy Framework, which promotes the reuse of existing buildings and small-scale tourism development in countryside locations such as this. For these reasons, members of the Planning Committee are invited to endorse the conclusion of your Planning Officers, and approve this application.

PLANNING HISTORY

22/01203/F - Pending Consideration - Change of use of historic barns and associated building works to create 5 units for holiday accommodation including associated internal and external works and amenity space.

21/02341/F - withdrawn (when?)- Conversion of historic barns and associated building works to create 6 units of holiday accommodation including associated internal and external amenity space and upgrading of an existing agricultural access.

RESPONSE TO CONSULTATION

Highways Authority: NO OBJECTIONS:

Natural England: NO OBJECTIONS:

Conservation Officer: NO OBJECTIONS on the following grounds:

By and large the proposed conversion follows advice from Historic England's "Adapting Traditional Farm Buildings September 2017, including the position and types of new

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openings into existing walls. Detail including materials, joinery (doors and windows), roof lights and landscaping will need to be carefully conditioned.

In general, the omission of the new road to the north of the church is to be welcomed. Whilst some harm will inevitably be caused to the fabric of the building and the appearance of the conservation area, this harm is less than substantial and in this instance is outweighed by the public benefit including the repair and reuse of the barns themselves, along with finding them a sustainable future.

Internal Drainage Board: NO OBJECTIONS:

Environmental Health & Housing – Environmental Quality: NO OBJECTIONS on the following grounds:

The surrounding landscape is largely agricultural with some residential properties. Due to the site being used to store agricultural machinery over a prolonged period and the presence of a fuel tank it is possible that there may be some contamination present. Because of this we recommend a Phase 1 Desk Study be completed to explore this further. This can be submitted prior to a decision being made or we can recommend the full contamination investigation and remediation conditions.

Historic England: NO OBJECTIONS

Community Safety and Neighbourhood Nuisance:

NO OBJECTIONS: following the receipt of amended plans. It is recommended that external lighting for user safety/access is mounted and designed to direct light downwards to prevent glare impacts beyond the site.

Historic Environment Service: NO OBJECTIONS on the following grounds:

The proposed development affects a heritage asset comprising a threshing barn depicted on the c.1840 Tithe map and therefore of probable early 19th century or 18th century date. The proposed works will alter and affect the significance of the heritage asset which is worthy of recording prior to its conversion. If planning permission is granted, we therefore ask that this be subject to condition for a programme of archaeological work in accordance with National Planning Policy Framework. Ministry of Housing, Communities and Local Government (2021). para. 205.

Environment Agency: NO OBJECTION: subject to mitigation measures detailed within the Flood Risk Assessment.

REPRESENTATIONS

A total of **TWENTY TWO OBJECTIONS:** from **FOURTEEN** individuals regarding the following:

- Impact on amenity
- Noise disturbance
- Increased vehicle movements
- Change to the character of the village
- Impact on the conservation area
- Impact on the listed Church
- Impact on protected species
- Impact on dark skies

LDF CORE STRATEGY POLICIES

CS01 - Spatial Strategy

CS02 - The Settlement Hierarchy

CS06 - Development in Rural Areas

CS08 - Sustainable Development

CS10 - The Economy

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

NATIONAL GUIDANCE

National Planning Policy Framework (NPPF)

Planning Practice Guidance (PPG)

National Design Guide 2019

OTHER GUIDANCE

Fring Conservation Area Character Statement

PLANNING CONSIDERATIONS

The main considerations are:

- Principle of Development
- Form and Character and Impact on the Conservation Area
- Impact on Neighbour Amenity
- Highway Safety and Parking
- Other Material Considerations

Principle of Development:

The application site lies within the small village of Fring within the existing land associated with the agricultural business of Church Farm. The site is not within a defined settlement boundary and is therefore, considered as countryside in policy terms.

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The proposal seeks permission for the change of use of historic barns and associated building works to create 5 units for holiday accommodation including associated internal and external works and amenity space.

Permission is also sought under application 22/01203/F for a Welcome Barn positioned to the south of the site in association with the proposed holiday lets, therefore, the applications should be considered in connection with each other.

Policy CS06 confirms the strategy for rural areas is to promote sustainable communities and sustainable patterns of development to ensure strong, diverse, economic activity, whilst maintaining local character and a high-quality environment. The policy also supports 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. The proposal must also be beneficial to the local economic and social needs and must not adversely affect the building and the surrounding area or detract from residential amenity.

Policy CS10 of the Core Strategy states that retail, tourism, leisure, and cultural industries are key elements of the economic and social vibrancy of our borough, and contribute to the regeneration and growth of the area. The Council will promote smaller scale tourism opportunities 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.

The application site lies within the small village of Fring within an existing agricultural business of Church Farm. The site is not within a defined settlement boundary and is therefore, considered as countryside in policy terms.

The proposal seeks permission for the change of use of historic barns and associated building works to create 5 units for holiday accommodation including associated internal and external works and amenity space.

Permission is also sought under application 22/01203/F for a Welcome Barn positioned to the south of the site in association with the proposed holiday lets, therefore, the applications should be considered in connection with each other.

Policy DM11 (Touring and Permanent Holiday Sites) of the SADMPP 2016 states that 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; and
- The site can be safely accessed;
- It is in accordance with national policies on flood risk;

The proposed development has been submitted with a supporting business plan that sufficiently demonstrate how the site will be managed and how it will support new and existing tourism in the local area, for example:

- The proposed accommodation will be operated and managed by the Estates in house team which is already responsible for management of the existing holiday lets located in the area. Therefore, the team is experienced in ensuring that the holiday lets run in a manner which has the smallest possible impact on other residents in the village.
- The proposed welcome barn would provide a physical point of contact for guests on arrivals and would provide an area where guests can drop in to ask questions and pick up provisions.
- It is anticipated that the welcome barns would be staffed and when not manned, a 24/7 telephone contact would be provided to be used in this event on on-site emergencies.

The proposal would incorporate changes to the barns however, the majority of this would be internal to allow for layout changes with the sealing of existing openings with new glazing and doors. The existing footprint of the building would not be changed. The proposed works are considered to be of a quality design that will respect and enhance the barns and would not have a detrimental impact on residential amenity.

The site is host to 3 no. accesses off Docking Road, two of which would provide access to agricultural buildings and neighbouring residential properties. The guests of the holiday lets would utilise an existing access leading into the proposed Welcome Barn area. Guests would then use the existing road to the rear of the Welcome Barn to drive up to the drop off area and back. Once a drop off has been made, guests would be encouraged to walk to and from the accommodation. Therefore, it is considered that the site can be accessed safely.

The application has also been submitted with a Flood Risk Assessment as the site is located just outside of Flood Zone 3. The assessment proposes sufficient mitigation measures that would be conditioned. The Environment Agency has confirmed no objection and the development is in accordance with national policies on flood risk. Therefore, the proposal is considered to comply with policy DM11.

The proposed works related to the change of use of the historic agricultural barns and associated works are an acceptable design that will positively contribute to the character of the area and preserve the historic buildings. The site is located within an acceptable distance to local tourist facilities such as restaurants, shops and beaches. The site is located 2.4 miles from Docking which is classified as a Key Rural Service Centre within policy DM2 of the SADMPP.

The proposed development is not considered to have an adverse impact on residential amenity and will help to sustain the existing agricultural business whilst appearing in keeping with the rural location.

Overall, the proposed development is considered to comply with policy CS06, policy CS10 of the Core Strategy 2011 and policy DM11 of the SADMPP 2016.

Form and Character and Impact on the Conservation Area

The application site lies within the Fringing Conservation Area and approximately 58m north of the Grade II* Listed All Saints Church. The agricultural barns in question are not listed but given their age and quality, are non-designated heritage assets. The Conservation Area has evidential value as an example of a small rural village, largely unchanged since the 19th century. There is a level of aesthetic value, particularly around the church and Church Farm barns. However, in some areas the aesthetic value has been impacted by modern agricultural development.

The Courtyard Barns are a 'U' shaped series of barns which, with the addition of a run of stables and attached brick wall on the northern side, enclose around a central 'courtyard' area. The barns are thought to date from the late C19 or early C20 and are predominantly constructed from masonry quoins with infill panels consisting of brick flint and carrstone. roofs are traditional cut timber, comprising timber trusses at regular centres supporting a line of purlins to each elevation, with common rafters over. The roofs are finished in clay pantiles, predominantly coloured red but with sections of black where ad-hoc repairs have been affected over the years.

The current application is a resubmission of a previously withdrawn application which sought planning permission for the change of use of the barns to form 6 holiday lets with 14 bedrooms. The current proposal seeks permission for 5 units with 13 bedrooms.

The design of the proposed conversion has been informed by guidance within the Historic England publication 'Adapting Traditional Farm Buildings: Best Practice Guidelines for Adaptive Reuse' (2017) by making use of existing openings and incorporate of traditional materials.

The proposed change of use would incorporate the following works:

- the northern (stables) wing converted to provide 2 units (1 x 3 bed holiday unit, 1 x 1 bed) (also occupying a small part of the Eastern barn).
- the southern wing converted to provide 2 holiday units (1 x 3 bed, 1 x 2 bed units)
- the eastern wing given over to internal amenity space, to be used by all the holiday units (with the exertion of a small area at the northern end, accommodation part of unit 5)
- the western wing converted to provide a single, 4-bedroom unit, including the lowering of the existing first floor within the double height, hipped roof barn at the northern end of the wing

Whilst the proposal includes the addition of new roof lights within the north elevation, views on this section are only available from the within the site and the rear elevation of the stable building is largely obscured by mature vegetation.

The proposals also incorporate the creation of some new openings however, these will replicate existing openings on the barn in terms of size, positioning and materials.

The site is located north of All Saints Church and therefore, the proposed elements that are likely to impact the setting of the church and the conservation area are the new openings to the south facing elevation on the southern wing and west-facing elevation of the western wing of the barns, along with the proposed adjustment to ground levels and introduction of a gravel path to the immediate south of the southern wing of the barns and of the church grounds. The change of use itself will also introduce a new use with a level of new activity in the area.

Guidance for considering the impact of a proposed development on the significance of a designated heritage asset is set out within the NPPF.

Paragraph 202 confirms that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

The insertion of new windows on the south facing elevation of the south wing, have been carefully designed to reduce as much harm on the listed church as possible. The openings have been located so as to fit within the masonry quoin and infill panel structure of the barn,

and detailed (with a W40 painted steel frame proposed for the window openings, and timber shutters and louvres on the larger glazed openings) so as to minimise visual impact.

Given the separation distance between the barns and the listed church it is not considered that the new openings would cause substantial harm to the listed building.

The proposed introduction of a gravel path to the immediate south of the barns could be visible from the church, however the proposed alterations to levels would actually screen the western end of the path when viewed from the church

Whilst the proposal will inevitably cause some harm to the fabric of the buildings (non-designated heritage assets) and the appearance of the conservation area, this harm is less than substantial and, in this instance, the harm is outweighed by the public benefit including the repair and reuse of the barns along with finding the buildings a sustainable future. Therefore, the proposal is considered to comply with paragraph 202 of the NPPF.

Paragraph 206 of the NPPF also states that Local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites, and within the setting of heritage assets, to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to the asset, or which better reveal its significance should be treated favourably.

Overall, the proposal demonstrates an understanding of the significance of the heritage assets and the potential impact of the proposal on that significance. The proposed development incorporates works of an acceptable scale and design that incorporate materials which appear in keeping with the host building and surrounding properties. The proposed works will preserve and enhance the historic buildings which currently lay in disrepair and are no longer in use. Therefore, the proposal is considered to comply with Policy CS12 of the Core Strategy, Policy DM15 of the SADMPP and paragraphs 202, 203 and 206 of the NPPF.

Impact on Neighbouring amenity:

The application site is located within the middle of Church Farm. To the north of the barns is Church Farmhouse and associated gardens positioned some 41m away with a drive way and landscaping separating the two. No.35 is located to the east, some 50m away with the sites main track positioned in between.

The east elevation closest to no.35 will be host to a set of double glazed doors serving the shared amenity space of the holiday lets and a small window serving unit 5's kitchen/dining area. This would be a casement window over a fixed timber panel with the left hand casement opening only, to limit noise.

An existing opening within the north elevation will be utilised for unit no.5's kitchen/diner with opening casements each and an existing timber sliding door.

Given the separation distance between the proposed openings and neighbouring residential properties (Church Farm House and no.35), the windows are not considered to allow for overlooking and would not result in the loss of privacy.

The proposed development does not incorporate a parking area of the guests under this application. Parking is sought under application 22/01203/F along with a Welcome Barn. The applications should be considered in conjunction with each other.

If the welcome barn and parking area is approved under application 22/012030/F, guests would be expected to travel from the Welcome Barn via the existing track behind the barn,

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over the bridge and up to the holiday barns. However, the site is host to another access off Docking Road and if needed, this could be used as well, however, guests would be encouraged to use the Welcome Barn access and track.

This is not considered to be an issue in terms of noise, disturbance or impact on amenity given that agricultural machinery could travel around the site without any restrictions, resulting in larger, noisy, and possibly odorous vehicles travelling past the residential properties. Whereas, the guests would be travelling infrequently, via car at times of check in/out.

Once the guests have checked in or out at the Welcome Barn, they would be allowed to park their vehicle at the designated 'drop off zone' positioned to the east of the barns (38m from no.35). This would simply allow guests to drop off and collect luggage. Elderly or disabled guests will also be allowed to park here if needed. However, guests would be strongly encouraged to travel to and from the holiday accommodation via foot for the rest of their stay. Whilst this arrangement will not be secured via a condition, it is considered to be self-limiting given the number of holiday units and the size of the drop off area. This arrangement would be made clear to guests at the time of booking and would be confirmed again once guests arrive.

An extension to the existing brick and flint wall positioned to the west of no.35 is also proposed. This would provide a sufficient barrier to any potential noise created as a result of the drop off area for the occupants of no.35. The CSNN team have visited the site and formed part of discussions regarding the extension of the existing wall. The team have confirmed they have no objections to proposal and considered that the wall would provide sufficient mitigation for potential noise disturbance. However, given the mixture of residential and agricultural uses on the site, the use of the drop off area is not considered to create a level of noise comparable to the average vehicle movements of residential properties and agricultural machinery.

Overall, the proposed new use and alterations to the barns would result in a slight change of activity on the site however, given the sites lawful agricultural use as well as the existing residential properties on the site, the additional vehicle movements are not considered to create a detrimental level of disturbance.

The barns have been carefully designed to ensure that no overlooking or loss of privacy occurs by reducing the number of windows and doors on the north and east elevation.

Therefore, the proposed development is not considered to have a detrimental impact on residential amenity and complies with policy DM15 of the SADMPP 2016.

Highway Safety and Parking:

The existing area of agricultural hardstanding located to the front of the Welcome Barn would provide a new car park for guests of the proposed holiday lets and would be accessed via an existing access off Docking Road. Guests will be able to drive to the allocated 'drop off point' positioned to the east of the holiday let barns. Once guests have dropped off luggage, they will be encouraged to park at the proposed welcome barn and travel to and from the accommodation by foot.

The Highways Authority have confirmed they have no objections to the proposed development and confirmed that a sufficient amount of parking is provided.

Whilst guests will be encouraged to use the track positioned to the north of the welcome barn, the site is also host to another access off Docking Road which is utilised by the residential properties and agricultural units. Given the lawful use of the site, the possibility of

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in frequent movements from guests is not considered to have a detrimental impact on existing users or the road.

The proposal therefore complies with policy DM11 and policy DM17 of the SADMPP 2016

Other Materials Considerations:

Ecology:

The application has been submitted with an Ecological Appraisal that confirmed a preliminary survey was issue in April 2020 following the preliminary survey and 2019 bat activity surveys. Updated surveys were undertaken in 2020 with a walkover survey taking place in November 2021 which confirmed there was no material change to the site. A further survey was carried out in October 2022.

The survey recorded some bat activity and droppings of pipistrelle, brown long eared and barbastelle bats within the building as well as a jackdaw *Corvus monedula* and pigeon nest. Two possible bat emergences were also identified. No evidence of owls was recorded within the barn.

Mitigation measures have been included within section 7 of the report which will be conditioned and include the following:

- Bird nesting boxes
- Any timber treatment required will be undertaken using bat friendly chemicals
- Any external lighting should be limited to only that absolutely necessary for safety purposes;
- All waste shall be placed directly into skips or designated areas so that debris piles and therefore potential refuge areas are not created
- Installation of bat boxes

Natural England's Standing Advice applies in this instance. The ecological survey concludes that a license is required prior to commencing development.

Changes have been made to the Conservation of Habitats and Species Regulations 2017 (as amended) (2017 Regulations). The changes are made by the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019 (2019 Regulations).

Protected Species (PS) have full protection 2017 Regulations (as amended). It's an offence to deliberately capture, injure or kill, or deliberately disturb PS. These requirements are enforced in the 2017 Regulations and any derogation is regulated and overseen by a system of licensing administered by Natural England (NE).

In exercising its functions, including determining planning applications, a Local Planning Authority is required to have regard to the requirements of the Habitats Directive in so far as they may be affected by the exercise of those functions. It is not the role of responsibility of the LPA to monitor or enforce NE's obligations under the regulations.

However, if a development proposal could potentially result in a breach of the Directive, the LPA is required to form a view on the likelihood of a licence being granted under the Regulations by NE in order to fulfil its own obligation to have regard to the Directive requirements.

NE will only grant a licence if satisfied that the three statutory tests prescribed under the directive and regulations have all been met. The tests are:

1. There are imperative reasons of overriding public interest (IROPI);
2. There are no satisfactory alternatives; and

3. It would not be detrimental to the maintenance of the population of the species at favourable conservation status.

The obligation on the LPA is to consider the likelihood of a licence being granted by NE, not to determine definitively whether or not the licence will, in fact, be granted. It therefore has to review the three tests, in the context of a planning application, to then form a view on the likelihood of NE granting a derogation licence under the Regulations.

LPA's consideration of the tests:

1. Imperative reasons of overriding public interest (IROPI) – NE's guidance advises that IROPI can potentially include developments that are required to meet or provide a contribution to meeting a specific need such as complying with planning policies and guidance at a national, regional and local level. In this case, the principle of development is considered to accord with the NPPF (2021), the Site Allocations and Development Management Policies Plan 2016 and the Core Strategy 2011. The site will provide a sustainable form of tourism that is considered to support the rural economy and will restore a historic building that contributes positively to the conservation area. The proposed change of use will secure a future for the building as well as allow for essential repair works. This benefit is weighed against the ecological cost arising from the destruction of a bat roost used by small numbers of a relatively common species.

2. No satisfactory alternatives – The proposal seeks the change of use of the existing barns to provide 5 no. holiday lets. The other buildings located on the site are used in connection with the existing agricultural business and used for storage throughout the year. Therefore, there are no other satisfactory alternatives available.

3. The third test, maintaining a favourable conservation status for the affected local bat populations, is assessed as highly achievable for this proposal under EPS licenced mitigation and compensation conditions. Common pipistrelles are classified by Natural England as relatively common bat species, and the number of bats concerned is low. The favourable conservation statuses of the local populations of common pipistrelle are judged as extremely likely to persist despite the proposed development, on condition that there is mitigation with respect to the undertaking of the works. A bat loft will be retained; therefore, the development will not entirely remove the suitable habitat spaces within the building on this basis the LPA consider that the Environment Agency is likely to agree a license for the proposed works.

The LPA can therefore reasonably form the view, from the information submitted to it for this Planning application, that NE would be likely to grant a derogation license under the Regulations in relation to this development. The application is therefore considered to comply with the PPG Guidance, Policies CS08 and CS12 of the Core Strategy (2011) and Policy DM15 of the SADMPP (2016).

Flood Risk:

Part of the application site is located within flood 2 and 3. Flood Zone 2 has between 0.1%-1% chances of flooding with flood zone 3 having a 1% of flooding. The application has been submitted with a flood risk assessment which proposed appropriate mitigation measures such as ensuring that the ground floor level of the northern and eastern barns is set at a minimum level of 26.108m and the ground floor level of the southern and western barns are set to a minimum level of 26.373m AOD.

The flood risk assessment indicates that safe access/egress would be available during a 1 in 100 year flood event, including an allowance for climate change. The assessment also recommends that a flood response plan is compiled to ensure that the occupants are aware

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of the flood risk and procedures to take before, during and after and flood. The Environment Agency has confirmed it has no objections to the proposal subject to the mitigation measures being secured via a condition. Therefore, the proposed development is considered to comply with policy CS08 of the Core Strategy 2011.

Nutrient Neutrality:

This application has been assessed against the conservation objectives for the protected habitats of the River Wensum Special Area of Conservation and the Broads Special Area of Conservation and Ramsar site concerning nutrient pollution in accordance with the Conservation of Species and Habitats Regulations 2017 (as amended) (Habitats Regulations). The proposal will result in additional overnight accommodation, however it is located outside the catchment areas of the River Wensum Special Area of Conservation and the Broads Special Area of Conservation and Ramsar site, and does not involve foul or surface water drainage into those catchment areas. As such, it is not likely to have a significant effect on the conservation objectives either alone or in combination with other projects and there is no requirement for additional information to be submitted to further assess the effects. The application can, with regards nutrient neutrality, be safely determined with regards the Conservation of Species Habitats Regulations 2017 (as amended).

Contamination:

The application has been submitted with a screening assessment of the barns in question which indicates that the barns have been used for storage of agricultural machinery including a red diesel tank within the courtyard.

The Environmental Quality Team have reviewed their files and the confirmed that the site is on land that been occupied by the barns for the duration of their records. The surrounding landscape is largely agricultural with some residential properties.

Due to the site being used to store agricultural machinery over a prolonged period and the presence of a fuel tank it is possible that there may be some contamination present. Because of this a Phase 1 Desk Study will be required and secured via conditions to explore this further. The information should be submitted and approved by the LPA prior the commencement of the development.

Third Party Comments:

A total of 22 objections have been received stating concerns relating to impact on amenity in terms of noise and traffic movements, impact on the character and appearance of the conservation area and highway safety issues.

All of these issues have been taken into considered during the assessment of the application.

The application site is already host to residential properties including existing holiday lets along with an established agricultural use. This means that the existing accesses to and within the site could be used by large, noisy and odorous agricultural machinery at any time. This potential use is considered to have more potential to impact residential amenity in terms of noise and odour.

The proposed Welcome Barn which is being considered in connection to this application would provide a designated parking area meaning users would not park on the road or cause traffic within the site. Users would be encouraged to walk to and from the accommodation and the Welcome Barn to further reduce traffic movements.

An existing brick and flint wall located adjacent no.35 will be extended and will provide a barrier for potential noise disturbance created as a result of the drop off point.

Overall, the proposed development is not considered to have a detrimental impact on residential amenity.

The site is also host to three existing accesses which two being utilised for the proposal and one specifically for access to an agricultural building. Given the locations of the existing accesses, it is not considered that the proposed development would have a detrimental impact on highway safety. The Highways Authority have also confirmed that they have no objections to the proposal.

The proposed works to the existing barns are considered to minor and will utilise existing opens whilst incorporating materials that appear in keeping with the conservation area.

Whilst the proposal will inevitably cause some harm to the fabric of the buildings (non-designated heritage assets) and the appearance of the conservation area, this harm is less than substantial and, in this instance, the harm is outweighed by the public benefit including the repair and reuse of the barns along with finding the buildings a sustainable future.

CONCLUSION:

The proposed development is considered to incorporate works that will result in less than substantial harm to the setting of the designated heritage asset, All Saints Church and Fring conservation area. The proposal will provide a sustainable future and allow for the preservation and enhancement of the agricultural barns. The development is not considered to have a detrimental impact on residential amenity in terms of overlooking or noise disturbance. Overall, the proposed development is considered to be acceptable and complies with policies DM1, DM2, DM11, DM15 and DM21 of the Site Allocations and Development management Policies Plan 2016 and policies CS01, CS02, CS06, CS08, CS10 and CS12 of the Core Strategy 2011.

RECOMMENDATION:

In the event that application 22/01203/F considered earlier on this agenda is **Approved:**

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 approved shall be carried out in accordance with the following sets of plans:
 - 22.023 002 D - PROPOSED SITE BLOCK PLAN - Received 18.10.2022
 - 22.023 003 D - PROPOSED FLOOR PLANS - Received 18.10.2022
 - 22.023 004 D - PROPOSED ELEVATIONS SHEET 1 OF 2 - Received 18.10.2022
 - 22.023 005 D - PROPOSED ELEVATIONS SHEET 2 OF 2 - Received 18.10.2022
 - 22.023 SW01 D - SCREEN WALL TO NO. 35 - Received 18.10.2022
 - 22.023 001 B - LOCATION PLAN Received - 18.10.2022
- 2 Reason: For the avoidance of doubt and in the interests of proper planning.

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- 3 Condition: Prior to the commencement of groundworks, an investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:
- (i) a survey of the extent, scale and nature of contamination;
 - (ii) an assessment of the potential risks to:
 - human health,
 - property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
 - adjoining land,
 - groundwaters and surface waters,
 - ecological systems,
 - archaeological sites and ancient monuments;
 - (iii) an appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with the Environment Agency's Land Contamination Risk Management (LCRM).

- 3 Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors. This needs to be a pre-commencement condition given the need to ensure that contamination is fully dealt with at the outset of development.
- 4 Condition: Prior to the commencement of groundworks, a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.
- 4 Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors. This needs to be a pre-commencement condition given the need to ensure that contamination is fully dealt with at the outset of development.
- 5 Condition: The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of groundworks, other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

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Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

- 5 Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.
- 6 Condition: In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of condition number 4, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition number 5, which is subject to the approval in writing of the Local Planning Authority.
- 6 Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.
- 7 Condition: No development shall take place within the site until the applicant, or their agents or successors in title, has secured the implementation of a programme of historic building recording which should comprise photographic survey of the structures, the results of which shall be submitted by the applicant and approved in writing by the local planning authority.
- 7 Reason: To safeguard archaeological interests in accordance with the principles of the NPPF.
- 8 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 Written Scheme of Investigation approved under condition 7 and the provision to be made for analysis, publication and dissemination of results and archive deposition has been secured.
- 8 Reason: To safeguard archaeological interests in accordance with the principles of the NPPF. This needs to be a pre-commencement condition given the potential impact upon archaeological assets during groundworks/construction.
- 9 Condition: Prior to the commencement of the development 1:20 drawings of all new windows, roof lights and doors shall be submitted to and approved in writing by the Local Planning Authority. The plans shall provide for the use of timber single glazed windows, puttied and not beaded and shall include joinery details, cross-sections and the opening arrangements. The development shall be implemented in accordance with the approved details.
- 9 Reason: To ensure that the design and appearance of the development is appropriate in accordance with the principles of the NPPF.

- 10 Condition: No development shall take place on any external surface of the development hereby permitted until details of the type, colour and texture of all materials to be used for the external surfaces of the building have been submitted to and approved in writing by the Local Planning Authority including a sample panel of at least 1m x 1m showing the proposed material, bond and pointing techniques to be used. The development shall be carried out in accordance with the approved details.
- 10 Reason: To ensure a satisfactory external appearance and grouping of materials in accordance with the principles of the NPPF.
- 11 Condition: Prior to the first use/occupation of the development hereby permitted, full details of both hard and soft landscape works 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.
- 11 Reason: To ensure that the development is properly landscaped in the interests of the visual amenities of the locality in accordance with the NPPF.
- 12 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.
- 12 Reason: To ensure that the work is carried out within a reasonable period in accordance with the NPPF.
- 13 Condition: The development shall be carried out in accordance with the mitigation measures set out in the Flood Risk Assessment (received 11.07.2022) in particular the following:
- The ground floor level of the northern and eastern barns are set at a minimum level of 26.108m AOD.
 - The ground floor level of the southern and western barns are set at a minimum level of 26.373m AOD.
- 13 Reason: To ensure that the development takes place substantially in accordance with the principles and parameters contained within the Flood Risk Assessment
- 14 Condition: Prior to the installation of any external lighting a detailed outdoor lighting scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the type of lights, the orientation/angle of the luminaries, the spacing and height of the lighting columns, the extent/levels of illumination over the site and on adjacent land and the measures to contain light within the curtilage of the site. The scheme shall be implemented in accordance with approved scheme and thereafter maintained and retained as agreed.
- 14 Reason: In the interests of minimising light pollution and to safeguard the amenities of the locality and protected species in accordance with the NPPF.

- 15 Condition: Prior to the first use of the development hereby permitted the proposed brick wall shown on drg no. 22.023 SW01 D (received 18.10.2022) shall be constructed in its entirety and retained in perpetuity.
- 15 Reason: To protect the residential amenities of the occupiers of nearby property.
- 16 Condition: The development hereby permitted shall be implemented in accordance with the mitigation measures specified in part 7 of the Ecology Appraisal written by Philip Parker associates Ltd dated 25th November 2021 and section 1.24 of Ecology Appraisal written by Philip Parker associates Ltd dated 18th October 2022 which including but not limited to the following:
- Bird nesting boxes
 - Any timber treatment required will be undertaken using bat friendly chemicals
 - Any external lighting should be limited to only that absolutely necessary for safety purposes;
 - All waste shall be placed directly into skips or designated areas so that debris piles and therefore potential refuge areas are not created
 - Installation of bat boxes
 - Timing of any disturbance works in relation to bats to avoid summer roosting and winter hibernation period
 - Provision of 7 bat boxes and 19 access tiles on trees or buildings as replacements for the roost sites to be lost, plus addition bat boxes as enhancement
 - Landscaping to include plants to attract insects that bats can feed on
 - Limitations on external lighting
 - Use of 1F bitumen felt under tiles as part of any re-roofing works as it is likely that bats would be able to re-access under tiles on completion of any works
 - Provision of bat loft over the courtyard entrance
 - Careful methods of clearance of the site to avoid impacts on amphibians and small Mammals
- 16 Reason: To ensure that the impact of the development upon protected species is minimised in accordance with the NPPF and NPPG.
- 17 Condition: The development hereby approved shall not be brought into use until such a time as the parking provision approved pursuant to planning application 22/01203/F and as set out on drg no. 005 D PROPOSED BLOCK/ROOF PLAN received 07.10.2022 has been implemented in full. Thereafter the holiday use hereby approved under this planning permission shall only take place for as long as the entirety of the aforementioned parking provision remains available.
- 17 Reason: To ensure a sufficient amount of parking provision is provided in the interests of highway safety, traffic movement and the protection of residential amenity.
- 18 Condition: The accommodation hereby approved shall be occupied for holiday purposes only and shall be made available for rent or as commercial holiday lets.
- 18 Reason: The site lies within in an area in which the local planning authority would not normally permit permanent residential development. This permission is granted because accommodation is to be used for holiday purposes only in accordance with the NPPF.
- 19 Condition: 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 this available at all reasonable times to the Local Planning Authority.

- 19 Reason: The site lies within in an area in which the local planning authority would not normally permit permanent residential development. This permission is granted because accommodation is to be used for holiday purposes only in accordance with the NPPF.

OR

In the event that full application 22/01203/F considered earlier on this agenda is **Refused**, to ensure a comprehensive and high quality design and layout is achieved across the whole site and to protect residential amenity then this application would also be recommended for **REFUSAL**.