

**AGENDA ITEM NO: 10/1(a)**

<b>Parish:</b>	<b>Heacham Snettisham</b>	
<b>Proposal:</b>	<b>Change of use of existing buildings and new buildings to provide - new visitor centre, cafe, event and retail space, indoor play building, bike hire service, change of use of land to play facilities and creation of new bike tracks, woodland edge glamping units, car parking, new landscaping and off-road path.</b>	
<b>Location:</b>	<b>Heacham Bottom Farm Lynn Road Heacham KINGS LYNN</b>	
<b>Applicant:</b>	<b>Wild Ken Hill</b>	
<b>Case No:</b>	<b>22/01648/FM (Full Application - Major Development)</b>	
<b>Case Officer:</b>	<b>Mrs N Osler</b>	<b>Date for Determination: 5 January 2023 Extension of Time Expiry Date: 9 June 2023</b>

**Reason for Referral to Planning Committee** – Deferred from April 3<sup>rd</sup> Committee Called in by Cllr Parish

**Neighbourhood Plan:** YES

**Members Update**

Some Members will recall that, although the Local Highway Authority (LHA) concluded that the proposed development would not result in the need to seek significant improvements to Lamsey Lane / Lynn Road junction, this application was deferred from April 3 Committee to enable an update on an ongoing feasibility study by Norfolk County Council for improvements to this junction. Additionally, the Parish Council requested additional traffic information be submitted because they queried the findings of the Automatic Traffic Count (ATC.)

The feasibility study has now been concluded and looked at various traffic light and roundabout options, some with bus priority measures, to improve traffic flow at the junction. The simpler forms of these are lower-cost and require less land take, whereas the roundabout option, which is a typical solution for principal road junctions, would involve higher costs and more land take. A summary of the findings of the feasibility study is attached as Appendix 1 to this report.

The following report has not been updated other than in relation to the latest comments from the Local Highway Authority and minor amendments which have been **emboldened for ease.**

**Case Summary**

Full planning permission is sought for a new destination day visitor attraction including a small, 10 yurt, glamping site.

The site, that measures c.38ha comprises an area of existing built form in the farmyard, areas of agricultural fields and rough pasture, and a small part of Ken Hill Wood.

Part of the site falls within the Norfolk Coast Area of Outstanding Natural Beauty (AONB.)

The northern part of the site falls within the parish of Heacham, whilst the southern part fall within the Parish of Snettisham.

The site lies outside the development boundary of both villages.

It is suggested that the proposed development would generate 16.25 full time equivalent jobs.

### **Key Issues**

Environmental Impact Assessment

Principle of development

Form and character and impact on the AONB

Highway safety

Impact on neighbour amenity

Ecology / Biodiversity

Drainage

Crime and Disorder

Any other matters requiring consideration prior to determination of the application

### **Recommendation**

**A) APPROVE subject to signing of a S.106 legal agreement to secure safeguarded land around the Lamsey Lane junction for potential future highway improvements for a period of 15 years from the date of decision, and the imposition of the conditions set out in the committee report.**

**B REFUSE Should the S.106 legal agreement fail to be signed within 4 months of the resolution to approve, on the grounds that it fails to secure the safeguarded land.**

## **THE APPLICATION**

Full planning permission is sought for a new destination day visitor attraction including a small, 10 yurt, glamping site.

The site measures c.38ha and comprises an area of existing built form in the farmyard, areas of agricultural fields and rough pasture, and a small part of Ken Hill Wood.

The farmyard will be reconfigured to create a visitor centre through the reuse of existing buildings as well as the creation of new buildings.

The proposal would also result in the demolition of two existing agricultural buildings (an existing modern grain store and 'spray shed' buildings) and a silo.

The attraction would comprise:

- A purpose-built Visitor Building containing a destination café, visitor reception, kitchen, cold store, general store, plant room, staff facilities and flexible space as well as an outside dining area

- A purpose-built Retail Building for local businesses containing toilets and storage
- A purpose-built Muster Point Building
- An indoor play building contained within one of the existing buildings which is to be extended and improved (reclad / new openings) with an outdoor play area adjoining it
- A multi-purpose building contained within the existing stone barns and adjacent agricultural building containing office facilities (existing), bike workshop, bike retail, bike rental and covered bike storage areas, a retail unit (existing), storage / staff room and corporate event space
- Ten yurts; seven on the edge of Ken Hill Woods each benefitting from a kitchen facility (bin store) and two benefitting from private showers. Three yurts are within the woods with each benefitting from a kitchen facility and private WC. A further facilities block is also proposed to serve all the yurts and contains a family shower, showers, WCs, stores and a washing up station
- Wild gardens and outdoor walking, activity trails and dog walking area
- Three bike trails including a family pump track and two loop trails of varying difficulty
- A 210-space car park to include 20 disabled spaces and 2 bus parking spaces, and a 110-space overflow car park
- A site wide landscaping scheme
- New access from Lamsey Lane
- A new off-road permissive path to enhance connectivity between Heacham and Snettisham
- Off-site highway improvement works comprising:
  - Additional signage on Lamsey Lane
  - Provision of a new pedestrian footway connection between the Mount Pleasant site (on-site path) and Heacham (existing highway footway)
  - Provision of a pedestrian crossing of Lamsey Lane between the Mount Pleasant & Heacham Bottom sites
  - Widening (to 3m) of the existing footway provision on the southern arm of the A149 (both sides) and the western side of the B1440 and an improved refuge island crossing at Snettisham Roundabout to safely provide an off-road cycle facility linking the B1440 to the new on-site permissive path
  - Provision of a pedestrian refuge island on the A149 and associated sections of footway to provide a link (and safe crossing) from the development site to the bus stops.

The supporting documentation suggests that as well as a destination, the development will create a hub for the range of educational tours already offered at Wild Ken Hill.

The site is located c.1.1 miles to the north of the village of Snettisham, to the west of the A149 and c.1.4 miles south of the village of Heacham.

## **SUPPORTING CASE**

**Please see Wild Ken Hill's original applicant statement below. We are grateful for the many positive comments on our proposals from Councillors at Planning Committee in April. We appreciate why Councillors sought to defer the applications to seek a full update from Norfolk County Council (NCC) on its feasibility study even if the delay was disappointing. NCC continue to support our applications and their most recent response confirms the proposals will have no material impact on the A149 junction. Since the committee meeting, I have met with Ward and Parish Councillors and those who spoke at committee to further understand everyone's views, to commit to continued collaboration, and to align around the idea that these proposals could act as the catalyst for solutions to existing transport concerns. Both of these interdependent and linked planning applications are absolutely crucial to the future of Wild Ken Hill**

Planning Committee  
5 June 2023

**and following the deferral we hope that Committee will support us to continue our pioneering work.**

“Last September, we submitted planning applications for facilities at Wild Ken Hill that will allow us to host, engage, and educate a wider range visitors and residents about the exciting nature restoration work taking place here. Our vision is to allow greater connection with nature and the outdoors at Wild Ken Hill, with sustainable facilities that work for all, including a new off-road path to better link Snettisham and Heacham and new wildflower meadows, as well as a dog walking area with free parking. We truly think the plans will be a great boost for people, wildlife, and climate.

Hopefully everyone at the Council will be aware of the pioneering Wild Ken Hill project which began in 2019 and includes a nationally-unique mix of regenerative farming, rewilding, and traditional conservation practices. We have embarked on these changes as we believe land must be used to benefit wildlife, climate, and people. Many will have seen Wild Ken Hill featured on the BBC’s The Watches. Locally, we have also already created 2 new jobs, 15 volunteering opportunities, opportunities for students, a new nature festival, as well as hosting 2-3 open days for local residents, welcoming children on around 200 days per year, and operating 200+ acres of permissive access.

This, however, is just a start – we are extremely constrained by a lack of facilities. In order to fulfil our vision of fighting climate change and restoring biodiversity across the UK, Wild Ken Hill needs the ability to welcome more visitors for higher quality, longer stays. In addition, several key strands of our land management work – in particular the rewilding project – are only funded until 2028. Developing a sustainable, year-round, nature-based tourism business through these proposals would create certainty for the financial future of this important nature recovery work, and indeed allow us to fund more projects and community engagement work in our local area. Without it, however, the future of the Wild Ken Hill project would be an uncertain one.

As such, the intention behind our proposals at Heacham Bottom Farm and Mount Pleasant is to create a high quality built and natural environment which serves as an exemplar for sustainable, nature-based tourism and education which contribute significantly to the local area. The planning applications are intrinsically linked and interdependent. They have only been made following detailed engagement with Planning, Economic, Highways, and Natural Environment Officers across the Borough Council and other organisations.

We are pleased to note wide ranging support for the proposals. On ecology and landscape, the Norfolk Coast Partnership (NCP) stated “The NCP is supportive of development that serves to help boost the local economy and improve access to and understanding of the AONB whilst protecting and enhancing the special qualities”, and the Norfolk County Council (NCC) Protected Landscapes stated “We believe that the proposals submitted by Wild Ken Hill not only are compatible with the LAC (Limits of Acceptable Change) framework, but could be used as a case study for how the LAC should be applied, and even an exemplar project to showcase externally, including to other developers.” Wild Ken Hill is also pleased to note that Natural England and the RSPB have raised no objections to the proposals.

Regarding tourism, the Borough Council’s Regeneration and Economic Development Team stated: “The Wild Ken Hill proposal demonstrates a focus on sustainable tourism and local environmental issues which has already gained national exposure and interest. The proposal will (therefore) support delivery towards the strategic tourism and economic objectives of the Borough Council.”

Following early-stage and thorough engagement with NCC Highways we are pleased that it offers no objection to the applications. Our proposals include an off-road path which will create

Planning Committee  
5 June 2023

the safest and most direct sustainable route between Snettisham and Heacham, new traffic signage, and improvements to the Heacham Bottom bus stops on the A149. In addition, we will be closing two accesses from the farmyard onto the A149 and removing agricultural vehicle movements.

Officers of the Borough Council and County Council have rigorously assessed our applications. There is no objection to the applications from any technical consultee.”

## **PLANNING HISTORY**

20/00001/FLEXI: Flexi Notification - No Further Action: 14/05/20 - Change of use of agricultural building to a flexible commercial use (Schedule 2, Part 3, Class R)

14/01344/F: Application Permitted: 12/11/14 - Installation of 2No dipole antennas, a 1.8m diameter satellite dish, an equipment cabin and development ancillary thereto including 2No GPS antennas, cable gantry and gantry poles

2/03/1853/F: Application Permitted: 29/10/03 - Erection of general-purpose agricultural grain store

## **RESPONSE TO CONSULTATION**

**Heacham Parish Council: OBJECT** We applaud Ken Hill in their ReWilding and have supported those projects which have brought much needed tourism to Heacham.

This application would also bring further tourism to Heacham, and the adjacent parish of Snettisham.

Our concerns and objections though are these:

The plan states a 100-vehicle overspill car park, looking at the car park plan around 300 vehicles on-site parking, plus 2 coach spaces. This number of vehicles accessing the site off the A149 to Lamsey Lane, which after 50m is national speed limit (60MPH!) will cause problems at the junction A149 / Lamsey Lane. Although they may not all turn up at once, you can never predict the holiday traffic. Listen to road reports on local radio for the A149. Add to this the second application of Mount Pleasant by Ken Hill, and up to 20 touring caravans plus camping enthusiasts also wishing to traverse this road, it will be a nightmare, not only for visitors to Hunstanton 3 miles north, local residents, who use the road, but the bus service which uses Lamsey Lane to service the whole village via this junction.

We think it will also impact on nature conservation, which Wild Ken Hill is all about, and impact the village. If the queue for the exit and the A149 junction blocks up, drivers will exit left and drive through the village to the controlled junction at the Lavender centre. This is something Ken Hill have said they do not wish to happen.

The current road structure does not support a scheme as presented here.

The transport assessment states no impact as there are bus services and footpaths. Heacham, prior to 1969, used to have a railway link to King's Lynn, but as people bought cars and preferred to drive, this section of the line was closed. Nothing has changed, people still prefer to go out for the day by their own transport.

Anglian Water state that the site is not connected to their system. How will this be dealt with?

Planning Committee  
5 June 2023

Business Assessment is needed to show any impact on the village businesses.

Confirmation needed that the Bike Hire business is solely for use on the Heacham Bottom site and will not impact on village hire companies.

The 10 glamping yurts were not mentioned when this scheme was first presented to the Parish Council, only the Bell Tents in the Mount Pleasant application.

Plans are unfortunately considered in isolation, but what also has to be considered here, is that the Plans for the 160 plus dwellings approved for Cheney Hill will also add traffic to A149 / Lamsey Lane junction.

**The following statement was submitted as late correspondence at the Planning Committee meeting of 3rd April: This information covers the Transport assessment of both parts of the development Heacham Bottom and Mount Pleasant, as the Transport assessment is for both sites.**

**Whilst we are objecting to this application as it stands, we don't object to the principle of this development. In fact, we think it will be good for the area; provide awareness of the countryside, promote a healthy lifestyle, be good for tourism and could provide local jobs. Despite this we believe the application as it stands is flawed.**

**The very busy Village of Heacham really has only two ways in and out. Lamsey Lane and the Norfolk Lavender junction. Due to poorly designed road layouts large vehicles can struggle to enter either of these roads when traffic is queueing to exit.**

**In its conclusion the applicants Transport Assessment states there is significant spare capacity at the nearby Lamsey Lane / Lynn Road junction, including during high tourist season; If you travel along the A149 from Kings Lynn to Heacham, at weekends and holidays, when this site will be at its busiest, it's common for traffic to be backed up to Knights Hill roundabout. This road to the coast is like a cul-de-sac, it's really the only way in and out.**

**Turning right out of Lamsey Lane can be challenging on a quiet day due to the speed of traffic, but on a busy day it's a nightmare. This is a main bus route, and they can often struggle to exit safely. The junction needs significant improvement, and we consider this should be funded out of a section 278 highways agreement, by the developer.**

**I spent 13 years as senior project lead for Cambridgeshire Highways, so I understand the complexities of The Transport Assessment, which is 306 pages long, a complex technical document. It relies completely on collected traffic data for its assumptions and that is data is very wrong.**

**Two traffic counts were carried out for the Transport Assessment, in July 2021, the last week of school term and the first week of school holidays. However, the DfT's website on Road Traffic Statistics under summary (<https://roadtraffic.dft.gov.uk/>) states that despite a rise from 2020 levels, car traffic for 2021 remained 15.8% lower than before the pandemic and were lower than 2011 traffic levels.**

**15.8% is a significant amount and this has been effectively ignored as part of the Traffic Assessment and therefore, makes it unsafe to rely upon for its conclusions. Traffic levels have largely returned to normal and are rising at about 2.2% annually so effectively the data could be wrong by as much 20% and has a knock-on effect**

throughout the report. It's impossible to see how a safe planning decision can be made on this basis.

*In conclusion*

We do want this project to go ahead. We believe it offers a worthwhile and beneficial uplift to the area. But only when we understand the road traffic safety implications, and after road safety issues have been properly assessed. Our primary concern is the impact on road safety, something that cannot be assessed with the current information provided and the safety and wellbeing of the community. We would ask that this application is delayed until a Transport Assessment with a corrected dataset is re-evaluated and mitigation measures properly considered.

**Snettisham Parish Council: OBJECT** At a council meeting on 28th February 2023 Councillors considered the application and resolved to object to the planning application, they were concerned about the safety of pedestrians and other road users at the Lamsey Lane Junction and along routes to Snettisham. It was considered that this junction was already very busy and considered a danger locally. The increase in traffic brought by the development would also cause significant problems on already overburdened local infrastructure.

**Highways Authority: NO OBJECTION** Further to my previous responses, and subsequent additional information submitted (namely the Highways Positions Statement 4th Issue, received on 12 May 2023), please find below the further comment of the Highway Authority.

As you will be aware, the position statement has been produced following consideration of the proposals at KLWNBC Planning Committee where the application was deferred following concerns raised, in late correspondence, by Heacham Parish Council. The primary focus of the concerns, raised by the Parish Council, were in relation to the assessment, submitted within the Transport Assessment (TA), and the validity of the data used.

*A149 / Lamsey Lane junction*

To address these concerns and robustly assess the likely impact of the proposals the applicant has produced a Highways Position Statement. Within the statement the applicant has provided comment regarding the methodology and data (which was collected during the easing of the COVID lockdown) to explain and provide assurance regarding the validity of the initial assessment.

In addition, the applicant has undertaken additional ATC surveys (between 24 April and 3 May 2023) and further junction analysis to robustly assess the development proposals.

The latest ATCs identified Saturday peak hours as 11-12 and 14.30-15.30 and identified an increase in traffic flow on Lynn Road and a decrease on Lamsey Lane (when compared to the previous traffic counts). The differences are not considered to be significant and would be expected as daily variances.

As with the initial analysis, variance factors and seasonal uplifts have been applied to the 2023 data, and the associated junction traffic modelling carried out which identified no material change.

I can confirm that the County Council officers have fully considered the concerns of the Parish Council (outlined within their late correspondence) and assessed the additional information provided. It remains our professional opinion that there will be no material impact, at the junction, as a result of the proposals. As such, we

acknowledge that we could not substantiate an objection on these grounds to the application.

Whilst it would not be reasonable to seek significant improvement to the junction as a direct result of the current application, you will be aware that NCC has recently carried out a feasibility study at this location. The feasibility study, which has now concluded, looked at various traffic light and roundabout options, some with bus priority measures, to improve traffic flow at the junction. The simpler forms of these are lower-cost and require less land take. Whereas the roundabout option, which is a typical solution for principal road junctions, would involve higher costs (estimated in to be in the region of £2.5 -4.7 million) and involve more land take.

For the avoidance of doubt, I would then add that, although NCC have already secured BSIP funding of around £300,000 for improvements to this junction, both signalised and roundabout, the options identified would cost in excess of this amount to implement. They would therefore require the securing of further funding which at this stage has not been sought.

You will of course be aware however that, should the current planning applications be approved, the applicant has guaranteed that the land required to implement the above improvements would be available for the next 15 years.

For your information, I have attached a copy of the summary of feasibility findings to this response.

The applicant has however proposed some low-key signing improvements on Lamsey Lane (see section 5 within the TA) on the approach to the A149 junction.

#### ***Offsite Highway Improvements***

As you will be aware from my previous responses, the applicant is proposing a series of offsite highway improvements to enhance the sustainable links to the site for pedestrians, cyclist and bus users.

The proposals, as outlined, offer a mixture of a day visitor attraction and glamping. Given the extensive attractions and cycle routes on site, it is reasonable to assume that guests / visitors would wish to cycle to / from the site.

The sustainable links to the site has been a key consideration for the Highway Authority (HA) throughout all informal discussions with regard to the site. Whilst it is of course acknowledged that the development represents rural tourism, it is essential that sustainable links to the site are actively encouraged and maximised.

In support of the application, a new permissive path will be provided to create an off-road link between the settlements of Heacham and Snettisham, via the Heacham Bottom site.

The applicant has outlined that this path, which links Heacham to Snettisham, would be a permissive path and open / available for the public to use.

The permissive path and continuous links from / to both sites from Heacham & Snettisham are considered essential to make the proposals acceptable.

***Pedestrian Links to Heacham*** To ensure that suitable links to the existing footway network in Heacham are available, a new short section of 2m wide footway link (see



Drawing 026 (within the TA addendum)) from the existing highway footway provision in Heacham to the onsite paths within the Mount Pleasant site will be provided.

This link is not only required to make this application acceptable but also in association with the proposals at Mount Pleasant (22/01650/FM).

Whilst the drawing is only indicative and would of course be the subject of detailed design considerations & Safety Audit should planning permission be approved, this does look to be acceptable in principle (for planning purposes) to allow this to be conditioned and provides confidence that this a realistic expectation that such a facility could be provided with existing highway / land under the applicant's control.

It should be noted that the alignment of the onsite path (shown on the landscape master plan (WKH-DIG-00-PL-0001)) will need to be amended to ensure that it meets with the new highway footway proposed.

*Pedestrian / Cycle Links to Snettisham* To link the onsite path to Snettisham the applicant is proposing a scheme of improvements to the existing footway and crossing at the A149 / B1440 roundabout.

The scheme, which is indicatively outlined on drawing 2021-F-015-030 Rev B, would involve widening the existing footway provision on the southern arm of the A149 (both sides) and the western side of the B1440 and an improved refuge island crossing at the roundabout. This would safely provide an off-road cycle facility linking the B1440 in Snettisham to the new on-site path.

Whilst the exact details would of course be the subject of S278 detailed design considerations (and a full Safety Audit) should pp be approved. We are satisfied that there is sufficient available highway to widen the existing footway (either into the verge of carriageway) and island to agree these improvements in principle at this stage.

For the avoidance of doubt however we have confirmed that, as part of the detailed design process, we will look to ensure that a minimum 2.5 m width is secured for the enhanced crossing and that we would seek to secure that the cycle facility is wider on the approaches to the crossing.

*Links to the site by Bus* To provide safe access to / from the site by public transport, the applicant is proposing to significantly improve the pedestrian links to the existing bus stops on the A149.

At present, a pair of bus stops exist on what is a fast section of the A149, which as demonstrated carries significant volumes of traffic particular during the tourist peaks. Clearly given the level of tourism within the immediate vicinity, it is reasonable to assume that visitors would travel to the site by bus from both the north and the south, so access to the bus stops should be both safe and attractive.

It is proposed to provide a pedestrian refuge island on the A149 and associated sections of footway to provide a link (and safe crossing) from the development site to the bus stops - as indicatively outlined on drawing 2021-F-015-029 Rev A.

As with the other offsite highway mitigation, the exact details would of course be the subject of S278 detailed design considerations (and a full Safety Audit) should planning permission be approved.

**Vehicular Access to site** It is proposed to serve the site via a main visitor access from Lamsey Lane. I can confirm that, having considered the submitted drawings, suitable levels of visibility are proposed in line with the recorded vehicle speeds.

It should be noted that all other existing vehicular accesses into the site will need to be permanently closed and reinstated.

Considering the above, the highway authority recommends no objection subject to the conditions relating to: - construction traffic management including construction routes, construction, construction worker parking, off-site highway improvement works, new access provision and specification including gradient / visibility splays and closure of other accesses, means of obstruction, parking / cycle parking, loading / unloading, serving, etc., being appended to any permission granted.

**PROW: NO OBJECTION** Further to the applicant obtaining a Highway Boundary plan of the legal alignment of the Public Right of Way, known as Heacham Footpath 15, we are now content to remove our holding objection.

It should be noted that no structures are permitted within the legal alignment of the public right of way as this would constitute an illegal obstruction. The full legal extent of this footpath must remain open and accessible for the duration of the development and subsequent occupation.

**Natural England: NO OBJECTION** SUBJECT TO APPROPRIATE MITIGATION BEING SECURED.

It should be noted that Natural England amended their advice in relation to necessary mitigation when taking this site in isolation via an email received on 10 March. The below outlines the amended advice.

We consider that without appropriate mitigation the application could have an adverse effect on the integrity of:

- The Wash and North Norfolk Special Area of Conservation (SAC)
- The Wash Special Protection Area (SPA)
- The Wash Ramsar
- North Norfolk Coast SPA
- North Norfolk Coast Ramsar
- Damage or destroy the interest features for which the following Sites of Special Scientific Interest (SSSI) have been notified
  - The Wash Site of Special Scientific Interest (SSSI)
  - North Norfolk Coast SSSI

In order to mitigate these adverse effects and make the development acceptable, the following mitigation measures are required to be secured:

- A financial contribution to be paid into the Norfolk Green Infrastructure and Recreational Avoidance Mitigation Strategy (GIRAMS).
- Provision of leaflets to all visitors and provision and maintenance of permanent information boards within the site indicating nearby public rights of way and alternative visitor attractions not in the proximity of designated sites, as well as the details of nearby designated sites and recreational pressures upon them.

We advise that an appropriate planning condition or obligation is attached to any planning permission to secure these measures.

Natural England's further advice on designated sites/landscapes was also given with an acknowledgement that whilst the Appropriate Assessment was not produced by the LPA they [NE] considered it was acceptable for the LPA to adopt it to fulfil our duty as competent authority.

*PROTECTED LANDSCAPES:* ...We advise that you consult the relevant AONB Partnership or Conservation Board. Their knowledge of the site and its wider landscape setting, together with the aims and objectives of the AONB's statutory management plan, will be a valuable contribution to the planning decision.

**Norfolk Coast Partnership: NO OBJECTION** The proposal covers two sites, Heacham Bottom and Mount Pleasant.

The AONB falls partially to the south of the former area where wildflower meadows, bike trails and a small glamping area of 7 yurts skirting the woodland edge and 3 inside the woodland along with service huts are proposed.

The proposal to the north of the AONB seeks to retain and reuse some of the more traditional buildings as well as removal of the grain store which will be replaced by a building of lower profile. As well as this, proposals include a visitor centre, retail space, an indoor play centre, bike hire and further camping to the north of the Mount Pleasant area.

Although much of the development is technically outside of the AONB boundary, it is close enough to it to have a direct impact.

NPPF para 176 states that 'Great weight should be given to conserving and enhancing 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 these issues. Development within their setting should be sensitively located and designed to avoid or minimise adverse impacts on the designated areas'.

The Landscape and Visual Appraisal has demonstrated that visual impact is relatively contained due to the site's topography, tree cover and hedgerows which all help to minimise impact. Much of the development reuses existing buildings and the Visitor Building and Retail Unit will replace a higher profile grain store which will lessen visual impact to an extent. The land in the AONB falls in the Wooded Slopes and Estate land character area.

There will be an increase in movement on site as well as associated works such as car parking, lighting, noise, and other structures associated with the development. This needs to be considered in the wider context.

The AONB has for a while seen a proliferation of small isolated camping / holiday sites which cumulatively has a big impact on the designation and the social and economic impact does not outweigh the environmental impact to the landscape. Here the focus has been on making a contribution to the enhancement of the landscape and the wider aims of the estate in its sustainable farming practices and rewilding project helping to meet CS12 and para 176 of the NPPF. There is a net gain of 27.37% in terms of habitat creation on site as well as access improvements both on site and by way of creation of a new path that will link Snettisham and Heacham. 24 new jobs will be created, the complex will provide informal and formal recreational areas and there is an environmental educational element in conjunction with the wider work on the estate. The Norfolk Coast Partnership is supportive of development that serves to help boost the local economy and improve access and understanding to and of the AONB whilst protecting and enhancing the special qualities.

DM 11 states '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'.

It is my opinion that glamping site just inside the AONB at Heacham Bottom will be adequately screened being inside and alongside the woodland edge effectively hidden from view unless inside the contained glamping area. Taking into account the habitat enhancement element of the wider site, this would compensate for any small-scale disturbance here.

Strategically the wider site will serve as accessible green infrastructure to entice people away from the more sensitive sites on the coast in the AONB where visitor pressure can damage habitats and disturb species. The Appropriate Assessment has scoped out impact to designated sites and it may be that the site has the potential to lessen impact and help to educate people about this special area through resources and on-site interpretation and comms.

Care needs to be taken particularly in the new visitor and retail building that glazing does not increase light pollution on site which would impact the AONB dark skies, a special feature of the AONB. This can be achieved through smart glazing, recessed openings or a reduction in large areas of glazing (such as the retail building SE elevation). All external lighting on site should be conditioned.

The car park could also benefit from further screening through planting to mitigate visual impact. Again, any lighting here will need to comply with the above suggested condition.

**LLFA: NO OBJECTION** I can confirm that the County Council as Lead Local Flood Authority (LLFA) has no comments to make.

**Internal Drainage Board: NO OBJECTION** Having screened the application, the site in question lies outside the Internal Drainage District of the King's Lynn Internal Drainage Board and as per our Planning and Byelaw Strategy the proposed application does not meet our threshold for commenting. Therefore, the Board has no comments to make.

**Anglian Water: NO OBJECTION** Having reviewed the development, there is no connection to the Anglian Water sewers, we therefore have no comments.

**Historic Environment Service: NO OBJECTION** In broad terms we concur with some of the conclusions of the Heritage Statement and archaeological desk-based assessment. There is potential for previously unidentified heritage assets with archaeological interest (buried archaeological remains) to be present within the current application site and that their significance would 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 (2021) that should be secured by condition.

**Environmental Health & Housing – Environmental Quality: NO OBJECTION**

*Air Quality:* As previously explained the concern in terms of air quality from additional traffic arises when the changes in daily traffic movements (as 24-hr Average Annual Daily Traffic or AADT) are significant and in excess of IAQM EPUK (2017) indicative criteria. The transport assessment had suggested that changes in traffic would be significant during the summer months (March-Aug) and a business case based on car park capacity of 320 spaces with average dwell time based on 4-hrs turn-around.

In the absence of an Air Quality Management Area (AQMA) adjacent to the site, IAQM EPUK (2017) refer to significant traffic as around 500 light duty vehicles per day. The applicant has explained that additional traffic will be around an average of 408 AADT as a result of these developments. Based on the background air quality levels as quoted and absence of an AQMA in this area this is not sufficient to warrant a more detailed assessment for the changes to air pollution occurring in the area. I would therefore have no objection to this part.

We however mentioned that the principles of minimising emissions according to best practice apply to all developments, and especially, the larger major applications as in this case as set out by IAQM. We explained that whilst the development does not fall within a Smoke Control Area there still can be matters that are of material concern especially where they are not controlled elsewhere. Smoke emissions can be controlled via condition.

Finally, we did comment on electric vehicle (EV) charging infrastructure for the additional car-parking spaces including the 320-space car park with average dwell times quoted as around 4hrs. Norfolk CC parking guidelines refers to EV charging in such scenarios to be based on dwell time and travel distances i.e., it is for the applicant to define this. The information that has been provided within the air quality assessment only refers to the minimum will be provided. To ensure there is adequate EV charging and cable routes where necessary to meet the needs of all users and help future proof this development towards ultra-low emission vehicles further information is necessary. This can be suitably conditioned.

*Contaminated Land:* The application is for the demolition of a silo and 2 farm buildings and construction of replacement building along with a change of use to visitor centre, cafe, event and retail space, indoor play building, bike hire service, bike tracks, glamping units and associated works.

The applicant has provided a design and access statement and drawing package which provided information on the proposal and illustrates the works. A Phase 1 Geo-environmental Assessment by pwa geo-environmental dated July 2022 is also provided which states the risk of contamination to be low but indicates the potential from a previous chemical and fertiliser store and diesel tanks. The report recommends further investigation to better characterise the site and attempt to reduce the risk to very low.

We have reviewed our files and the visitor section of the proposed site is on land that has been developed for the duration of our records first seen labelled as Horsewell farm. The other areas of the site are not seen developed on our records. The surrounding landscape is largely agricultural with some residential properties.

Following the findings of the Phase 1 Geo-environmental Assessment we recommend the full suite of contamination conditions, and due to the age of the properties on site there is the potential for asbestos containing materials to be present. With this in mind we also recommend an informative relating to Asbestos.

**Arboricultural Officer: NO OBJECTION** No trees are to be removed, and therefore I have no objection.

**Fire Safety Carrow Fire Station, Norwich: NO OBJECTION** Detailed correspondence submitted relating to Building Regulations.

**Norfolk Fire and Rescue: NO OBJECTION** With reference to the proposed development, based on the location and infrastructure already in place and the type of building proposed, our minimum requirement is for 1 fire hydrant on potable water main.

**Norfolk Constabulary: NO OBJECTION** Detailed information sent to the applicant in relation to how to meet Secured by Design standards.

**RSPB: NO OBJECTION** The Royal Society for the Protection of Birds (the RSPB) is a registered charity that takes action for wild birds and the environment. We are the largest wildlife conservation organisation in Europe with a membership of over one million. The principal objective of the RSPB is to save nature.

*Information in Support of Habitats Regulations Assessment and Shadow Habitats Regulations Assessment – RSPB comments*

In our letter dated 26 October we suggested several lines of enquiry for further investigation. We are happy that these enquiries have been addressed and we have spoken to Wild Ken Hill about habitat enhancement for non-breeding birds such as curlew, a species which they support through habitat management of their own wetland and farmland, but also via the curlew head-starting programme and the range of valuable conservation activities associated with that project. We are also pleased to see further information about mitigation options and a commitment to making a contribution to the Green Infrastructure and Recreational Impact Avoidance and Mitigation Strategy (GIRAMS) in the Shadow HRA.

We understand it is likely that Wild Ken Hill will be required to create a Landscape Management Plan and the RSPB would be pleased to consult with them on any habitat creation and enhancement aspects, including any possible additional mitigation measures, as they finalise a detailed Landscape Masterplan.

As competent authority, it is the Borough Council's responsibility to assess the findings of the assessment and to make its own conclusions regarding the likelihood of significant effects arising from the proposal, either alone or in-combination. With appropriate mitigation in place, the RSPB is satisfied that the proposals are not likely to result in significant adverse impacts on IIVSs.

**NCC Minerals: NO OBJECTION** While the site is partially underlain by a safeguarded mineral resource (carstone), due to the nature of the proposed development it is considered the application would be exempt from the requirements of Policy CS16-safeguarding of the adopted Norfolk Minerals and Waste Core Strategy.

**NCC Protected Landscape Team (PLT): SUPPORT** The Protected Landscapes Team at Norfolk County Council works to restore, enhance, protect and sustainably promote designated areas across Norfolk. We believe environmental protection and thriving rural communities and economies can exist side by side; and are supportive of sensitive and sustainable development which can bring net gain to each. We also work to create new opportunities for people of all abilities and backgrounds to access Norfolk's unique nature and culture, and the associated health and wellbeing benefits.

Additionally, comments relating to a Limits of Acceptable Change (LAC) study were also submitted of which the PLT concludes that *Due to the numerous ways in which the proposals submitted by Wild Ken Hill are consistent with the LAC framework, I believe there is potential to showcase these proposals and the wider Wild Ken Hill project as an exemplar for the LAC, demonstrating to external stakeholders and other developers how it should be interpreted and implemented. I have discussed the above with Wild Ken Hill, who have indicated they would be keen to collaborate on this.*

Furthermore, PLT acknowledges that the proposals are aligned to several local sustainable tourism initiatives and concludes with support for the two planning applications submitted by Wild Ken Hill on the basis that they represent an exemplar for the new LAC framework, are a

model for the future of sustainable tourism, and would enhance sustainable all abilities access to the area.

**CPRE: OBJECT** Despite supporting most aspects of this proposal and those for neighbouring Mount Pleasant Farm, along with the overarching intentions of the Wild Ken Hill Project in terms of nature and landscape restoration and recovery, CPRE Norfolk objects to this planning application as approval would go against various policies within the adopted Local Plan, Heacham Neighbourhood Plan and the National Planning Policy Framework (NPPF). The elements of this application which CPRE Norfolk objects to are the glamping site and the access/traffic impacts.

## REPRESENTATIONS

**King's Lynn and West Norfolk Bike Users Group (KLWNBUG): OBJECT** While KLWNBUG The Norfolk and Fens Cycling Campaign is generally supportive of this application and especially the link between Snettisham and Heacham passing a bike shop, cafe and visitor centre, regrettably we object to the dangerously substandard layout of the Snettisham crossing point shown on drawing 2021-F-015-030 B dated 27 Feb 2023. We refer everyone to Local Transport Note 1/20 in the following: <https://www.gov.uk/government/publications/cycle-infrastructure-design-ltn-120>.

In particular:

1. The refuge point on the A149 island is only 2m long when the Cycle Design Vehicle (Local Transport Note 1/20 Table 5-1) is 2.8m long.  
The 2m short refuge point means that many tandems, cargo bikes or child trailers would be unprotected, projecting into a carriageway while waiting to cross, where they could easily be struck by impatient or width-misjudging motorists. That is dangerous. Even the rider of a common 1.8m bicycle would need to judge their braking exactly and have good balance to stop themselves exactly on a 2m island with dipped kerbs front and back.
2. The turns onto the crossings have zero inner radius and maximum 3m outer radius. The Cycle Design Vehicle has 2.5m inner radius and 3.2m outer radius and the tighter radii mean it would not be possible for wider or longer cycles to enter the crossings at right angles and riders would have to perform a cumbersome S-turn mid-crossing. This is uncomfortable and requires extra time to cross, increasing the crossing hazard. This also would limit the capacity of the crossing and mean people cannot easily cross in both directions at once while keeping left, which is contrary to Summary Principle 5 of LTN 1/20 (page 10).
3. People riding northbound would approach the crossing of the A149 with their back to the traffic flow they are about to cross. This is obviously dangerous due to the reduced intervisibility.
4. People riding southbound would approach the crossing of the B1440 with their back to the traffic flow in the far lane that they need to merge into. This is also dangerous due to the reduced intervisibility.

Ideally, in line with Norfolk County Council's public commitment to follow LTN 1/20 in all its highway developments, we will see a layout like Figure 10-37 used. There seems plenty of space in this roundabout area for such a layout. Exit cycle lanes to the A149 could be omitted to encourage people to cycle on the B1440 and the new route, until such time as the A149 is upgraded.

As a minimum, the crossings could be moved near the roundabout ends of the splitter islands to remedy the refuge problems (1 and 4), and the crossing approaches realigned to enable perpendicular entry angles and remedy problems 2 and 3. Showing the vehicle tracks of two

Cycle Design Vehicles riding opposite directions through the junction would confirm that the alignments are correct and crossings wide enough. The crossings should be painted to encourage motorists not to stop blocking them.

Please, bring this design up to current standards and don't curse this exciting new development with a dangerous 1990s-style crossing complex.

Additionally, **20 letters of OBJECTION / CONCERN** have been received from third party representatives. The reasons for refusal can be summarised as:

- Direct contravention with the recently adopted Heacham in relation to holiday accommodation and AONBs
- Car parking, glamping, bike trails etc. are nothing to do with rewilding and everything to do with making money
- Why are there two applications, is one a Trojan Horse for the other?
- Destroying a field for car parking, where earlier in the year sheep were grazing there is unacceptable, and will become an eyesore
- The entrance will become a bottleneck
- Lamsey Lane is a blackspot for accidents
- The number of visitors anticipated is frightening and will increase congestion and queuing in the locality
- How will Lamsey Lane be crossed? It is a 60MPH road
- Chris Packham's support (Springwatch) is not a valid reason for more destruction of the countryside. How can this development be beneficial to wildlife?
- The rewilding image seems to be turning into that of a theme park
- Ken Hill already have a car part at South Beach which already brings day-trippers / holidaymakers to the village and has increased traffic within this area substantially
- The development is bound to affect local struggling businesses
- The offer of signs to warn people of queues is not going to prevent the queues from forming
- Alternative access should be considered
- The assertion in their conclusion (p34) by the Ken Hill highway consultants that 'the highway has a good safety record' is disingenuous
- Why have the applicants not included a roundabout or traffic lights at the junction or Lamsey Lane with the A149?
- Why haven't bus companies been consulted? The development will definitely have an impact on them
- Have wider traffic considerations been taken into account e.g., congestion at both the Norfolk Lavender junction and the more northerly Church Lane crossing?
- A more robust and independent Traffic Study is required
- The Historic Environment Officer's comments need to be strictly adhered to
- There is much mention of bicycling facilities on the site, but no mention of a bike track through the sites to enable bicyclists to avoid having to travel along the A149
- An increase in visitors will inevitably add infrastructure pressure on doctors and other essential services
- The development would increase traffic into Heacham
- **Unlikely investors will be interested in a project that only attracts 80,000 visitors**
- **Grave doubts about the accuracy of the applicant's figures, for example the 24 FTE employees and the turnover, which is unrealistic**
- **Must be subject to a S.278 agreement so the developers make a contribution to the subsequent costs of future improvements, including a financial contribution**
- **Talk of traffic lights and a roundabout for years, and any improvements will also cause further delays on the A149**
- **Developers should provide traffic lights or a roundabout.**

Planning Committee  
5 June 2023



The following letter of **SUPPORT** has been received from The Regeneration and Economic Development Team of the BCKLWN: *[we] welcome proposals which will support the development of a green tourist offer further in West Norfolk. The proposals align with the west Norfolk Tourism Development Plan 2022-2026 (draft) strategic aim to support west Norfolk sustainability for future visitor footfall and responsible tourism.*

*The proposals are also aligned with the West Norfolk Investment Plan (2021) priorities:*

- *Leading as a centre of Excellence for the Visitor Economy.*
- *Embedding approaches that are active, clean and green.*

*The proposal will therefore support delivery towards the strategic tourism and economic objectives of the Borough Council.*

The following letter of **SUPPORT** has been received from the EXPERIENCE project: *Wild Ken Hill has actively engaged with our project and has been the first enterprise to submit experiences to the project.*

*Wild Ken Hill works on developing a strong connection between people and nature, providing visitors with a unique experience while protecting the environment. Some activities are tailored to be best experienced during the low season, and the focus on cycling is of interest to the project. All this impacts positively the sustainability of tourism in Norfolk and echoes the founding principles of our project.*

*Through the EXPERIENCE project we look to support businesses develop off-season sustainable experiences. Our aim is to increase the number of visitors in Norfolk, and support a year-round visitor economy, providing lasting benefit for the local economy, our environment and the community.*

*We believe the application put together by Wild Ken Hill will go towards helping our project achieve those goals and help Norfolk be more sustainable.*

*We are committed to supporting any tourism business wishing to become more sustainable, and this letter confirms this.*

Conversely (to the previous objection from KLWNBUG), members of KLWNBUG The Norfolk and Fens Cycling Campaign were broadly supportive of the visitor centre, cafe, event and retail space, bike hire service and off-road path, but requested that the calculations of cycle parking spaces meet parking standards and that the off-road path to Snettisham should be an all-weather surface.

Additionally, 18 letters of **SUPPORT** have been received from third party representatives. The reasons for support can be summarised as:

- The development would grow Wild Ken Hill's ambitious nature restoration programme by providing the project with diversified, sustainable long-term income and supporting them to engage and educate visitors
- These developments are required to enable Wild Ken Hill to keep delivering its ambitious programme of work
- The development would be a great additional to the local area by providing greater access to green space, providing educational benefits and jobs as well as supporting long-term aims to restore nature and fight climate change

- All local businesses both in retail and hospitality can only benefit from having such an amenity on their doorstep, and as such the communities will benefit too
- The developments would allow connectivity between Heacham and Snettisham
- Wild Ken Hill is a jewel in the crown of West Norfolk and should be supported
- The development would be an asset to Heacham
- Although it is possible that the Lamsey Lane junction could become busier, we also have to think about the positive impacts on our roads. For one, there won't be any more agricultural traffic originating from the farmyard which can be dangerous. The scheme would also take visitors off the A149 earlier, releasing pressure on the road network further around the coast
- to have a general public that behaves respectfully in the countryside we first need to educate and connect them with nature, and I think that's exactly what these proposals seem to do
- The bike trails will provide youngsters and adults with an opportunity to challenge and improve their cycling skills in a safe off-road environment. Hopefully this will discourage local youngsters from attempting dangerous stunts on the public roads
- Wild Ken Hill has played an active part in several conservation projects including the Plovers in Peril, a project to reverse the decline in the breeding of this red-listed species
- Future public funding through Environmental Land Management Schemes remains very uncertain. There is a fear that by 2028 public funding initiatives for sites such as Wild Ken Hill may end or have been significantly reduced; as such developments such as this are very important
- Many of the aspirations of A Green Future: Our 25 Year Plan to Improve the Environment, launched by DEFRA in 2018, would be delivered through these proposals
- Only a relatively small area of the proposed development falls within the Norfolk Coast AONB. There is provision for 10 glamping units, which is a fully reversible part of the development proposal
- Overall the proposal sets out a reduction in the built footprint. The existing grain store building, which is of significant scale and elevation, will be demolished and a replacement building with a lower profile enhancing the quality of the landscape, with improved views to and from the site will be constructed
- The most significant development proposal in the masterplan is the construction of a new car park for some 320 cars. With modern construction techniques and SUDS requirements, it is hoped that this facility, essential in terms of accommodating visitors, will be designed to a high specification ensuring it ultimately blends in with the surrounding agricultural landscape
- The provision of a footpath linking Heacham to Snettisham is a welcome addition for local residents. It is unfortunate however that the proposal doesn't extend the proposed footpath further south along the A149 by-pass to link with the designated right of way Snettisham FP4a. This would create a long circular walk between the two villages
- This proposal would be good for the local community, attracting tourism and therefore benefiting the local economy.

## **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

**CS13** - Community and Culture

**SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PLAN 2016**

**DM1** – Presumption in Favour of Sustainable Development

**DM2** – Development Boundaries

**DM9** - Community Facilities

**DM10** – Retail Development

**DM11** – Touring and Permanent Holiday Sites

**DM15** – Environment, Design and Amenity

**DM17** - Parking Provision in New Development

**DM19** - Green Infrastructure/Habitats Monitoring & Mitigation

**NEIGHBOURHOOD PLAN POLICIES**

**Heacham Neighbourhood Plan**

**Policy 5:** Design Principles

**Policy 9:** Holiday Accommodation

**Policy 11:** Green Infrastructure

**Policy 12:** Provision of Electric Vehicle Charging

**Policy 13:** Dark Skies

**Policy 14:** Community Facilities

**Policy 15:** Settlement Breaks

**Policy 18:** Road Up-Grades and Improvements

**Snettisham Neighbourhood Plan**

**Policy NP05** – Materials and Design

**Policy NP09** – Natural Environment

**Policy NP10** - Transport

## **NATIONAL GUIDANCE**

National Planning Policy Framework (NPPF)  
Planning Practice Guidance (PPG)  
National Design Guide 2021

## **PLANNING CONSIDERATIONS**

### **The main considerations are:**

Environmental Impact Assessment  
Principle of development  
Form and character and impact on the AONB  
Highway safety  
Impact on neighbour amenity  
Ecology / Biodiversity  
Drainage  
Crime and Disorder  
Any other matters requiring consideration prior to determination of the application

### **Environmental Impact Assessment (EIA):**

The development falls within Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended) as consisting of tourism and leisure uses exceeding 1ha. Whilst the land take is extensive, in this instance the majority of the area will remain devoid of any / extensive operational development and the amount of new / retained buildings (excluding the 10 yurts) is less than existing. No new or converted buildings will be taller than existing. The car park is the largest engineered space, but this is ground level with ample areas of separation to enable landscaping. In summary whilst the land take is substantial the development itself is not intensive in relation to operational development.

EIA thresholds suggest further consideration of tourism and leisure development are required when the threshold of visitors is in the region of 250,000 visitors per year where impacts on ecosystems and transportation routes could be significant. In this regard the development is well below this, generating 60,000 per annum in the first five years, growing to 80,000 in year five and incrementally from then. As such, in terms of EIA, these impacts (ecosystems / transportation) do not need further investigation via the EIA route and can be fully considered as part of the planning application.

The development was screened both in isolation and in combination with the proposed development at Mount Pleasant and the Cheney Hill residential developments.

The in-combination impacts were likewise ruled out as all four developments fall below threshold.

The development was therefore not considered to be EIA development for the purposes of the Regulations.

### **Principle of Development:**

The application falls under the 'banner' of both farm diversification and rural tourism. Both of which are supported at national and local level. Other relevant policy and guidance primarily revolves around protecting the natural environment (AONB and countryside), although other

issues such as highway safety and residential amenity are obviously key material considerations too.

The NPPF covers the rural economy at paragraphs 84 and 85:

*84. 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.*

*85. 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 states: *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, where it relates to tourism, states: *The Council will promote opportunities to improve and enhance the visitor economy:*

- Supporting tourism opportunities throughout the borough*
- Promoting the expansion of the tourism (including leisure and culture) offer in Hunstanton to create a year-round economy*
- Smaller scale tourism opportunities will also be supported in rural areas to sustain the local economy, providing these are in sustainable locations and are not detrimental to our valuable natural environment.*

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

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

The application falls under the 'banner' of both farm diversification and rural tourism. Given that agricultural enterprises are more often than not, not adjacent to the towns and villages there is some conflict between these two policies. However, taking a pragmatic approach as

Planning Committee  
5 June 2023

to how these two policies interrelate, it is considered that the development accords with Policy CS10 in so far as tourism as it relates to farm diversification is concerned.

Development Management Policy DM2 allows development within the countryside where it complies with Core Strategy Policies CS06 and CS10.

Development Management Policy DM11 states: *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.*

*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.*

Policy DM11 also requires certain restrictive conditions relating to holiday use.

In relation to the points raised above the LPA responds as follows:

1. A suitable business plan accompanied the application
2. The re-use of some buildings and design of new buildings (to reflect the agricultural nature of the locality) along with landscaping that will be conditioned if permission is granted suggests that the development would not have an unacceptable impact on the locality
3. The local highway authority raises no objection in relation to safe access or highway safety in general subject to conditions
- 4 and 5. The site does not lie in an area at risk of flooding or within the Coastal Hazard Zone.

The Business Plan suggests the operation of the site will be a family-run enterprise. The family will work with experienced, preferably local staff and operators to run the experience day to day, under the leadership of the General Manager. The operational team will work closely with the existing farm manager who plays a key role in managing the wider land holding and associated operations.

The operating model is for a pay to access visitor experience, predominantly open from 9am to 6pm, with some occasional evening events. These hours and the number of evening events would be suitably conditioned if permission were granted.

The opening hours and days of the week will be dictated by the seasons with the visitor centre being open 7-days a week during the summer months and school holidays.

Visitor numbers will be controlled via pre-sales and the pre-booking of accommodation.

A small area of the site falls within the AONB; this is the area to the south, where the yurts are proposed. Some of the trails extend into this area too, as does the permissive footpath (that will be discussed later in this report.) It is not considered these elements would negatively impact on the landscape setting and / or scenic beauty of the AONB. This is supported by the Norfolk Coast Partnership's comments. This is considered more fully later in this report.

It is therefore considered that the proposed development accords with Policy DM11 of the SADMP.

Both Heacham Neighbourhood Plan (HENP) and Snettisham Neighbourhood Plan (SNP) are adopted and therefore form part of the Development Plan and must be given substantial weight in the decision-making process.

The site falls within both parishes, with the southern element, including the yurts, southern trails and the permissive footpath, falling within Snettisham and the remainder falling within Heacham. Both plans have been given due consideration, although if they differ, weight is given to the plan in which the area falls.

### **Heacham Neighbourhood Plan**

Heacham Neighbourhood Plan Policies, relevant to this application, are Policies: 5 (Design Principles), 9 (Holiday Accommodation), 11 (Green Infrastructure), 13 (Dark Skies) 14 (Community Facilities) and 17 (Settlement Breaks).

Taking each in turn:

**Policy 5: Design Principles is a general policy with 18 criteria, some of which are relevant to this application. Of those considered relevant, officers comment as follows:** *'Development proposals should deliver high quality design. As appropriate to their scale, nature and location development proposals should:*

**1. Preserve or enhance the village of Heacham, be sensitive to its surroundings, and demonstrate that it minimises adverse impacts on neighbouring residences –** considered acceptable and covered later in this report

**2. Recognise and reinforce the character of the local area in relation to height, scale, spacing, layout, orientation, design, and materials of neighbouring buildings -** The parameters of the replacement buildings are very similar to those they replace and are of an appropriate height, scale, etc. Materials are considered acceptable and would be suitably conditioned if permission is granted. Further consideration is given later in this report.

**5. Incorporate measures which increase energy efficiency and which reduce energy and resource loss, e.g. installation of solar panels, use of grey water, use of alternatives to plastic -** Energy efficient solutions are incorporated into the development e.g. solar panels are proposed on the southern and western roof slopes of the Visitor Building, Retail Building and the western elevation of the Multi-Purpose Building

**6. Provide sufficient external space for:**

- **refuse and recycling storage**
- **bicycle parking**
- **child and disabled facilities where appropriate**
- **the integration of meter boxes, lighting, flues and ventilation ducts, gutters and pipes, satellite dishes, aerials and telephone lines -** Appropriate for the type of development sought

**10. There is no unacceptable adverse impact (visual or otherwise) on the area's landscape, and proposals for development will be expected to demonstrate how they have minimised landscape impacts on the open countryside and coastline –** considered acceptable and covered later in this report

**11. Incorporate adequate landscaping to mitigate the visual impact of the development and to ensure that proposals are in keeping with the existing village context. Where possible, sites are screened through the use of landform, native trees and locally appropriate planting** - Would be suitably conditioned if permission is granted

**13. Where practicable, provide adaptable homes through the lifetime homes standard in order to cater for a changing demographic** – N/A

**14. Where practicable, make better connections to other areas of the parish, including access to local services and public open spaces** – considered acceptable and covered later in this report

**15. Retain mature or important trees (NPPF 2019 Section 175 applies)** - no trees will be removed

**16. Ensure new boundary treatments reflect the distinct local character and incorporate semi-mature street planting and hedges to boundaries with open countryside** - would be suitably conditioned if permission is granted

**17. Access to the site is provided/improved to highway authority standards** – considered acceptable and covered later in this report

**18. Where appropriate, proposals make a positive contribution towards open spaces, whether respecting the amenity, recreational and wider environmental value of existing spaces or, especially for developments of more than 8 dwellings, provide additional public open space to meet the needs of new residents** - This is a key component of the application.

Notwithstanding issues that are covered later in this report, it is considered that the proposed development is in general compliance with Policy 5 of the HNP.

#### **Policy 9: 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** - The site does not diminish the physical separation between these centres

**2 Do not have any unacceptable impact on local infrastructure, including green infrastructure** - Heacham is a Key Rural Service Centre with many services and facilities. It is not considered that the scale of the proposed development would have an unacceptable impact on local and green infrastructure. Highways issues are covered in more detail later in this report

**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** - A detailed landscaping plan would be suitably conditioned if permission is granted

**4 Are not directly adjacent to any residential areas** - considered acceptable and covered later in this report

**5 Do not need to be accessed through the village centre of Heacham** - The site does not have to be accessed through the village centre

**6 Incorporates high quality accommodation for which adequate parking and servicing arrangements are provided** - The proposed units are a scale, mass, design and utilise appropriate materials, and appropriate parking is proposed

**Can demonstrate a link to wider tourism or land use initiatives that provide demonstrable benefits to the local area** - The development would provide a unique tourism offer, with some limited tourist accommodation and provide new employment opportunities.

In relation to the latter point, it is suggested this development would provide 16.25 full-time equivalent (FTE) jobs and, in combination with the Mount Pleasant application could generate an additional £4.3 million of visitor spending per year into the local economy (based on Visit



Britain figures for average spend per overnight stay of £67 and a day trip of £40(2019 figures) and visitor number projections of 80,000 per annum for Heacham Bottom and 16,500 per annum overnight accommodation.)

<b>Staff</b>	<b>FTE</b>
General Manager	0.75
Accommodation Lead	0.25
F&B Lead	0.75
Activity Lead	1
Admin / bookkeeping	1
Sales & Marketing	1
Cleaning & Maintenance	2.5
Operational	4
Tour Staff	2
Seasonal	3

### **Policy 11: Green Infrastructure:**

*As appropriate to their scale, nature and location, development proposals should protect and where practicable enhance existing green infrastructure and where practicable provide new green infrastructure facilities. In particular, support will be given to proposals that further enhance:*

- 1. The quality, accessibility and usage of public open spaces, allotment provision and areas of sport provision*
- 2. Existing public rights of way within the parish, and to seek opportunities to create new public rights of way to create linkages to the beaches, and into the wider countryside locally*
- 3. The preservation and enhancement of Area of Natural Beauty and local habitats*
- 4. Increasing the number of trees in the village and enriching green areas with wildflower planting*
- 5. Maintain existing grass verges where possible, e.g., where there is a footpath on the opposite side of the road...*

The development accords with the overarching aims of this policy.

### **Policy 13: Dark Skies**

*External lighting associated with development proposals should be sensitively designed to safeguard the dark skies environment of the neighbourhood area and minimise the extent of any light pollution...*

Lighting would be suitably conditioned if permission is granted to ensure compliance with Policy 13 of the HNP.

### **Policy 14: Community Facilities**

*Proposal to enhance existing, or develop additional community facilities will be supported particularly:*

- Health services, dental practice*
- Facilities for children, teenagers and young adults...*

The development proposes an additional community facility.

## **Policy 17: Settlement Breaks**

*Development proposals outside the development boundaries of Heacham (and as shown in Inset G47 of the SADMP) will only be supported where they:*

- *do not cause unacceptable harm to the landscape setting and distinct identity of Heacham*
- *do not detract from the visual separation of Heacham from Hunstanton*
- *do not detract from the views or settings of the Norfolk Coast AONB*
- *New development must not result in the coalescence of Heacham with Hunstanton to the north.*

In relation to the policy criteria above the LPA comments as follows:

- Impact on the landscape (and AONB in particular) is covered in more detail later in this report
- The development would not detract from the visual separation between the settlements.

### **Snettisham Neighbourhood Plan**

Snettisham Neighbourhood Plan Policies, relevant to this application, are Policies: NP05 (Materials and Design), NP09 (Natural Environment) and NP10 (Transport)

Taking each in turn:

#### **NP05: Materials and Design**

*All development should comprise high quality design. Residential development should make use of local materials, for example carrstone. All development should reflect and respond positively to local character.*

The parameters of the replacement buildings are very similar to those they replace and are of an appropriate height, scale, etc. Materials are considered acceptable and would be suitably conditioned if permission is granted. Further consideration is given later in this report.

#### **NP09: Natural Environment**

*The enhancement of the public rights of way network, including access to it, will be supported. All development within the Norfolk Coast AONB should protect and enhance the AONB.*

The proposal includes permissive footpaths, crossings and bus stop improvements, all of which are covered later in this report.

A small area of the site falls within the AONB; this is the area to south, where the yurts are proposed. Some of the trails extend into this area too, as does the permissive footpath (that will be discussed later in this report.) It is not considered these elements would negatively impact on the landscape setting and / or scenic beauty of the AONB. This is supported by the Norfolk Coast Partnership's comments. This is considered more fully later in this report.

#### **NP10: Transport**

*The enhancement of pedestrian access to the village centre will be supported.*

Considered in more detail later in this report.

### **Summary – Principle of Development:**

In summary it is considered that the principle of development is to be supported and that the development accords with the overarching national and local policy criterion outlined above.

However, part of the site lies within an AONB and therefore careful consideration needs to be given to the impact of the development on this nationally designated area.

### **Form and Character and Impact on the Area of Outstanding Natural Beauty (AONB):**

The Design and Access Statement (DAS) that accompanied the application suggests that careful consideration was given to which buildings to retain and repurpose, and which to demolish in order to protect and enhance the landscape to create a high-quality development and enhance views to and from the site.

The existing grain store, that measures 9.4m to ridge, 6.2m to eaves and is 42.3m long x 24.4m wide, and is constructed from steel portal frame with profiled metal cladding, is of a greater scale than its replacement, reoriented building (the Visitor Building) that measures 6.4m to ridge, 2.4m to eaves and is 39.2m long x 12m wide, with a 12m x 12m gable projection and is to be constructed from a mixture of vertical standing seam cladding and vertical profile cladding under a profiled metal roof. This will help to ensure the impact on the overall landscape is not increased by the new development and overall, the quantum of built form on site is reduced.

It is suggested that the large, glazed openings will bring natural light into the buildings and give views onto the adjacent courtyard and wider views.

The other new structure (Retail Building) will replace the existing brick and corrugated roof 'spray sheds' that are in a dilapidated condition and not of architectural note. The existing spray shed building measures 4.6m to ridge, 3.2m to eaves and is 31.9m long x 9.6m wide and has a gable projection. The building is constructed from red brick and concrete block under a profiled metal roof. The new retail building is to be built in the same style and materials as the Visitor Building and will measure 5m to ridge, 2.4m to eaves and is 31.6m long x 7.4m wide, with a 7.4m x 4.9m gable projection.

The more traditional stone barns are to be retained, restored and incorporated into the scheme to provide the Multi-Purpose Building.

Materials in general comprise profiled metal roofing, vertical standing seam cladding, vertical profile cladding and vertical timber cladding combined with the existing materials of brick, flint and red Norfolk clay pantiles.

There are substantial areas of landscaping, both soft and hard, including the car park (which would include car park surfacing for both the formal and overspill car parks), internal access ways, that are indicatively shown and will require further detailed consideration. However, this can be suitably covered by condition.

Specific trail details accompanied the application and these will be suitably conditioned if permission is granted.

The indicative biodiversity enhancement plan shows:

- Hedge planting
- Enhance existing meadow by sowing additional species-rich seed mix
- Planting of a wild garden (species to be confirmed)
- Restoration of wildflower meadows around the walking trails
- Tree planting adjacent to existing woodland, to the northeast of the proposed car park to create a 'wild' orchard pasture, and to the west of the access to create a woodland pasture setting

- A mix of seeding, planting and natural regeneration methods to result in a dynamic habitat of open glades, wood pasture and scrub around the bike trails.

Likewise details of the outdoor play are indicative only, and whilst the indicative proposal is acceptable, the details will need to be fully considered. This can also be suitably conditioned if permission is granted.

Other details that will need to be conditioned are, lighting, internal signage and service track details.

In relation to lighting, a lighting statement accompanied the application confirming that lighting will be kept to a minimum with low-level bollards with downcast lighting being placed where necessary for the car parking and primary pedestrian routes. No external façade lighting is proposed on the buildings and all lighting will be switched off at 9pm (curfew). Additionally, all light sources shall be shielded from direct external view or shall exhibit a maximum source intensity below 2,500cd (as suggested by the Institute of Lighting Professional Guidance Note GN01.)

In relation to the service track, it is not envisaged that any engineering works will be required, and that the tracks will simply be field tracks, and this was confirmed during a site meeting. However, this does require formal clarification to ensure this is the case. Likewise, this can be suitably conditioned if permission is granted.

The ten yurts would be canvas and would be positioned on timber decks. Three of the yurts would be within the woodland, situated on elevated platforms (2 metres high) to provide a 'treehouse' experience. The yurts will be serviced by a mixture of both private and shared facilities (WCs, showers, kitchen facilities (bins)).

The yurts would vary in size with the maximum dimensions being 7m wide by 4 metres high. These dimensions would be conditioned if permission is granted.

Paragraph 176 of the NPPF states: *Great weight should be given to conserving and enhancing 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 these issues...The scale and extent of development within all these designated areas should be limited, while development within their setting should be sensitively located and designed to avoid or minimise adverse impacts on the designated areas.*

Paragraph 177 continues by stating: *When considering applications for development within National Parks, the Broads and Areas of Outstanding Natural Beauty, permission should be refused for major development\* other than in exceptional circumstances, and where it can be demonstrated that the development is in the public interest. Consideration of such applications should include an assessment of:*

- a) the need for the development, including in terms of any national considerations, and the impact of permitting it, or refusing it, upon the local economy*
- b) the cost of, and scope for, developing outside the designated area, or meeting the need for it in some other way; and*
- c) any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated.*

\*the NPPF states that 'major development' is a matter for the decision maker, taking into account its nature, scale and setting, and whether it could have a significant adverse impact on the purposes for which the area has been designated or defined.

Your officers do not consider that the development is major development for the purposes of the NPPF. However, there is still a need for all development to either conserve or enhance the AONB.

Protection of the countryside and AONB's is reiterated in both the Development and Heacham and Snettisham Neighbourhoods Plans.

As previously stated only a small part of the site actually falls within the AONB, including the yurts, parts of the trails and part of a permissive path. However, the NPPF requires the setting of the AONB to be likewise protected.

In this regard the sensitive reuse and construction of new buildings (in terms of scale, mass, appearance and materials), all contained within the existing farmyard setting, suggests the main built form would incorporate into its setting in an organic manner.

The footprint of the new buildings closely follows the existing thus reducing the impact on the character of the surrounding area and landscape.

Detailed landscaping, that would be conditioned if permission was granted, will ensure any impacts are reduced. As mentioned elsewhere in this report, no trees are required to be removed to enable the proposed development.

Whilst it is considered that the built form is acceptable and would not in its own right be of detriment to the AONB, the use of the buildings and wider site will have an impact on this protected locality.

This will be principally by activity associated with the use. There will be greater vehicular activity, general activity and light pollution, although it is noted that the latter would be limited and suitably conditioned if permission was granted.

In relation to the former issue, activity, Members will need to consider whether this would result in conservation of the AONB and if the benefits to the existing agricultural enterprise and wider economy outweigh the harm these activities will have on the character of the AONB.

A detailed Landscape and Visual Appraisal (LVA) accompanied the application. The LVA assessed a total of 13 viewpoints comprising transport, recreational, residential and Public Right of Way (PROW) receptors.

The LVA concluded overall as follows:

#### *OVERALL SUMMARY*

*It is considered that as the proposed development has followed a landscape led approach which adopts rewilding, natural regeneration and traditional conservation approaches in order to successfully integrate new nature-based tourism within the wider agricultural setting. This will facilitate the sensitive integration of the new facilities to support its intended function and has demonstrated a successful approach to accommodating the level of change within the landscape without establishing important levels of harm to the landscape characteristics and those elements which define the site.*

*It is considered that the proposed development can be accommodated to form an acceptable day visitor and tourist attraction together with the wider beneficial approach to integrating rewilding characteristics at the heart of the proposals.*

*The potential for adverse landscape and visual effects which would be considered at most, moderately harmful at day one, can be appropriately mitigated through the implementation of the site-specific landscape proposals.*

*It is therefore considered that the level of potential adverse landscape and visual effects associated with the proposed development has been reduced to an acceptable low level.*

Your officers, along with the Norfolk Coast Partnership and NCC Protected Landscape Team consider the impacts are acceptable and that the development would conserve both the AONB and its setting, and that any harm is outweighed by the benefits of the proposed development.

It is therefore considered that the development therefore accords with the relevant national and local planning policy outlined above in relation to impacts on protected landscapes and visual impact in general.

### **Highway Impacts:**

In relation to transport, paragraphs 85, 104, 105, 110 - 113 of the NPPF, whilst acknowledging that sites to meet local business needs, including tourism, may be beyond existing settlements and not be well served by public transport, require developments to be safe, offer alternative modes of transport, enable charging of plug-in and other ultra-low emission vehicles, and concludes that *Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.*

The requirements are reiterated in Development Plan Policies CS11 and DM12 and Heacham Neighbourhood Plan Policies 5, 12 and 18.

Highway safety, impacts and congestion are some of the most contentious issues associated with this development.

Vehicular access, including for farm traffic, is currently via three single-track access roads from the A149, with secondary access from Lamsey Lane via an unmade track.

The proposed development would result in the current accesses being used only for emergency vehicle access and to access the residential properties to the east of the farmyard; with the only visitor access utilising the Lamsey Lane entrance that will be widened and upgraded in accordance with the Local Highway Authority's requirements.

A 210-space car park that includes 20 disabled spaces and 2 coach parking spaces is proposed along with a 110-space overflow car park, providing a maximum capacity of 320 car parking spaces.

Additionally, a new permissive footpath is proposed to link Heacham and Snettisham. This links the Heacham Bottom site with the Snettisham roundabout to the south via a permissive path that runs adjacent to the eastern boundary of the site. Additionally, if permission were to be granted for the Mount Pleasant application, it would continue to the northwest corner of the Mount Pleasant site directly adjacent to the eastern edge of Heacham.

The following off-site highway improvements works are also proposed, the details and implementation of which will be secured by condition if permission is granted:

- Additional signage on Lamsey Lane
- Provision of a new pedestrian footway connection between the Mount Pleasant site (on-site path) and Heacham (existing highway footway)

- Provision of a pedestrian crossing of Lamsey Lane between the Mount Pleasant & Heacham Bottom sites
- Widening (to 3m) of the existing footway provision on the southern arm of the A149 (both sides) and the western side of the B1440 and an improved refuge island crossing at Snettisham Roundabout to safely provide an off-road cycle facility linking the B1440 to the new on-site permissive path
- Provision of a pedestrian refuge island on the A149 and associated sections of footway to provide a link (and safe crossing) from the development site to the bus stops.

A Transport Assessment (TA), that considered existing levels and characteristics of traffic demand, development proposals and associated traffic attraction and operational assessment including junction capacity (Lamsey Lane / Lynn Road (A149)), accompanied the application. Additionally, the TA states that no operational impact is anticipated at locations further afield than the Lamsey Lane / Lynn Road (A149) junction.

The TA states that Lamsey Lane is a rural road with no footways or streetlighting and a carriageway width generally of c.5.8m. It connects the site and southern part of Heacham with the A149, the latter of which is sited a short distance to the east of the site and runs broadly in a north-south alignment. The speed limit of Lamsey Lane in the vicinity of the Heacham Bottom access is 60mph.

In relation to visibility, the TA concludes, when applying the 85th percentile speeds recorded, that the requirements are 2.4m x 102m to the left and 2.4m x 110m to the right. It is suggested that these can be achieved with suitable hedge cutting.

In relation to visibility from Lamsey Lane and Lynn Road (A149), splays are stated to be 2.4m x 415m to the left (north), and 2.4m x 460m to the right (south.) These splays are considered acceptable, and no further improvements are proposed or required by the Local Highway Authority.

The junction of Lamsey Lane with the A149 comprises a priority T junction and benefits from both a ghost island right-turn lane and a left-turn slip. Two solid direction islands are provided comprising:

- A central island on Lamsey Lane, with a bollard and 'Keep Left' sign
- A segregation direction island on Lynn Road, both directing and protecting left turning traffic onto Lamsey Lane.

There is no streetlighting on Lynn Road, however there is a narrow footway on the western carriageway edge.

The TA acknowledges that the development is likely to attract most visitors by car, although there are existing bus stops adjacent to the site's existing eastern entrance onto the A149 which would provide for an alternative mode of transport to the site.

The TA concludes 117 vehicles per hour would be the maximum two-way trip movement associated with the proposed development and that this would occur between the hours of 2pm and 4pm. These figures have been worked out on the maximum capacity of the car park and overflow car park of 320 spaces and the assumption that more people are likely to arrive in the morning than the afternoon.

To identify traffic flow characteristics both manual (MCC) and automatic (ATC) traffic count surveys were undertaken.

The ATC surveys were undertaken over the two weeks straddling the school summer holiday breakup in 2021 (i.e., the last week of term and the first week of the summer holidays), **with a further ATC taking place between 24 April 2023 to 3 May 2023.**

The ATC concluded that school term-time (last week of school (Thursday 15th to Wednesday 21st July)), two-way, weekday movements adjacent to the Heacham Bottom access were 4,031 with Saturdays being 4,809. Most movements were from light vehicles (e.g., cars); and 3,983 and 3,558 during the school holidays (first week of summer holidays (Thursday 22nd to Wednesday 28th July.))

Growth factors were added to the MCC figures to investigate capacity at the Lamsey Lane / Lynn Road (A149) junction with the TA concluding that there are no capacity concerns, and no significant queuing is forecast.

Seasonality calculations were also used to produce factors to assess the impact of summer holiday traffic, with the same outcome (i.e., no capacity issues or significant queuing forecast.)

Further explanation was sought in relation to how these conclusions were reached. The applicant's highway advisor explained as follows: *"Concerning the statement in the report about the flows not raising any capacity concerns, this is simply due to the low numbers of vehicles concerned. The surveys showed peak hour link flows of just over 200 vehicles per hour westbound and round half this eastbound. In round numbers this demonstrates only around 3 vehicles per minute on average, westbound, therefore having an average vehicle headway of around 20 seconds, which is easily adequate for a turning vehicle to safely undertake its manoeuvre. To compound this, the forecast traffic generation peaks at only 117 per hour (1.9 per minute on average) and during the existing Saturday background peak hour only 102 (1.7 per minute on average). It is very clear that these give no concern regarding traffic capacity, and I am confident that Jon [Jonathan Hanner, NCC Local Highway Officer] will confirm the LHA's agreement on this matter."*

In response to concerns expressed in relation to frequency of nose-tail shunts and their severity, the TA, whilst concluding that there is no reason to suggest either of these would occur, proposes the erection of warning signs for eastbound traffic on Lamsey Lane, identifying the potential for Queuing Traffic Ahead. These would be located west of the crest on Lamsey Lane such that an approaching driver can moderate their speed in the knowledge that stationary traffic may cause an obstacle ahead.

In summary the TA concludes that the development:

- Would produce levels of forecast trips that will not cause issues on the local highway network
- Has significant spare capacity at the nearby Lamsey Lane / Lynn Road (A149) junction, including during high tourist season
- Can achieve safe visibility requirements at the proposed access
- Is located on highway with a good safety record
- Proposed the erection of signate to assist with maintaining the high standard of highway safety
- Is sustainably located for its rural location with the potential to increase sustainability
- Is compliant with local and national policy
- There is no defensible reason for refusal on the grounds of traffic, transport or highway safety.

The Local Highway Authority has found the findings of the TA to be an acceptable basis on which to make their recommendation [no objection] subject to conditions relating to construction management / parking, off-site improvement works, new access provision and

Planning Committee  
5 June 2023



specification including gradient / visibility splays and closure of other accesses, means of obstruction, parking, loading / unloading, serving, etc. and provision of cycle parking being appended to any permission granted.

**In late correspondence at Planning Committee of 3rd April, it was reported that the applicant confirmed that they would offer land around the Lamsey Lane junction, with a condition that highway works commence within 15 years, to help enable junction improvements. This has now been confirmed within an updated Highways Position Statement (V4), and the recommendation on this application has been amended to secure this.**

**Whilst the ATC findings were not a formal reason for deferral, the applicants undertook a further ATC between 24th April 2023 to 3rd May 2023. This is attached as Appendix 2.**

**The Local Highway Authority (LHA) has confirmed that the originally submitted ATC was robust and its findings, including projections for future traffic generation, were valid with any differences between the projections and the 2023 ATC not considered to be significant and to be expected as daily variances. The LHA then state that, as with the initial analysis, variance factors and seasonal uplifts have been applied to the 2023 data, and the associated junction traffic modelling carried out which identified no material change. The LHA concludes that their professional opinion remains that there will be no material impact at the junction as a result of the proposals. The LHA's comments can be read in full in the '*Representations*' section of this report.**

**The Local Highway Authority has confirmed that they agree that the findings of the latest ATC support the findings of the original ATC with any differences being insignificant.**

It is therefore considered that the development accords with the relevant national and local planning policy outlined above in relation to highway impacts.

#### **Impact on Neighbour Amenity:**

The NPPF requires development to have a high standard of amenity for existing and future users (para 130f.) This is reiterated in Development Plan Policies CS06 and DM15 and Heacham Neighbourhood Plan Policy 5.

There are four dwellings located to the east of the farmyard (Heacham Bottom Cottages, 61, 63, 65 and 67 Lynn Road.) These cottages are in the ownership of Ken Hill, but not associated with the use of the site.

Currently farm traffic can access the site via an access track that runs to the north of these dwellings. The proposal would remove this farm traffic, and all traffic associated with the development would access the site from Lamsey Lane.

This is likely to have a positive impact on occupiers of those dwellings.

However, there will be activity associated with the proposed use in relatively close quarters to these dwellings, with parking to the northwest and the outdoor play area to the west. However, for reference, the distances involved are 20m to the eastern edge of the car park (the area of car park furthest away from the main visitor building and therefore likely to be the least used) and 130m to the outdoor play areas.

It is not considered that the impacts would be significant, and no objections have been received from occupiers of these dwellings. Furthermore, operation of the site, in line with the addendum received in relation to the Business Plan that accompanied the application, would be conditioned if permission were granted.

Additionally, if a statutory nuisance did occur then the Local Authority has powers to intervene.

It is therefore considered that the development accords with the relevant national and local planning policy outlined above in relation to impacts on neighbour amenity.

### **Ecology / Biodiversity:**

The NPPF, at Chapter 15, requires planning policies and decisions to protect and enhance biodiversity. This is reiterated in Development Plan Policies CS01, CS12 and DM19 and Hunstanton Neighbourhood Plan Policy 11.

The application was accompanied by a detailed Shadow Appropriate Assessment, Biodiversity Net Gain Assessment, Preliminary Ecological Appraisal and Bat Risk Assessment.

Natural England confirmed that it would be appropriate for the LPA to adopt the Shadow Appropriate Assessment as its Appropriate Assessment (as the competent authority.)

Appropriate Assessment is the method of assessing whether a development would have a likely significant effect on protected sites. In this instance the sites are:

- The Wash and North Norfolk Special Area of Conservation (SAC)
- The Wash Special Protection Area (SPA)
- The Wash Ramsar
- North Norfolk Coast SPA
- North Norfolk Coast Ramsar.

Note – A Ramsar site is a designation for wetlands that are of international importance.

The Appropriate Assessment concludes that without mitigation the development could have an adverse effect on the integrity of the above protected sites. The following mitigation was therefore proposed, and accepted as appropriate by Natural England:

- A financial contribution to be paid into the Norfolk Green Infrastructure and Recreational Avoidance Mitigation Strategy (GIRAMS)
- Implementation of a Coastal Park Zoning Strategy and subsequent monitoring of this approach to ensure it is effective in reducing recreational disturbance

Other than the GIRAMS payment (£5,206.04), that has already been paid, the other mitigation methods would be suitably conditioned if permission is granted.

The Ecological Appraisal is concerned with site specific ecological issues and considered badgers, bats (also covered by a separate bat risk assessment), great crested newts, birds, reptiles and invasive species.

The Appraisal concluded that no further studies are required, and other than precautionary approaches and best practise (such as vegetation removal outside of the bird breeding season) no further mitigation is required. The following enhancements are proposed:

- Incorporation of bird and bat boxes across the site providing extra potential roosting / nesting resource thus improving biodiversity

- Replanting of a range of ruderal type plants and scrub that will attract pollinators
- Reinstating hedgerows with native species
- New hedgerow to be native
- Planting of an orchard
- Restorative management of the recently planted woodland to extend light to woodland floor creating glades and thus increasing the edge effect.

The best practice mitigation and enhancements would be suitably conditioned if permission is granted.

The Bat Risk Assessment gave specific attention to the buildings and concluded that there was no signs of bats or any potential roosting features in any of the modern barns. It further stated that the *majority of the barns are suboptimal or unsuitable for bats due to construction and the amount of ambient light. The exception being the small brick-built barn with tile roof.* However, bat emergence surveys showed no bats emerging from these buildings.

Therefore, no mitigation is required other than best practice which would be suitably conditioned if permission was granted, this includes use of bitumen type felt and low-level lighting.

Whilst not currently enacted into Planning Law, the Environment Act 2021 is likely to come into force in late 2023 with a probable requirement of a 10% net gain in biodiversity.

The Biodiversity Net Gain Assessment that accompanied the application has concluded that there would be an overall net gain for biodiversity of 28% (27.37% in habitats and 0.69% in hedgerows.)

It should however be noted that this net gain is over both this site and the Mount Pleasant site in combination.

It is therefore considered that the development accords with the relevant national and local planning policy outlined above in relation to ecology and biodiversity.

#### **Drainage:**

Foul drainage will utilise a new package treatment plant with surface water drainage being distributed to soakaways in appropriate locations.

Full details will be sought by condition if permission is granted.

**Crime and Disorder:** There are no specific concerns relating to Crime and Disorder, and the Police Architectural Officer has supplied the applicant with advice regarding Designing out Crime.

#### **Other matters requiring consideration prior to the determination of this application:**

*Trees:* No trees are to be removed to enable the proposed development. However, tree planting is proposed adjacent to existing woodland, to the northeast of the proposed car park to create a 'wild' orchard pasture, and to the west of the access to create a woodland pasture setting.

*Retail / Event Space:* The development would provide some retail offer in both the Visitor Building and Multi-Purpose Building.

Local Plan Policy DM10 covers retail development and seeks to guide retail uses to the main retail centres of King's Lynn, Hunstanton and Downham Market to ensure the retail offer of these centres is not undermined. This policy is primarily concerned with large, edge of centre, retail developments rather than small, rural, ancillary retail proposals such as this and seeks retail impact assessments on retail floorspace that exceeds 2500m<sup>2</sup>. This proposal is well below this figure, and it is not considered that the development would have any undermining impact on the borough's retail centres, primarily Hunstanton given the proximity of the two.

In this regard Local Plan Policy CS10 and the NPPF (paras 84 and 85) acknowledges the need for rural employment as previously discussed.

The Retail Statement that accompanied the application states that a maximum of four commercial units will be provided within these two buildings, one of which would be for bike hire.

It is assumed that this would be in the Multi-Purpose Building that will also accommodate cycle storage, cycle hire and cycle repair facilities. Cycle hire will be for people using the site only, and not for the general public, although those hiring the bikes would be able to use them off-site.

The other units would be in the Visitor Building. The Retail Statement suggests that these would be operated by the estate and third parties to provide goods and services complementary to the overall Wild Ken Hill theme. The idea is to create opportunities for local businesses to offer goods and services to visitors by renting a unit.

The Retail Statement acknowledges that it is important that the retail offer is not a destination in its own right, but an ancillary / complementary offer (e.g., nature based / outdoor pursuits (bird watching, wildlife spotting, foraging, binoculars, camera equipment, books, manuals, maps etc.) To this end the number and types of retail will be strictly conditioned if permission is granted. This is especially important as it will be free to park and enter these shops (as well as the Multi-Purpose Building which houses the café), with payment only being required when one enters the main activities that are behind a 'paywall' and accessed on purchase of a ticket.

The Multi-Purpose Building also houses an event space which the applicant anticipates would be available to host activities and may be hired by local businesses for use as, for example, a studio for yoga, painting, photography, etc. Again, use of this space will need to be carefully conditioned.

It is therefore considered that the development accords with the relevant national and local planning policy outlined above in relation to retail development.

*Sustainable Design:* Paragraphs 129 and 154 of the NPPF relate to the sustainability of buildings and Development Plan Policy CS08 is concerned, in part, with sustainable design and energy efficiency.

The DAS that accompanied the application states that sustainability has been an important consideration for the project from the outset based on the premise that Wild Ken Hill revolves around rewilding, regenerative farming and traditional conservation practices therefore being based on highly sustainable land use methods which enhances carbon sequestration and ecological restoration.

It is suggested that the development includes a significant amount of new tree planting and biodiversity net gain.

The following design principles have been considered during the evolution of the proposal:

Planning Committee  
5 June 2023

- Re-use of existing buildings on the site where feasible from both an operational and structural perspective which minimises embodied carbon related to demolition and construction activities
- Orientation of new buildings and position of new openings in converted buildings to make the most of passive solar gain
- High levels of insulation, airtightness and heat-recovery based ventilation on all buildings both new and converted
- Main energy supply being via renewable energy in the form of solar panels and air source head pumps which would ensure 10% reduction in the predicted CO2 emissions as suggested by Core Strategy Policy CS08
- Materials are durable using recycled elements whilst still ensuring their appearance is appropriate to the local agricultural vernacular

It is therefore considered that the development accords with the relevant national and local planning policy outlined above in relation to sustainable design.

*Flooding:* The site does not lie in an area at risk of flooding.

*Environmental Quality:* The requested conditions relating to contamination, smoke emissions and EV charging will be suitably conditioned if permission is granted.

*Historic Environment Service:* The requested archaeological conditions will be appended to any permission granted.

*Fire:* The provision of a fire hydrant will be suitably conditioned if permission is granted.

*CIL:* The development is not CIL liable.

**Three further specific issues were raised at the Planning Committee meeting of 3rd April:**

- 1. *How will Refuse be dealt with?***
- 2. *How will foul waste be dealt with?***
- 3. *How was the Biodiversity Net Gain of 27% calculated?***

**Taking each in turn:**

- 1. Plans for both sites include clearly demarcated refuse storage areas on site. The applicant will need to explore, before the development is brought into use, refuse collection via either a private service or council services as appropriate.**
- 2. As confirmed on the applicant's application forms for both sites, a package treatment plant will be used for foul waste. No consultee has raised concerns regarding this matter and drainage has been suitably conditioned**
- 3. The application was accompanied by a detailed 16-page Biodiversity Net Gain calculation document. The 27% biodiversity net gain has been calculated in accordance with the DEFRA Biodiversity Metric 3.1. which is stated to be the government's (only) nationally accepted criteria for calculating biodiversity net gain.**

**Other Specific Comments:**

In relation to objections received from Heacham Parish Council, the CPRE, KLWNBUG and third-party representations, your officers respond as follows:

- Highway safety and congestion – covered in report

- How will drainage be dealt with? – covered in report, will be suitably conditioned
- A business assessment is required to show the impact on the village businesses – covered in report, additionally there is no requirement for such an assessment
- The Cheney Hill housing developments have not been considered when considering highway impacts – these developments were considered in the Environmental Impact Assessment
- Impact on AONB and natural environment – covered in report
- The development does not accord with the NPPF, development plan policies or neighbourhood plan policies in relation to the location of the development – covered in report
- Lighting – covered in report, will be suitably conditioned
- Concerns with cycle crossing proposed at Snettisham roundabout – the plans are indicative only and would be conditioned if permission were granted. The Local Highway Authority has confirmed that: *at this stage, the submitted drawings are for planning purposes only to agree the principle of the improvements proposed. If approved, the applicant would need to submit detailed engineering drawings which would be the subject of a S278 technical vetting process, including a safety audit, by the Highway Authority before being discharged by yourselves.*
- The proposals are nothing to do with rewilding and conservation and everything to do with making money – covered in report, the development would generate income to enable existing and future objectives to be obtained
- How will Lamsey Lane be crossed? – a suitable pedestrian crossing is conditioned
- Why hasn't a roundabout or traffic lights been proposed at the Lamsey Lane / Lynn Road (A149) junction? – these weren't proposed and given no objection from the Local Highway Authority, are not required
- Will the permissive footpath be surfaced to be appropriate for bikes, buggies, etc? – details are the permissive footpath will be secured by condition if permission is granted

## **CONCLUSION / PLANNING BALANCE:**

Applications for planning permission should be determined in accordance with the Development Plan and any other material considerations. The application falls under the 'banner' of both farm diversification and rural tourism. Both of which are supported at a national and local policy level, subject to other relevant planning policy and guidance, and for the reasons outlined in the report above, it is considered that the development is in general accordance with these enabling policies.

The site lies partly within an AONB and affects its wider setting. However, whilst the land take is substantial, the development itself has limited built form, and the Norfolk Coast Partnership and NCC Protected Landscape Team consider that the development would not have an adverse impact on the AONB or its setting.

It is considered that the scale, mass, design and appearance of the proposed replacement buildings and converted existing buildings are acceptable in the 'farm complex' setting.

However, it is acknowledged that there would be impact from the proposed use especially in terms of visitor numbers and vehicular activity; issues that have raised objections from Heacham Parish Council, the CPRE and a number of third-party representatives.

**The proposed development would result in a material increase in vehicular activity. Notwithstanding this, the Local Highway Authority has confirmed this increase in vehicular activity would not significantly affect highway capacity or highway safety. Additionally, the offer of additional land to help facilitate improvements to the Lamsey Lane / Lynn Road Junction, whilst not required by the current applications, is to be**

Planning Committee  
5 June 2023

welcomed and will be secured by via S106 Agreement. Therefore, the Local Highway Authority raise no objection on the grounds of highway safety subject to conditions requiring, amongst other things, off-site improvements.

The proposal is considered to come with benefits both to the existing enterprise and also to the wider tourism offer in the Borough, as well as demonstrating a benefit to the local area. These benefits are given weight by officers. That said, it is acknowledged that these benefits are questioned by the Parish Council, CPRE and some third-party representatives, and Members will need to consider the weight to be given to these issues.

It is therefore recommended, that this application be approved subject to the following conditions.

**RECOMMENDATION:**

**A) APPROVE subject to signing of a S.106 legal agreement to secure safeguarded land around the Lamsey Lane junction for potential future highway improvements for a period of 15 years from the date of decision, and the imposition of the conditions set out in the committee report.**

- 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:

Demolition Plan As\_Proposed Drawing Package Rev.B  
Site Plan\_As Proposed Drawing Package Rev.B  
Site Masterplan 1 of 2\_As Proposed Drawing Package Rev.B  
Site Masterplan 2 of 2\_As Proposed Drawing Package Rev.B  
Visitor Building Floor Plan\_As Proposed Drawing Package Rev.B  
Visitor Building Elevations\_As Proposed Drawing Package Rev.B  
Visitor Building Roof Plan\_As Proposed Drawing Package Rev.B  
Retail / WCs New Build Floor Plan\_As Proposed Drawing Package Rev.B  
Retail / WCs New Build Elevations\_As Proposed Drawing Package Rev.B  
Retail / WCs New Build Roof Plan\_As Proposed Drawing Package Rev.B  
Muster Point Floor Plan\_As Proposed Drawing Package Rev.B  
Muster Point Elevations\_As Proposed Drawing Package Rev.B  
Muster Point Roof Plan\_As Proposed Drawing Package Rev.B  
Indoor Play Floor Plan\_As Proposed Drawing Package Rev.B  
Indoor Play Elevations\_As Proposed Drawing Package Rev.B  
Indoor Play Roof Plan\_As Proposed Drawing Package Rev.B  
Existing Farm Buildings Floor Plan\_As Proposed Drawing Package Rev.B  
Existing Farm Buildings Elevations\_As Proposed Drawing Package Rev.B  
Glamping Site Plan\_As Proposed Drawing Package Rev.B  
Glamping Site Masterplan\_As Proposed Drawing Package Rev.B  
Glamping Facilities Plans & Elevations 1 of 2\_As Proposed Drawing Package Rev.B  
Glamping Facilities Plans & Elevations 2 of 2\_As Proposed Drawing Package Rev.B  
Biodiversity Enhancement Plan WKH-DIG-00-PL-0003 Rev.P03  
Proposed Landscape Masterplan (1 of 2) WKH-DIG-00-PL-0001 (1 of 2) Rev.P10  
Proposed Landscape Masterplan (2 of 2) WKH-DIG-00-PL-0001 (2 of 2) Rev.P09

- 2 **Reason:** For the avoidance of doubt and in the interests of proper planning.
- 3 **Condition:** No development shall commence until full details of the foul and surface water drainage arrangements for the site 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.
- 3 **Reason:** To ensure that there is a satisfactory means of drainage in accordance with the NPPF. This needs to be a pre-commencement condition as drainage is a fundamental issue that needs to be planned for and agreed at the start of the development.
- 4 **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).
- 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:** 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.
- 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:** 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. 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.
- 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:** 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 4, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 5, which is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition 6.
- 7 **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.
- 8 **Condition:** No demolition/development shall take place until an archaeological written scheme of investigation (WSI) 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 1) The programme and methodology of site investigation and recording, 2) The programme for post investigation assessment, 3) Provision to be made for analysis of the site investigation and recording, 4) Provision to be made for publication and dissemination of the analysis and records of the site investigation, 5) Provision to be made for archive deposition of the analysis and records of the site investigation and 6) Nomination of a competent person or persons/organization to undertake the works set out within the written scheme of investigation.
- 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:** No demolition/development shall take place other than in accordance with the written scheme of investigation approved under condition 8 and any addenda to that WSI covering subsequent phases of mitigation.
- 9 **Reason:** To safeguard archaeological interests in accordance with the principles of the NPPF.
- 10 **Condition:** The development shall not be occupied or put into first use 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 8 and the provision to be made for analysis, publication and dissemination of results and archive deposition has been secured.

- 10 Reason: To safeguard archaeological interests in accordance with the principles of the NPPF.
- 11 Condition: Development shall not commence until a scheme detailing provision for on-site parking for construction workers for the duration of the construction period has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented throughout the construction period.
- 11 Reason: To ensure adequate off-street parking during construction in the interests of highway safety. This needs to be a pre-commencement condition as it deals with the construction period of the development.
- 12 Condition: Prior to the commencement of any works a Construction Traffic Management Plan which shall incorporate adequate provision for addressing any abnormal wear and tear to the highway together with wheel cleaning facilities shall be submitted to and approved in writing by the Local Planning Authority (together with proposals to control and manage construction traffic using the 'Construction Traffic Access Route' and to ensure no other local roads are used by construction traffic).
- 12 Reason: In the interests of maintaining highway efficiency and safety. This needs to be a pre-commencement condition as it deals with safeguards associated with the construction period of the development.
- 13 Condition: For the duration of the construction period all traffic associated with (the construction of) the development will comply with the Construction Traffic Management Plan and use only the 'Construction Traffic Access Route' and no other local roads unless approved in writing with the Local Planning Authority.
- 13 Reason: In the interests of maintaining highway efficiency and safety.
- 14 Condition: Notwithstanding the details indicated on the submitted drawings no works above slab level shall commence on site unless otherwise agreed in writing until detailed drawings for the scheme of off-site highway improvement works have been submitted to and approved in writing by the Local Planning Authority.

The scheme of works shall include:

- Additional signage on Lamsey Lane.
- Provision of a new pedestrian footway connection between the Mount Pleasant site (on site path) and Heacham (existing highway footway) - as indicatively outlined on drawing 2021-F-015-026.
- Provision of a pedestrian crossing of Lamsey Lane between the Mount Pleasant & Heacham Bottom sites.
- Widening (to 3m) of the existing footway provision on the southern arm of the A149 (both sides) and the western side of the B1440 and an improved refuge island crossing at Snettisham Roundabout to safely provide an off-road cycle facility linking the B1440 to the new on-site path - as indicatively outlined on drawing 2021-F-015-030 Rev B.
- Provision of a pedestrian refuge island on the A149 and associated sections of footway to provide a link (and safe crossing) from the development site to the bus stops – as indicatively outlined on drawing 2021-F-015-029 Rev A.

- 14 Reason: To ensure that the highway improvement works are designed to an appropriate standard in the interest of highway safety and to protect the environment of the local highway corridor.
- 15 Condition: Prior to the first occupation/use of the development hereby permitted the off-site highway improvement works (including Public Rights of Way works) referred to in condition 14 of this condition shall be completed to the written satisfaction of the Local Planning Authority.
- 15 Reason: To ensure that the highway network is adequate to cater for the development proposed.
- 16 Condition: Prior to the first use of the development hereby permitted the main vehicular access onto Lamsey Lane shall be constructed (for the first 20 metres) in accordance with a detailed scheme to be agreed in writing with the Local Planning Authority in accordance with the highways specification and thereafter retained at the position shown on the approved plan (2021-F-015-020). Arrangement shall be made for surface water drainage to be intercepted and disposed of separately so that it does not discharge from or onto the highway.
- 16 Reason: To ensure construction of a satisfactory access and to avoid carriage of extraneous material or surface water from or onto the highway in the interests of highway safety.
- 17 Condition: Vehicular access to and egress from the adjoining highway shall be limited to the access from Lamsey Lane only as shown on the approved landscape masterplan. There shall be no access or egress to the development from any other access point. A detailed scheme demonstrating how access to the development from other points, including an existing access from the A149, shall be prevented will be submitted to and approved with the Local Planning Authority prior to the development being brought into use.
- 17 Reason: In the interests of highway safety.
- 18 Condition: The gradient of the vehicular access shall not exceed 1:12 for the first 10 metres into the site as measured from the near channel edge of the adjacent carriageway.
- 18 Reason: In the interests of the safety of persons using the access and users of the highway.
- 19 Condition: Prior to the first use of the development hereby permitted visibility splays shall be provided in full accordance with the details indicated on the approved plan (2021-F-015-020). The splay(s) shall thereafter be maintained at all times free from any obstruction exceeding 0.6 metres above the level of the adjacent highway carriageway.
- 19 Reason: In the interests of highway safety in accordance with the principles of the NPPF.
- 20 Condition: Any access gates/bollard/chain/other means of obstruction shall be hung to open inwards, set back, and thereafter retained a minimum distance of 20 metres from the near channel edge of the adjacent carriageway. Any sidewalls/fences/hedges adjacent to the access shall be splayed at an angle of 45 degrees from each of the outside gateposts to the front boundary of the site.

- 20 Reason: In the interests of highway safety enabling vehicles to safely draw off the highway before the gates/obstruction is opened.
- 21 Condition: Prior to the first use of the development hereby permitted the proposed on-site access, car and cycle parking, on-site pedestrian & cycle paths and accesses, servicing, loading / unloading, turning and waiting areas shall be laid out, demarcated, levelled, surfaced and drained in accordance with the approved master plan(s) and retained thereafter available for that specific use.
- 21 Reason: To ensure the permanent availability of the parking/manoeuvring areas, in the interests of satisfactory development and highway safety.
- 22 Condition: Prior to first occupation/use of the development hereby permitted a scheme for the parking of cycles shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be fully implemented before the development is first occupied or brought into use and thereafter retained for this purpose.
- 22 Reason: To ensure the provision of adequate cycle parking that meets the needs of occupiers of the proposed development and in the interests of encouraging the use of sustainable modes of transport.
- 23 Condition: Prior to first use of the development hereby permitted, details of a suitable electric vehicle charging scheme shall be submitted to and approved by the LPA. The scheme shall be implemented as approved prior to the first use of the development hereby permitted.
- 23 Reason: To ensure the charging is safe, accessible and convenient in accordance with section 112(a) of the NPPF, AQAP, emerging local policy LP14/18 and the NCC's parking standards (July 2022).
- 24 Condition: The development shall not be brought into use until a scheme for the provision of fire hydrants has been implemented in accordance with a scheme that has previously been submitted to and approved in writing by the Local Planning Authority.
- 24 Reason: In order to ensure that water supplies are available in the event of an emergency in accordance with the NPPF.
- 25 Condition: Notwithstanding the information that accompanied the application, prior to the first occupation of the development hereby approved, 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 development shall be implemented in accordance with approved scheme prior to the first occupation of the development hereby permitted and thereafter maintained and retained as agreed.
- 25 Reason: In the interests of minimising light pollution to safeguard the amenities of the locality and minimise the impact on bats in accordance with the NPPF and Development Plan.
- 26 Condition: The development hereby permitted shall be constructed in accordance with the Mitigation measures outlined at paragraphs 5.3 and 5.4 of the Preliminary Ecological Appraisal (PEA) that accompanied the application (Ref: BOM-RSC-21-11, dated July 2022 undertaken by Bombus Ecology), and prior to first use of the development hereby

permitted the Enhancement measures listed at 5.9 of the same report shall be implemented and thereafter be retained and maintained.

- 26 Reason: In the interests of ecology and biodiversity in accordance with the NPPF and Development Plan.
- 27 Condition: The development hereby permitted shall be constructed in accordance with the Mitigation measures outlined at paragraphs 5.3 – 5.6 inclusive of the Bat Risk Assessment (BRA) that accompanied the application (Ref: BOM-RSC-21-11, dated May 2022 undertaken by Bombus Ecology), and prior to the first use of the development hereby permitted the Enhancement measures listed at 5.10 of the same report shall be implemented and thereafter be retained and maintained.
- 27 Reason: To reduce impacts on bats in accordance with the NPPF and Development Plan.
- 28 Condition: The development hereby permitted shall include no more than 10no. yurts. No single yurt shall have an internal floor area of more than 50m<sup>2</sup> and a height of 4 metres. The 3no. yurts located within the wooded area shall have a base height no higher than 2m.
- 28 Reason: For the avoidance of doubt and in the interests of proper planning.
- 29 Condition: The yurts hereby permitted shall only be occupied as short-stay holiday lets (no more than 28 days per single let), shall only be made available as commercial holiday lets and shall not be occupied as a person's sole or main place of residence.
- 29 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.
- 30 Condition: The owners / operators of the development hereby permitted shall maintain an up-to-date register of lettings/occupation of the yurts hereby permitted and shall make this available at all reasonable times to the Local Planning Authority.
- 30 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.
- 31 Condition: The yurts hereby permitted shall at all times be held, owned and operated in association with Wild Ken Hill, Heacham and shall not be sold off separately.
- 31 Reason: For the avoidance of doubt and to ensure that the building is not used for unrelated purposes that would be incompatible with the provisions of the NPPF and Policy DM11 of the SADMPP 2016.
- 32 Condition: The development hereby permitted shall be operated in full accordance with the Business Plan that accompanied the application (dated November 2022) and the supplementary information contained within an email from the agent (James Ellis) dated 09 March 2023, 12:24 unless otherwise agreed in writing by the Local Planning Authority.
- 32 Reason: To ensure satisfactory operation of the site in accordance with the NPPF and Development Plan.

- 33 Condition: Construction or development work on site, along with collections and deliveries of waste products, material and equipment, shall only be carried out between the hours of 0800 and 1800 weekdays, and 0900-1300 on Saturdays, with no work allowed on Sundays and Bank/Public Holidays.
- 33 Reason: In the interests of the amenities of the locality in accordance with the principles of the NPPF.
- 34 Condition: No development shall take place on any external surface of the development hereby permitted until samples of all materials to be used for the external surfaces of the new and refurbished buildings, including roof materials, have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
- 34 Reason: To ensure a satisfactory external appearance and grouping of materials in accordance with the principles of the NPPF.
- 35 Condition: Notwithstanding the approved plans or additional information that accompanied the application, prior to any works above ground floor finish floor level of the development hereby approved, full details of both hard and soft landscape works shall have been submitted to and approved in writing by the Local Planning Authority. These details shall include the permanent and overflow car park areas (including car park surfaces), access ways, permissive footpaths, outdoor play area (including equipment), service tracks, outdoor seating area, dog walking enclosure, refuse or other storage units, internal signate, other 'street' furniture, structures and minor artefacts and shall include finished levels / contours and materials. 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 of all landscape areas and shall include boundary treatments.
- 35 Reason: To ensure that the development is properly landscaped in the interests of the visual amenities of the locality in accordance with the NPPF.
- 36 Condition: Prior to the first use of the development hereby permitted or within the first planting season all hard and soft landscape works shall be carried out in accordance with the details approved under Condition 37 of this permission. 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.
- 36 Reason: To ensure that the work is carried out within a reasonable period in accordance with the NPPF.
- 37 Condition: The proposed bike trails shall be constructed in accordance with the specifications contained in the On Track MTB Trails Design Specification, July 2022 that accompanied the application unless otherwise agreed in writing.
- 37 Reason: In the interests of the amenity of the locality in accordance with the NPPF and Development Plan.

- 38 Condition: The development hereby permitted, other than occupation of the yurts, shall be open to the public between the hours of 09:00 and 18:00 only other than on 20 specific days in any one calendar year when the site can be open for specific events hosted by Wild Ken Hill / Ken Hill Experience and intrinsically linked to the use of the site and surrounding land as a nature diversification project until 22.30.
- 38 Reason: In the interests of the amenity of the locality and occupiers of neighbouring non-associated dwellings in accordance with the NPPF and Development Plan.
- 39 Condition: No deliveries shall be taken at or despatched from the site outside the hours of 0700 and 1900 on weekdays, 0900 and 1700 on Saturdays and 1000 and 1700 on Sundays, Bank or Public Holidays.
- 39 Reason: In order that the Local Planning Authority may retain control over the development in the interests of the amenities of the locality and occupiers of nearby non-associated residential properties in accordance with the NPPF.
- 40 Condition: The development hereby permitted shall comprise of no more than 362m2 GIA of retail space and no more than 4no. individual units. The sale of goods shall be limited to that intrinsically linked to the wider use of the site and surrounding land as a nature diversification project. Products sold could include: optical equipment associated with bird and other wildlife watching or dark skies enjoyment, orienteering, conservation, foraging, camera equipment, books, manuals, maps, small-scale food retail (not exceeding 20% of the total GIA of retail space) to include predominantly food derived from the land holding or surrounding areas, bike equipment, outdoor equipment and accessories associated with the activities available at the site and surrounding land, but not including equipment relating to off-site activities such as water-based activities.
- 40 Reason: To ensure an appropriate retail element in accordance with the NPPF and Development Plan.
- 41 Condition: Prior to the first use of the development hereby permitted, details of information boards, to be located within the application site (locations to be approved as part of this condition) that indicate nearby public rights of way and alternative visitor attractions not in the proximity of designated sites as well as details of nearby designated sites and recreational pressures upon them shall be submitted to and agreed in writing by the local planning authority. The approved information boards shall be erected in the approved locations, and thereafter be retained and maintained in those locations prior to the first use of the development hereby permitted. Additionally, information leaflets, containing the same information as the information boards shall be made available to all visitors of the development.
- 41 Reason: To ensure the development does not have a likely significant impact on protected sites in accordance with the NPPF, Development Plan and Habitats Regulations.

**B REFUSE Should the S.106 legal agreement fail to be signed within 4 months of the resolution to approve, on the grounds that it fails to secure the safeguarded land.**