

ITEM:		RECOMMENDATION:	APPROVAL
REF NO:	3PL/2018/0154/F	CASE OFFICER	Carl Griffiths
LOCATION:	NARBOROUGH Pentney Leisure and Bowls Club Narborough Road Pentney Kings Lynn	APPNTYPE:	Full
APPLICANT:	Mr Terry Gray Pentney Leisure & Bowls Club, Narborough Road	POLICY:	Out Settlemnt Bndry
AGENT:	Sketcher Partnership Ltd First House Quebec Street	ALLOCATION:	N
PROPOSAL:	Use of site for caravans to be occupied for residential purposes (for three year period) to include the variation of conditions to the previously approved caravan site		
		CONS AREA:	N
		LB GRADE:	N
		TPO:	N

REASON FOR COMMITTEE CONSIDERATION

The application was called in for committee consideration by Councillor Wilkin.

KEY ISSUES

- The principle of development
- The flood risk implications of development
- Impact on the adjacent Site of Special Scientific Interest (SSSI)

DESCRIPTION OF DEVELOPMENT

The application seeks permission for a temporary change of use of the site, relating to the occupation of caravans for residential purposes (for three year period), including the variation of conditions attached to the existing planning permission.

SITE AND LOCATION

The application site comprises land to the rear of Pentney Bowls and Leisure Club, to the west of Narborough and to the south-east of Pentney village. The site adjoins the border of Breckland and the district of Kings Lynn and Norfolk.

The site currently comprises of a caravan site with associated ancillary facilities along with a car park and temporary caravan storage area to the north east of the site. The site is accessed through the leisure club to the north of the site, which has a vehicular access point onto Narborough Road.

To the south of the site is the River Nar which is designated as a Site of Special Scientific Interest (SSSI).

EIA REQUIRED

No

RELEVANT SITE HISTORY

The following planning history relates directly to the site and is relevant to the consideration of the current application:

-Application 3PL/2011/0725/CU granted consent for the change of use of a field to a touring caravan park; Application 3PL/2012/0030/F varied then number of caravans allowed under the above consent;
-Application 3PL/2013/0463/F allowed for up to 50 touring caravans between March and November along with up to 100 for special events and up to 10 caravans stored on the site over the winter months. Conditions also placed restrictions on the occupation of the caravans to ensure that the site remained for solely tourist use.

Whilst not located within Breckland, the following planning history relates the adjoining land within the district of Kings Lynn & West Norfolk and is relevant to the consideration of the current application:

-16/01330/CU - Change of use of field to an extension of existing touring caravan park

POLICY CONSIDERATIONS

The following policies of the adopted Breckland Core Strategy and Development Control Policies and the adopted Site Specific Policies and Proposals Document, including the Proposals Maps, have been taken into consideration in the determination of this application. The provisions of the National Planning Policy Framework and National Planning Policy Guidance have also been taken into account, where appropriate

CP.04	Infrastructure
CP.08	Natural Resources
CP.09	Pollution and Waste
CP.10	Natural Environment
CP.11	Protection and Enhancement of the Landscape
CP.13	Accessibility
CP.14	Sustainable Rural Communities
DC.01	Protection of Amenity
DC.08	Tourism Related Development
DC.12	Trees and Landscape
DC.13	Flood Risk
DC.16	Design
NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance
SS1	Spatial Strategy

OBLIGATIONS/CIL

Not Applicable

CONSULTATIONS

NARBOROUGH P C

We object to this application on the following grounds: 1. The site is too close to the River Nar SSSI. 2. The site is too remote from local services 3. The site does not provide adequate off-site facilities for pedestrians etc to link with existing service centre facilities.

NORFOLK COUNTY COUNCIL HIGHWAYS

Recommend refusal on the basis the proposal is remote from Service Centre Provision, conflicts with the aims of sustainable development, the proposal does not provide off site facilities for pedestrians to link with existing provision.

FLOOD & WATER MANAGEMENT TEAM

Object to the proposal. The site is located within flood zones 2 & 3 of the Environment Agency Flood zone maps. It is also within fluvial zone 3 of the King's Lynn and West Norfolk Borough Council strategic flood risk assessment maps and in the East of Ouse, Poulver and Nar Internal Drainage Board area. Despite there being no additional impermeable areas proposed, from our point of view the development will change the flood risk vulnerability classification from a More vulnerable (Sites used for holiday or short-let caravans and camping, subject to a specific warning and evacuation plan) to a Highly vulnerable (Caravans, mobile homes and park homes intended for permanent residential use).

CONTAMINATED LAND OFFICER

No objections subject to conditions.

NATURAL ENGLAND

These comments follow our earlier consultation response letters. We note the submission of the PEA report (dated April 2018). The issue remaining to be addressed is that of foul water handling and we note the applicants comments.

Natural England has prepared standard thematic advice to cover these scenarios and compliance should be sought with this advice. Annex B covers septic tanks, and directs whether an Environmental Permit may be required. So long as the proposal complies with this advice, Natural England has no remaining objection with respect to the River Nar Site of Special Scientific Interest (SSSI). The applicants comments indicate that they do not anticipate any discharges to ground or surface waters, and if the Council are satisfied that this is the case then this addresses our concerns.

ECOLOGICAL AND BIODIVERSITY CONSULTANT

The planning application is supported by a Preliminary Ecological Appraisal report (Biome Consulting; April 2018). The report states that no additional impacts upon any important habitats are predicted to occur should the use extension permission be granted. It is assumed that any additional foul drainage/chemical effluent generated by the extended use of the site will be dealt with in line with environmental best practice.

A narrow belt of tall ruderal vegetation with common reed and immature trees is present beyond a fence between the site and the river along with a relatively wide (ca. 5m) grassy walkway. This fence and belt of vegetation must be retained going forward to continue to act as a buffer between the site and the River Nar SSSI, along with the grassy walkway.

Water Voles are likely to be present along the River Nar and assuming that additional waste/chemical

effluent is dealt with appropriately, no impacts upon this population are predicted. I recommend that some enhancement for ecology is conditioned.

PAUL OAKLEY

Chairman River Nar Trout Fishery

The River Nar Trout Fishery is active in the management and improvements of a section of the River Nar and includes that running alongside the Pentney Leisure & Bowls Club caravan site. We object to any further development or increased use of this site by caravans including their use for residential purposes.

Since the original planning consents were granted the site has become an eyesore and several complaints have been forwarded against the site for untidiness and non compliance of planning requirements.

This site is unkempt, possible unhealthy, and in our opinion representing a threat to the security of the Nar as an SSSI. We expect the council not only to better monitor this site and to enforce the existing planning conditions, but

not to consider passing any other consents, which expands the use of caravans?

This area is designated as an SSSI, any work undertaken is carefully planned with close consultation with the Environment Agency, Natural England, Internal Drainage Boards and others to comply with regulations.

Much of this important work is directed towards meeting the UK Governments obligation to comply with the EU Water Framework Directive. Chalk streams are rare environments with not much more than 200 in the world and the Nar was listed in the top 10 for improvement.

The untidy views this caravan site gives walkers cannot be said to enhance the experience of a country walk.

There is also the risk to water quality with the risk of pollutants leaching or leaking into the river off the site.

The concern is that with the very lax approach to good management so far, this same uncaring attitude could lead to, if not an obvious leak of pollutants, a defuse undetectable leak until severe contamination and deterioration to water quality leading to dead aquatic species is observed.

ENVIRONMENT AGENCY

Development should not be permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower probability of flooding. It is for the Local Planning Authority to determine if the Sequential Test has to be applied and whether or not there are other sites available at lower flood risk as required by the Sequential Test in the NPPF. By consulting us on this planning application we assume that your Authority has applied and deemed the site to have passed the NPPF Sequential Test. Although we have raised no objection to this planning application on flood risk grounds this should not be taken to mean that we consider the proposal to have passed the Sequential Test. Review of Flood Risk Assessment (FRA) We withdraw our objection to this application, but strongly recommend that the mitigation measures proposed in the submitted Flood Risk Assessment (FRA) are adhered to. The submitted FRA states that: Finished floor levels will be raised to a minimum of 600mm above existing ground levels and Caravans will be securely anchored to their bases.

NORFOLK RIVERS INTERNAL DRAINAGE BOARD

The site has been screened as being near to, or within, the Internal Drainage District (IDD) of a Member Internal Drainage Board (IDB) of the Water Management Alliance. Advice given.

ANGLIAN WATER SERVICE

No Comments Received

REPRESENTATIONS

3 objections received raising the following main points which can be summarised as follows:

- The site is and will continue to be an eyesore
- The site gives rise to trespassing on neighbouring land which will be exacerbated by this application
- The River Nar is one of the few remaining chalk rivers in the country and is designated a Site of Special Scientific Interest (SSSI) by Natural England. The application would adversely affect both the river and its banks.
- If the river floods the site, any sewage, chemicals from chemical toilets, etc. from septic tanks and drains will be washed across my land and into the river.
- Any adverse effect to the river and its wildlife would reduce the amount of fish in the river
- The development would diminish the quiet and secluded nature of its environs which would harm the viability of neighbouring businesses
- .Additional demands will be placed on local amenities and infrastructure
- The development would have detrimental consequences for the environment.
- To allow further development would result in further deterioration of the character of the area.

ASSESSMENT NOTES

1.0 Principle of Development

1.1 The existing caravan site operates under planning permission 3PL/2013/0463 which granted consent for the use of the site as a caravan site for holiday accommodation. The permission was granted subject to a condition which restricts the caravan to a maximum capacity of 50 touring caravans during the months of April to November, with allowance for up to 100 on special occasions. The permission also allows for storage of up to 10 caravans over the winter months.

1.2 Importantly, the condition on the existing permission restricts long term occupancy of the caravans through limiting continuous occupation by caravans to a maximum of 28 days, consecutive with no return within a further 28 days and a maximum annual occupation of 42 days.

1.3 The current application seeks to allow for a more flexible use of the caravan site through the removal of the existing condition in response to an identified local need for workers employed in the area on a 3-5 year contract. This need derives from long term works at the former RAF Marham site and is evidenced by documentation within the application from the appointed contractor, J Murphy and Son.

1.4 Previous permissions on the site were justified on the basis of compliance with Policy DC8 which supports tourism related development subject to the proviso that such development is restricted to tourist use through appropriate conditions (DC8(i)). Given the nature of the current application to introduce flexibility to the use of the site and the specific circumstances behind the application, it is clear that if permission were granted site would not be solely used for tourism purposes. However, nor would the additional flexibility sought preclude the site from being used for continued tourism purposes and in this regard the application can still be considered partly compliant with Policy DC8.

1.5 Allied to this, the overarching objective of Policy CP14 of the Core Strategy is to support sustainable rural communities. Indeed, within the supporting text it is stated, inter alia, that economic development in the countryside will only be supported where the operation of the business necessitates the locations, represents a sustainable solution to an identified need and is in line with national policy (paragraph 3.104). In this case, the current application would support an identified need in the form of the works at RAF Marham which in itself is serving to enhance economic development in the local area.

1.6 Whilst not located within Breckland, the land adjoining the application site (within the district of Kings Lynn and West Norfolk), benefits from consent for unfettered use of the land as a caravan site without the restrictions attached through the condition on permission 3PL/2013/0463. In practical terms, it stands to reason that it would be obtuse for the Council to seek to continue control the occupation of one half of the site when the other half can lawfully operate unfettered and without such restrictions.

1.7 Given all of the above, and on the basis that the application is seeking a temporary permission to serve an identified local need, officers consider that the application is acceptable in principle.

2.0 Biodiversity

2.1 The site is directly north of the River Nar which is a Site of Special Scientific Interest (SSSI). Natural England initially objected to the proposal on the basis that the application could have potential significant effects on the River Nar SSSI and further information was requested regarding the foul sewage disposal and method for disposal of the existing chemical toilet waste. Following confirmation that the applicant that the disposal of foul sewage will continue as existing with septic tank storage and collection by a registered operator, Natural England had no further objection.

3.0 Flood Risk

3.1 The site is located within flood zones 2 & 3 of the Environment Agency Flood zone maps. It is also within fluvial zone 3 of the King's Lynn and West Norfolk Borough Council strategic flood risk assessment maps and in the East of Ouse, Poulver and Nar Internal Drainage Board area.

3.2 The Environment Agency has advised no objections subject to a condition advising that floor levels of the caravans will be 600mm above ground level and caravans are to be securely anchored to their bases. The area utilised for the caravan's pitches is laid to grass, and no additional hardstanding is proposed. The applicant has advised that it will not increase the impermeable area on-site.

3.3 The LLFA has raised concern about the impact of the proposal advising that they expect the applicant to provide a more detailed approach to demonstrate that the proposals for surface water management are sufficient to prevent an increase in the risk of flooding. The LLFA advises that the development will change the flood risk vulnerability classification from a More vulnerable (Sites used for holiday or short-let caravans and camping, subject to a specific warning and evacuation plan) to a Highly vulnerable (Caravans, mobile homes and park homes intended for permanent residential use).

3.4 Notwithstanding the objection from the LLFA, there is a clear no objection response from the Environment Agency and advice directly to the applicant that the flood risk to the site has been subject to recent change. It is understood that this is due to flood mitigation being implemented upstream. On the basis of this and the no objection from the EA, it is considered that the scheme can be supported from a flood risk perspective.

4.0 Other Matters

4.1 An objection was received from NCC Highways regarding the unsustainable location of the site for permanent residential accommodation and in respect of the lack of off-site improvements for pedestrians and cyclists.

4.2 In response to this objection, and further to Section 1.0 of this report, the development would serve a specific identified temporary local need for workers on a nearby site and as such it is not providing bona fide permanent residential accommodation. In this regard it is considered that it would not be appropriate for the

application to be assessed under the wider policies for residential development.

4.3The site provides on-site facilities through the adjacent leisure centre and is also located nearby to the villages of Narborough and Pentney. Whilst no pedestrian or cycling improvements would be delivered by the scheme, there are routes to the nearby villages. Given the specific nature of the use it is also considered that it would be unlikely that any of the occupants would use a bicycle. With this in mind and considering that permanent residential accommodation is not being provided, it is considered that it would not be appropriate to require the development to deliver off-site highway improvements.

RECOMMENDATION

4.0Conclusion

4.1The scheme is considered to be compliant with policies CP.08, CP.09, CP.10, CP.14 and DC.01. The scheme is also partly compliant with policy DC.08. These policies are given due weight as they remain wholly/partly consistent with the published NPPF.

4.2The development would serve an identified local need for a temporary period and the flood risk to the site is considered to be acceptable. On balance, the application is therefore recommended for approval.

CONDITIONS

2

Temporary use - 3 year

Unless permission is granted beforehand for its retention, the use hereby permitted shall cease on or before the date of 3 years from the date of this permission being granted and the land shall thereafter be reinstated to its former use.

Reason for condition:-

In order that the Local Planning Authority may retain control over development which could become detrimental to the amenities of the locality.

3

Non-standard drainage condition

The floor levels of all occupied caravans shall be at least 600 millimetres above ground level and shall be securely anchored to their base for the duration of the proposed use.

Reason for condition:- To mitigate the flood risk to the occupiers of the site

4

In accordance with submitted plans NEW 2017

The development must be carried out in strict accordance with the application form, and approved documents and drawings as set out in the table at the end of this notice.

Reason for condition:-

To ensure the satisfactory development of the site.