

ITEM:		RECOMMENDATION:	REFUSAL
REF NO:	3PL/2019/0416/F	CASE OFFICER	Rebecca Collins
LOCATION:	GARBOLDISHAM Land off Hopton Road Garboldisham	APPNTYPE:	Full
APPLICANT:	Property 192 C/O Agent	POLICY:	Out Settlemnt Bndry
AGENT:	Parker Planning Services Ltd Orchard House Hall Lane	ALLOCATION:	N
PROPOSAL:	Erection of 25 single storey holiday lodges, reception building, groundskeeper building and associated access and parking.	CONS AREA:	N
		LB GRADE:	N
		TPO:	Y

REASON FOR COMMITTEE CONSIDERATION

The application is, as defined by the scheme of delegation, a major planning application and is therefore referred to Planning Committee for this reason.

KEY ISSUES

- Principle of development
- Access
- Layout and Design
- Amenity
- Heritage assets
- Ecology
- Flood Risk and Drainage
- Trees
- Contamination

DESCRIPTION OF DEVELOPMENT

Erection of 25 single storey holiday lodges, reception building, groundskeeper building and associated access and parking.

SITE AND LOCATION

The application site is located to the east of Hopton Road (B1111), Garboldisham. The site is relatively flats and approximately 3.22 hectares. The site is an open site with dense vegetation to the side and rear boundaries of the site. There is an existing wide access to the site off Hopton Road with some trees to the west boundary as you head south along Hopton Road, which extend a short distance into the site. There appears to be reasonable visibility to the north.

There are two detached single storey residential properties to the north of the site. There are also residential properties to the west, however, these are largely set back from the road behind vegetation and relatively screened from view.

The site lies outside any designated development boundary. To the far north of the application site lies Garboldisham. Access to Garboldisham would be via Hopton Road with no pavements or street lights. Hopton Road appears a fairly fast moving trafficked rural road.

There is a small shed located to the south of the site.

EIA REQUIRED

No

RELEVANT SITE HISTORY

3PL/1995/0998/CU	Permission	13-05-96
Wildlife 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.01	Housing
CP.03	Employment
CP.04	Infrastructure
CP.09	Pollution and Waste
CP.11	Protection and Enhancement of the Landscape
DC.01	Protection of Amenity
DC.02	Principles of New Housing
DC.08	Tourism Related Development
DC.12	Trees and Landscape
DC.13	Flood Risk
DC.16	Design
DC.17	Historic Environment
DC.19	Parking Provision
LBC	Planning(Listed Building & Conservation Areas) Act 1990
NPPF	National Planning Policy Framework

NPPG

National Planning Practice Guidance

SS1

Spatial Strategy

OBLIGATIONS/CIL

Not applicable, provided in the event planning permission is granted, suitably worded planning conditions are imposed to restrict the development as 'holiday' accommodation only.

CONSULTATIONS

GARBOLDISHAM P C

Grave concerns - The increase in traffic on the B1111, a very busy road with a 60mph speed limit coming up to a blind bend. We are concerned for existing neighbours in terms of light pollution and security despite grandiose planting schemes which will take years to come to fruition. The access put as a service access, goes onto a single track on the Eastern side of development. The road will not support large vehicles turning into it. We are concerned the site is set between two county wildlife sites of major ecological importance. We fear for the impact on these sites by the close proximity of so many holidaymakers. We note that the proposal is for new footpaths onto private land, but discussion with the landowners show that this will not be permitted. Access to village amenities will only be available along this dangerous road which has no footpath and no street lighting, therefore we conclude that any movement from the site will be by car.

If it were to be considered for approval, it would only be on the basis that it would be maintained and kept as a holiday site and not turned into, in effect, a hamlet of residential properties. We assume that an environmental impact study over and above those already performed, will be undertaken bearing in mind the times of year the original assessments were done. Because this is such an important application for the village, before any decision is undertaken, we would hope that these points are given careful consideration before the decision is made.

The Parish Council have also wrote on behalf of residents and the points which they raised at the Parish Council meeting, which have been summerised as follows:

- With a proposed 67 parking spaces this will mean a huge increase in traffic movements on the busy B1111.
- There is no footpath from the proposed site to walk into Garboldisham village.
- Concern was raised for the impact this development would have on current neighbours.
- It is noted in the application that it is intended to place new footpaths from the site across both these areas of privately owned land, this has not been consented by the owners.
- It is noted that a Service Access is proposed at the Eastern boundary of the site. There is currently an entrance there, but this is onto a single track road. Assuming that the service access is for Sewage Removal lorries, laundry services etc., the size of these vehicles would severely compromise this single track road.
- Whilst it is acknowledged that the land is free draining, such a large development could have implications for run-off rainwater.
- The Parish Council were not surprised that the reptile survey threw up only 1 reptile this survey was undertaken from the end of September to the end of October a time when most native reptiles are preparing for hibernation.
- It is noted that the site has already been cleared of almost all habitats, the large pile of wood was burnt, and the areas of scrub grubbed out and flattened.
- Garboldisham Parish Council request that a caveat is placed on the application, should it be approved, that

the lodges built should ONLY be used as holiday accommodation, and not residential.

HISTORIC ENGLAND

This application proposes the development of 26 single storey holiday lodges on land near the grade II* listed Garboldisham windmill. We consider this has potential to result in harm to the historic significance of the listed building in terms of the National Planning Policy Framework through development in its setting. The Council should consider the potential impact and weigh this against any public benefit that might result from the proposals.

NORFOLK WILDLIFE TRUST

The proposal lies immediately adjacent to two County Wildlife Sites (CWS), Oak Plantation and Broomscott Common, and is within 200m of two additional CWSs, Little Ouse Meadow and Old Fen. Whilst the Preliminary Ecological Appraisal (PEA) notes their presence, it has not properly assessed the likely impacts and further information will be required before the application is determined.

Policy CP10 of the Breckland Core Strategy states that a full environmental appraisal will be required for development that may have a direct or indirect impact on any site of regional or local biodiversity County Wildlife Sites.

The PEA recommends that further bat surveys and reptile surveys of scrub and grassland habitats in the southern corner of the site are carried out. In addition, we note the absence of any assessment on the impacts of increased recreational disturbance on nearby CWSs, which are susceptible to increased disturbance from residents of the application site.

The ecological appraisal should include an assessment of the impacts of increased recreation, further bat and reptile surveys and repeat the botanical survey in order to gain a better understanding of the value of the unimproved grassland recorded on site during the PEA survey.

In line with the recommendations of the National Planning Policy Framework, proposals for measurable net gains for biodiversity should be included. We note the potential for retention of on-site habitats wherever possible, creation of new areas of species-rich grassland on new landscaping areas on site (using local provenance seed sources wherever possible) and the potential to increase ecological connectivity between the two CWS adjacent to the site.

NORFOLK COUNTY COUNCIL HIGHWAYS

Visitors to this site will have a high reliance on travelling by car to visit tourist attractions in Norfolk. Key to this proposal, in highway safety terms, is whether sufficient visibility is available from the access onto B1111 Hopton Road. When I considered this on an informal basis the agents, Parker Planning, advised that they had commissioned both a topographical survey and a speed survey. I will need to see the results of these to determine whether the visibility is acceptable for the 85 percentile traffic speed. It may well be that visibility affects adjacent trees and, if so, your Tree Officer would need to be made aware of this.

FLOOD & WATER MANAGEMENT TEAM

The applicant has provided a Flood Risk Assessment (FRA) / Drainage Strategy to account for the local flood risk issues and surface water drainage at this location. We welcome that Sustainable Drainage Systems (SuDS) have been proposed in the development.

We have no objection subject to a condition with regards to surface water drainage being attached to any consent if this application is approved.

HISTORIC BUILDINGS CONSULTANT

No objection in broad terms from an historic built environment perspective. The site and its wider context has

been assessed and it is considered that the current proposal for development will not have a significant impact on the special interest or the setting of the adjacent designated heritage asset. However, whilst the application submission material describes the proposed lodge buildings and reception building, it does not adequately demonstrate that the existing highway access is acceptable. Similarly, advertising and interpretation material has not been specified. An increased requirement for highway access and roadside advertising banner signage for example would detract from the proposed design rationale and would be unwelcome. On a point of detail, the Segal inspired design for groundwork for each lodge is unlikely to be readily compatible with level access requirements.

TREE AND COUNTRYSIDE CONSULTANT

I am happy with the tree protection details which have been provided. Can it be confirmed that there will be no requirement for tree/hedge removal in order to achieve required highway visibility splays?

ECOLOGICAL AND BIODIVERSITY CONSULTANT

A preliminary Ecological Appraisal (Parker Planning Services; August 2018) and Reptile Survey report (Parker Planning Services; October 2018) has been submitted in support of this application. We would like additional information regarding the proposals for Land off Hopton Road Garboldisham.

The Design and Access statement concept plan shows that a pond will be incorporated into the sites design and the PEA report refers to this pond, however in the proposed site layout the pond has been removed. Is this pond going to be incorporated into the sites design? This would enhance the site for wildlife in accordance with paragraph 170 of the NPPF.

Broomscot Common County Wildlife Site neighbours the proposed development site and is publicly accessible and therefore there will likely be increased recreational pressure on this site from the neighbouring proposed development and this does not appear to have been considered in the PEA report. Breckland Councils Policy CP10 states a full environmental appraisal will be required for development that may have a direct or indirect impact upon a CWS. Only in exceptional circumstances will development be permitted that would have an adverse effect upon a site of regional or local biodiversity or geological interest.

CONTAMINATED LAND OFFICER

No objections subject to a contaminated land condition.

ENVIRONMENTAL HEALTH OFFICERS

I have concerns regarding the impact of the development on the adjacent domestic properties. The application is for holiday lodges and it is reasonable to assume that people on holiday are more likely to keep later hours and use the outdoor garden areas for sociable activities during the later evening hours which may have a detrimental impact on existing domestic residents. There is no detail within the application as to how the site will be controlled and what measures will be undertaken to ensure that the noise from the use of the holiday accommodation will not affect existing residents. As control of this type of noise is unlikely to come within current legislation, I would therefore request the following information in order to look at whether planning conditions can be used to control noise and disturbance from the legitimate use of the lodges closest to the existing residential properties. A noise impact assessment which should include: a) Existing background noise levels c) Any proposed mitigation to ensure that noise from the use of the development does not adversely effect the amenity of existing residents. A noise management plan, which should include but is not limited to, details of how activities within the outside areas associated with the lodges will be managed and controlled during the evening and day times especially with regards the lodges closest to the existing residential properties and in particular noise from music, loud voices etc. Details of how the site will be policed, especially during the evening and night times. Details of the person/persons responsible for the site A scheme to record complaints of noise and disturbance with details of any resolutions undertaken. A mechanism to allow existing residents to contact someone in authority on the site in the event of complaints

in respect of noise and disturbance, especially during evenings and weekends.

CPRE NORFOLK

CPRE Norfolk objects to this application for the following reasons:

The proposed site lies in land classified as countryside and which is outside the settlement boundary of Garboldisham, meaning that this development is contrary to Policy SS1 and should therefore not be permitted.

These sites include County Wildlife Sites (CWS), two of which border the application site, in Broomscot Common and Oak Plantation. The applicants Ecological Survey makes the claim that the site is not located in proximity to any statutory or non-statutory designated site. It then states that although there are two CWS directly adjacent to the site, any impacts resulting from the proposed development are anticipated to be localised and are not expected to extend beyond the redline site boundary and so will not affect any of the adjacent non-statutory sites. We feel that this would not be the case, particularly with the likely impacts of visitors upon Bromscott Common CWS, given the likely means of pedestrian access to Garboldisham. These adverse effects would be contrary to Policy CP10.

This proposal would result in a change in the landscape character of this part of Breckland and should therefore not be permitted in accordance with policy CP11.

We have concerns about the proposed pedestrian access to and from the site, as there is no safe walking access from the site along the B1111 to Garboldisham and its local services. There would be further concerns if pedestrian and cycle access were to be enabled to enter the County Wildlife Site of Broomscot Common to the north of the site.

JULIE CROSSLEY

Blo' Norton Parish Council Comments

1. Access to/from the site is close to a dangerous bend in a 60mph speed limit section of road. Local residents are aware of this problem but visitors to the site would not be, thus increasing the likelihood of a serious accident or accidents.
2. Local amenities, including the village shop and post office and local Pub can only be reached on foot along this same stretch of 60mph limit road with no footpath until the 30mph section is reached within the village of Garboldisham. There is no street lighting at any point. The distance to the 30mph limit and the footpath from the proposed entrance to the site is approximately 0.5 miles. The proposed service access to the site can only be reached along a section of road to the rear of the proposed development which is not wide enough for 2 cars to pass in opposite directions and would be difficult for a large lorry.
3. The isolated nature of the site means that it is likely to be used as a "dormitory" and will therefore only detract from the area without adding benefit; further to this there are already a small number of holiday lodges almost directly opposite the entrance to this proposed development which would be heavily impacted by this development.
4. The application plan not only shows an entrance to Broomscott Common, which has been dealt with elsewhere and for obvious reasons is considered unsuitable, but also shows a new footpath crossing directly across the land of Plantation Cottage. The owner of this property has not been consulted and would not consider such a proposal.
5. The proposal states that a packaged treatment plant would be used for the treatment of foul sewage. The capacity for such a plant would have to cater for over 100 people and would require both a fairly large plant and drainage field - neither of which appear on the plans. 6. Utility supplies have not been addressed and a development of this size would require considerable amounts of electrical power and water. If these are not currently available major cost and disruption would occur, particularly for the water supplies with the need for

trenching. Chairman: Blo' Norton Parish Council

BUCKENHAM AVIATION CENTRE LTD	No Comments Received
ECONOMIC DEVELOPMENT	No Comments Received
ANGLIAN WATER SERVICE	No Comments Received

REPRESENTATIONS

11 letters of representation have been received, their comments are summarised as follows:

- The project will result in a considerable increase in traffic joining the B1111.
- The entrance is on a 60mph road with no less than 10 entrances to other properties over a quarter mile stretch.
- It is almost opposite access to Alderwood Holiday Lodge site with 3 currently in situ, and approval for further 2 lodges, making it 5 in total.
- To the south is a fast blind bend, 140 metres approximately, and to the north a blind hill, 230 metres approximately. Fast traffic from both directions invariably overtake on this stretch.
- There are already 70 holiday lodges run by Forest Holidays, not far from this site at East Harling. And there are also 3 Glamping Pod sites nearby.
- Concern over light pollution from so many units and the paths and roads that will be around this site. Lighting will have implications on ecology.
- With no manager's house shown on application, then also concerned of general security and dealing with problem guests (noise & disturbances) if no one is living on the site.
- The scale of development proposed is excessive.
- No footpath to the village is proposed. This is not a sustainable location.
- The village is not easily accessible from this site, which is essential. The only realistic route to the village is by car. The pub and shop have insufficient car parking to cope with the potential number of visitors and driving to the pub should not be encouraged.
- The proposed use of footpaths crossing Broomscott Common is impractical as there is no access from the proposed site to the common save for walking along a dangerous highway with no pavement. Furthermore the trustees are not going to grant access.
- Access to Broomscott Common would result in destruction of hedgerows and habitats.
- Concerned about additional noise, light pollution, loss of privacy and potential antisocial behaviour from construction and future use of the site.
- Mushrooms were never grown there and buildings were partly erected without planning permission and subsequently halted.
- The proposed shop would be in direct competition with the existing shop in Garboldisham.
- The proposed designs of said lodges are not in keeping with the area.
- The proposal will impact the landscape - the whole aspect of the entrance is so open that you can currently see every part of the site. We would like to see more details of what they were planning in the hope that it would consist of very dense hedgerows and trees so that none of it is visible from the road.
- We cannot see any applications for the signage for the site. We would like to see what is proposed because we would want it to be discreet and again in keeping with the rural area.
- Contamination will be caused from construction and run-off.
- A fence should be erected to protect the nearby privacy of the bungalow, no planting adjacent to its boundaries and no bin storage either.

One letter of support was received, subject to concerns:

- While we are impressed with the quality of the design and welcome the investment in the local area, job opportunities and potential economic benefits for local businesses. Therefore, not opposing the development
- providing all landscaping/tree/hedge-planting is completed and other concerns are addressed.

The Trustees of Garboldisham Parish Charities have written in, their comments are summarised as follows: We are the owners of the property, Broomscott Common, which joins the proposed development site to the North. We strongly object to this application as it stands. We note from the location maps provided with the application that there is a proposed new footpath entrance from the development site onto Broomscott Common - this has been mooted without consultation with ourselves. Broomscott Common is a County Wildlife Site, because of the special nature of flora and fauna found on it, and as such is currently leased to the Little Ouse Headwaters Project conservation group, who conserve and manage the area. Part of the conservation is managed by controlled grazing by sheep and cows throughout the year, and the whole area is bounded by a stock proof fence to prevent livestock straying. There is, currently, a public footpath across Broomscott Common, so that patrons of the proposed development would have access to the Common at the existing access/egress points. The Trustees therefore have no intention of allowing further access points onto the Common which would necessitate breaching the stock proof fencing and increasing the likelihood of livestock on the Common being allowed to stray.

The Trustees of the Little Ouse Headwaters Project (LOHP a conservation charity) have also written in: LOHP manages Broomscot Common, a County Wildlife site, on a long lease from Garboldisham Parish Charities by a combination of grazing with sheep and rare breeds cattle to enhance the Breckland flora that occurs on the south of the Common and the fen flora associated with the tributary in the north. LOHP strongly objects to the proposal to put a gate in the southern boundary of the Common to allow access to the development. The sensitive Breckland flora near this gate would be degraded by the trampling of the occupants of 25 lodges and given that it is an open area the temptation to "play ball" on the Common would be high as well as to use barbeques. Occupants dogs would pose an increased risk to grazing stock. Trustees believe that 25 lodges is excessive and would change the nature of Broomscot Common.

ASSESSMENT NOTES

1.0 Principle of Development

1.1 For decision making purposes, as required by the NPPF and Section 38(6) of the Planning & Compulsory Purchase Act 2004, the Development Plan comprises the Adopted Core Strategy and Development Control Policies Development Plan Document, together with the Site-Specific Allocations DPD. Material considerations in respect of national planning policy are the NPPF and National Planning Policy Guidance (NPPG).

1.2 The site is located outside the Settlement Boundary of Brandon in an area of open countryside (as defined by policies SS1, DC2, CP1 and CP14 of the Core Strategy and Development Control Policies Development Plan Document 2009), where development is heavily restricted. The application is clearly therefore contrary to these policies.

1.3 The application proposes 25 single storey holiday lodges, along with reception and groundskeeper buildings. Given the proposal, which if acceptable could be conditioned to remain 'holiday' lodges and not become residential properties, Policy DC8 'Tourism Related Development' of the Breckland Core Strategy has been considered with regards to the principle of development in this location. Policy DC8 requires the

need for tourist accommodation to be clearly justified in terms of need; rural diversification; relationship to services and facilities; and where it is new built development, the sustainability of new buildings, the countryside attraction the site will support and the absence of suitable alternative buildings in the locality. POLICY 6 of the NPPF states that 'sustainable rural tourism and leisure developments which respect the character of the countryside' should be enabled.

1.4 Further information has been requested from the applicants in this regard but no further information has been received. It is not considered that the information submitted with this application would not suitably meet the requirements of Policy DC8 in terms of justification nor is it considered that this development can be a justifiably location in this location. Specifically, the mere placing of holiday lodges is a rural location not considered to be rural diversification; and the relationship and accessibility to the services and facilities in Garboldisham is considered poor. The applicants state that there are bus stops locally to access towns such as Diss, Thetford, Bury St Edmunds, Attleborough, Wymondham and Norwich. However, the bus stops are distanced from the site and along unpaved and unlit, fast trafficked roads and therefore the use of these services are unlikely.

1.5 Although, the stated thermal efficiency of the buildings is noted, this is not considered to be particularly sustainable in terms of construction nor would it outweigh the harm generated from the likely traffic movements to and from the site due to the separation of the lodges from services and facilities in Garboldisham (which are very limited only a shop and a community pub, with limited opening) or any wider tourism facilities. No real countryside attraction has been identified or is particularly obvious in this location or nearby and no alternative locations have been examined with existing built form to service the proposals. In this regard the principle of development in this location is not accepted and considered contrary to Policy DC8.

1.6 The applicants submission makes reference to earlier uses of the site including a mushroom farm and consent to use the site as a wild life park. The site is current a grassed open field with no sign of an earlier use. It is clearly a greenfield site and has been considered in this manner. It does not appear that the consent for the wild life park was ever implemented.

1.7 It is also noted that residents reference holiday lodges opposite the application site. It is considered that the scale of the development here is significantly greater and the characteristics of this are not comparable in this instance.

2.0 Access and car parking

2.1 Policy CP4 of the Breckland Core Strategy requires new development to ensure safe access. The proposed access to the site utilises an existing access. The Highways Authority has commented on the application and require further information with regards to topographical survey and a speed survey to ensure adequately visibility can be achieved at the access to the site. This information has not been provided and therefore there is a lack of information to ensure that the proposal would not harm highway safety, contrary to Policy CP4 of the Breckland Core Strategy.

2.2 Residents and the Parish Council have also raised concerns with regards to highways safety, the speed of vehicles travelling along Hopton Road and the lack of available sustainable connections to Garboldisham. In the applicants submission they propose to create a walking route The trustees of the land have written in to state that they would not allow a connection and this is not an adopted right of way and therefore no such sustainable connection can be relied upon as an alternative means of accessing Garboldisham. In addition, the likely use of such a route is unlikely to be all year round and could cause unacceptable biodiversity impacts (not properly investigated, as set out below). On this basis, this is not considered a

suitable justification for development in this location.

2.3 Policy DC19 of the Breckland Core Strategy ensures appropriate on site car parking provision. Some lodges on the site are shown with one space, others with two. There are 6 visitor spaces shown at the entrance to the site and a further 3 within the site and 8 drop off spaces adjacent to the reception. Despite the limited car parking provision, given the likelihood access to the site would be via private car, there appears plenty of space within the site to park and it is likely that for the smaller units visitors would travel in one car. For these reasons appropriate car parking provision is considered to be provided in accordance with policy DC19 of the Breckland Core Strategy.

3.0 Landscape Impact

3.1 Policy 12 of the NPPF and DC16 of the Core Strategy seek to achieve a high quality design. Policy CP11 seeks to protect and enhance the and landscape.

3.2 The site lies between Local Character Areas of B1 and D3 Harling Heathlands of Breckland Landscape Character Assessment (May 2007). Key Characteristics which relate to the site and its immediate surrounding include:

- A gently undulating landscape with landform influenced by glacial drift deposits of sand, clay and gravel.
- Small areas of calcareous and acid grassland/heathland, primarily associated with remnant common land, are locally distinctive vegetation elements.

3.3 The site is also a core area for significant concentrations of high quality extant habitat.

3.4 Positive Landscape Features, in this area include:

- The field boundary features e.g. ancient scots pine wind breaks and mixed native hedgerows which lend a sense of historical continuity and also enhance the ecological integrity of the character area;
- The landscape mosaic created by the boundaries between plantation woodland and arable farmland land uses;
- Remaining areas of heathland and calcareous grassland, which are significant biodiversity value;
- The clearings within the woodland which break up the generally large scale landscape;
- Sparse settlement and rural character of the hamlets and villages.

3.5 The applicant has submitted an LVIA with the application. The report states that the proposal can be achieved in a sensitive manner in environmental terms and that any impact is localised and low to moderate in nature. The site provides an area of heathland within the degraded arable landscapes surrounding the site. It provides high quality trees within hedgerows and within the site but is otherwise degraded and states that any impact can also be adequately mitigated by additional landscaping which is proposed as part of the scheme and will be secured through planning conditions.

3.6 It is considered that the proposals will change the character of the landscape in this location, from open grassland to a developed site. It is also considered that overtime, subject to conditions, an appropriate landscaping scheme could help to screen new development in this location. However, the frontage buildings and access (including any later signage required) are likely to change to the character of this area and would likely remain visible for the benefit of visitors to the site. Given the low laying level of buildings and relatively flat site, plus the retention of boundary screening then the site is unlikely to have a significant landscape impact in accordance with Policy CP11.

4.0 Layout and Design

4.1 The proposal includes 25 single storey lodges. The applicants state that the design is a SIP panel construction. Although, the designs themselves are of reasonable quality, using inspiration from local rural buildings, according to the submitted Design and Access Statement, and appear modest in scale, the layout is fairly dense for such a rural location with only occasional built form, as you head out of the Garboldisham development boundary. Development in Garboldisham is largely linear, fronting the highway. Opposite the application site, development is more sparse, separated by large areas of open countryside and planting with properties off Hopton Road fronting the highway, although set back from it with vegetation to the frontages.

4.2 The triangular shape application site pushes development deep into the open countryside as well as insular layout proposed, which includes the backs of properties facing Hopton Road is considered contrary to the prevalent pattern of development in this area, at odds with the wider rural character of the area and contrary to Policies CP11 and DC16 of the Breckland Core Strategy and Policy 12 of the NPPF.

4.3 The reception building, being a block of development, side onto Hopton Road (prevailing pattern of development facing), the groundkeepers shed being a blank elevation and access, as well as any likely signage would also have a detrimental impact on the street scene, not in character with area or the immediate residential bungalows which clearly front highway. Landscaping is likely to be less dense in this location due to the requirement for visibility splays (currently unknown due to lack of information). This is also considered contrary to Policies CP11 and DC16 of the Breckland Core Strategy and Policy 12 of the NPPF.

5.0 Amenity

5.1 Policy DC1 of the Core Strategy seeks all new development to protect the amenity of the area, neighbouring and future occupants. The proposal is for single storey development. There is a good separation distances between the proposed lodges and the existing residential properties to the north of the site. Therefore, overshadowing and overbearing impacts are unlikely.

5.2 Environmental Health and the Parish Council have raised concerns about the potential to impact the amenity of existing properties from noise and disturbance and light. EH state that the use of holiday lodges will create a form of usage more disturbing than that of a residential use. EH propose further information is required to regulate such use in the form of a noise management plan. It is considered, along with a lighting, these matters could be reasonably conditioned to protect the amenities of neighbouring properties.

6.0 Heritage assets

6.1 Policy 16 of the NPPF and Sections 16, 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, seek to protect the special interest and significance of heritage assets/Listed Buildings and their settings, as well as the character and appearance of Conservation Area(s).

6.2 The application site in reasonably close proximity to the Grade II* Listed Windmill and other heritage assets but the application is not accompanied by a heritage statement. Policy 16, paragraph 189 of the NPPF requires applicants to describe the significance of any heritage asset affected by new development, including any contribution to their setting. Historic England have commented on the application in this regard. Despite comments from the Council's Historic Buildings officer that they think the impacts would be minimal, a statement is required by Policy 16 to consider the impact of the development on surrounding heritage assets. Therefore, as the proposal has the potential to impact the significance of heritage assets and their setting, it is considered contrary to this policy and recommended for refusal on this basis.

6.3 Also, as set out by the Historic Buildings officer, further clarification is required to demonstrate that the existing highway access, as shown, is acceptable, in order to assess its impacts on the character of the area, heritage assets and trees. Similarly, advertising and interpretation material has not been specified. An increased requirement for highway access and roadside advertising banner signage for example could detract from the character of the area and the setting of the windmill contrary to policies DC16, DC17 and 12 and 16 of the NPPF.

7.0 Ecology

7.1 Policies 15 of the NPPF and CP10 of the Breckland Core Strategy, seek for new development to preserve and enhance biodiversity. The proposal lies immediately adjacent to two County Wildlife Sites (CWS), Oak Plantation and Broomscott Common, and is within 200m of two additional CWSs, Little Ouse Meadow and Old Fen. Whilst the Preliminary Ecological Appraisal (PEA) notes their presence, it has not properly assessed the likely impacts of the development on these sites, as pointed out by the Wildlife Trust and our Ecologist.

7.2 Policy CP10 of the Breckland Core Strategy states that a full environmental appraisal will be required for development that may have a direct or indirect impact on any site of regional or local biodiversity County Wildlife Sites.

7.3 The PEA recommends that further bat surveys and reptile surveys of scrub and grassland habitats in the southern corner of the site are carried out. These should be undertaken prior to any granting of planning permission, in accordance with Policy 15 of the NPPF. In addition, the PEA fails to include an assessment of the impacts of increased recreational disturbance on nearby CWSs, which are susceptible to increased disturbance from residents of the application site.

7.4 The proposal therefore contains an insufficient level of information to ensure biodiversity is preserved and enhanced and is considered contrary to policy 15 of the NPPF and CP10 of the Breckland Core Strategy.

8.0 Flood Risk and Drainage

8.1 Policy 14 of the NPPF requires seeks to direct new development away from areas at highest risk of flooding and for new development to not increase flood risk elsewhere. Flood zones 2 and 3, which are places at highest risk of flooding, run to the south of the site, however, the whole site lies in flood zone 1, the lowest risk. There are some surface water drainage issues to the north of the site.

8.2 The applicant has provided a Flood Risk Assessment and the Lead Local Flood Authority have been consulted in this regard. They are satisfied with the information submitted, subject to the imposition of a condition with regards to surface water drainage. Therefore, the development is considered acceptable in terms of flood risk and drainage and in accordance with Policy 14 of the NPPF.

9.0 Trees and hedgerows

9.1 The retention of trees and hedgerows is supported by Policy DC12 of the Core Strategy. There is dense vegetation to the boundaries of the site. The application states the existing woodland and hedgerow will be retained and the applicant has been contacted with regards to the Tree Officers query about the removal of trees for visibility. The applicant has indicated that no trees would need to be removed to achieve the required visibility. However, the highways officer has requested additional information in this regard to the matter remains uncertain.

9.2 Additional landscaping is proposed within the application to soften the visual impact of the massing of the lodges and to create a pleasant and attractive environment to integrate with the countryside. A new woodland buffer zone is proposed adjacent to the existing woodland to increase the woodland coverage and protect the existing neighbouring trees. Along with new planting the existing line of mature hedgerow trees to the Western boundary are to be retained and enhanced to maintain the existing character of the street scene as you travel along Hopton Road. Conditions could be placed on any subsequent application to ensure the retention of existing trees and an appropriate landscaping scheme, in accordance with DC16 and DC12 of the Breckland Core Strategy.

10.0 Contamination

10.1 Policy 15 of the NPPF states that planning decisions should take account of ground conditions and contamination risk. A contaminated land report has been submitted with the application and assessment by the Council's contaminated land officer, who raises no objections to the proposals subject to the imposition of contaminated land conditions. The proposal is therefore considered in accordance with Policy 15 of the NPPF.

11.0 Conclusion

11.1 The principle of development in this location has not been adequately demonstrated and the requirements of Policy DC8 have not been met. The layout of the proposed development pushes development deep into the open countryside and is considered contrary to the prevalent pattern of development in this area, at odds with the wider rural character of the area, negatively affecting the character and appearance of the area. The reception building, groundkeepers shed and access, as well as any likely signage would also have a detrimental impact on the street scene.

11.2 The proposal includes insufficient information with regards to heritage and ecology.

11.3 The proposal is therefore recommended for refusal, contrary to the development plan and NPPF, as set out above.

RECOMMENDATION

The application is recommended for refusal for the following reasons:

REASON(S) FOR REFUSAL

- 1 Justification of need**

The application fails to suitably justify the development in terms of need, having regard to the requirements of Policy DC8 of the Breckland Core Strategy and fails to represent sustainable development, not being well related to a settlement or facilities; nor having sustainable advantage from the construction of new buildings or being close to an existing countryside attraction. The proposal is therefore considered unacceptable in principle and contrary to Policy DC8 of the Breckland Core Strategy and Policy 6 of the NPPF.
- 2 Design**

The layout of the proposed development pushes development deep into the open countryside and is considered contrary to the prevalent pattern of development in this area, at odds with the wider rural character of the area, negatively affecting the character and

appearance of the area. The reception building, groundkeepers shed and access, as well as any likely signage would also have a detrimental impact on the street scene contrary to Policies CP11 and DC16 of the Breckland Core Strategy and Policy 12 of the NPPF.

3 Heritage

Insufficient information has been submitted as part of the application in respect of heritage assets. Policy 16, paragraph 189 of the NPPF requires applicants to describe the significance of any heritage asset affected by new development, including any contribution to their setting. Therefore, as the proposal has the potential to impact the significance of heritage assets and their settings and is considered contrary to Policy 16 of the NPPF and Sections 16 and 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

4 Ecology

Insufficient information has been submitted as part of the application in respect of ecology and it is not possible to assess the likely impacts of the proposed development on biodiversity or determine whether the proposal has considered or included appropriate and acceptable mitigation measures. The proposal does not, therefore, accord with Policy CP10 of the adopted Breckland Core Strategy and Development Control Policies Development Plan Document (2009) and Policy 15 of the National Planning Policy Framework (2019).

5 Application Refused Following Discussion - No Way Forward

The Local Planning Authority has acted positively and proactively in determining this application within the statutory timeframe, by identifying matters of concern with the application. However, the issues are so fundamental to the proposal that it has not been possible to negotiate a satisfactory solution and due to the harm which has been clearly identified within the reason(s) for the refusal, approval has not been possible.

Copies of all documentation submitted in connection with this application can be viewed online at <http://www.breckland.gov.uk/content/planning-search-0>

6 Criterion E - Planning Apps Where Refused

Appeals against planning decisions

If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.

If an enforcement notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against your local planning authority's decision on your application, then you must do so within: 28 days of the date of service of the enforcement notice, or within 6 months (12 weeks in the case of a householder appeal) of the date of this notice, whichever period expires earlier.

If you want to appeal against your local planning authority's decision then you must do so within 6 months of the date of this notice.

Appeals must be made using a form which you can get from the Secretary of State at Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN or online at www.planningportal.co.uk

The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.