

BRADFIELD – PF/23/1580 - Stationing of caravan for a mixed use comprising short term residential retreat / holiday accommodation for carers and people from a caring profession (up to 84 days per annum); hosted retreats for carers and people from a caring profession (up to 18 days per annum); Full-day and half-day therapeutic retreats for carers and people from a caring profession including overnight accommodation for the site manager / operator (up to 66 days per annum) at Land East Of Lincoln Cottage (known As The Cottage), Common Road, Bradfield Common, Bradfield, Norfolk

Minor Development

Target Date: 18th September 2023

Extension of Time: 15th March 2024

Case Officer: Mr J Barrow

Full Planning Permission

RELEVANT SITE CONSTRAINTS

River Valleys Landscape Character Area

area designated as Countryside

Zone of Influence of multiple designated habitats sites for the purposes of the Norfolk GIRAMS

RELEVANT PLANNING HISTORY

CL/21/0566: Certificate of lawful development for existing use of land for stationing of a caravan to provide shelter, toilets and refreshment facilities and a place to provide a place to lock up equipment. Was lawful use

PF/11/0394: Formation of vehicular access. Approved

PF/02/0763: Siting of mobile field shelter. Approved

THE APPLICATION

Seeks permission to station a caravan for a mix of uses as described above. It is also proposed to clad the caravan with timber weatherboarding, along with landscaping and biodiversity enhancements across the site.

REASONS FOR REFERRAL TO COMMITTEE

At the request of the Assistant Director - Planning due to the high level of public interest and comment.

REPRESENTATIONS

16 received **objecting** on the following grounds:

- Unacceptable use of the facility as a dwelling
- Unacceptable countryside location
- Increased traffic
- Lack of sustainable access options
- Potential for future applications after this principle is potentially accepted
- No accepted principle for a business to operate on the site

- Over intensification of the use
- Use of cladding introducing too strong a sense of permanence to the site

3 representations **supporting** received on the following grounds:

- Ecological enhancements
- Improved site appearance
- A need for the mental health benefits the site would bring

CONSULTATIONS:

County Council Highway Authority – **No Objection** subject to conditions

Swafield and Bradfield Parish Council – **Objection** due to the nature of the development being incompatible with the countryside location, unsustainable transport options, increased traffic, unacceptable design impacts and negative biodiversity impacts.

HUMAN RIGHTS IMPLICATIONS

It is considered that the proposed development may raise issues relevant to Article 8: The Right to respect for private and family life.

Article 1 of the First Protocol: The right to peaceful enjoyment of possessions.

Having considered the likely impact on an individual's Human Rights, and the general interest of the public, refusal of this application as recommended is considered to be justified, proportionate and in accordance with planning law.

CRIME AND DISORDER ACT 1998 - SECTION 17

The application raises no significant crime and disorder issues.

LOCAL FINANCE CONSIDERATIONS

Under Section 70(2) of the Town and Country Planning Act 1990 the council is required when determining planning applications to have regard to any local finance considerations, so far as material to the application. Local finance considerations are not considered to be material to this case.

RELEVANT POLICIES:

North Norfolk Core Strategy:

SS 1 – Spatial Strategy for North Norfolk

SS 2 – Development in the Countryside

SS 5 – Economy

SS 6 – Access and Infrastructure

EN 2 – Protection and Enhancement of Landscape and Settlement Character

EN 4 – Design
EN 9 – Biodiversity & Geology
EC 7 – The Location of New Tourism Development
EC 9 – Holiday and Seasonal Occupancy Conditions
CT 5 – The Transport Impact of New Development
CT 6 – Parking Provision

Material Considerations:

National Planning Policy Framework (NPPF):

Chapter 2 – Achieving sustainable development
Chapter 9 – Promoting sustainable transport
Chapter 12 – Achieving well-designed and beautiful places
Chapter 15 – Conserving and enhancing the natural environment

Supplementary Planning Documents and Guidance:

North Norfolk Landscape Character Assessment SPD (January 2021)

OFFICER ASSESSMENT:

Site description:

The site has an area of approximately 0.5ha and is to the north of Common Road, Bradfield. It comprises to the west, an area of vineyard and orchard with a tree belt on the west side of these near the access point. To the east side of the site is an open field also within the red lined area. On the western part of the site is a static caravan measuring approximately 3 metres x 8.5 metres and used as a field shelter/amenity block for agricultural workers in connection with agriculture, a workshop and shed, also incidental to agriculture. The existing land use is considered to be agricultural.

The site's west boundary is 8.5m east of Lincoln Cottage separated from the cottage by a private driveway. Fields bound the site to the north and south, with an area of woodland bounding the site to the east.

A Lawful Development Certificate for the existing use of land for stationing of a caravan to provide shelter, toilets and refreshment facilities and a place to provide a place to lock up equipment was granted on 26/01/2022 for ancillary agricultural use noted above.

Main issues for consideration:

1. Principle of development
2. Landscape
3. Highway safety
4. Car parking
5. Biodiversity and ecology
6. Foul water drainage and nutrient pollution
7. Recreational impacts on designated sites

8. Design
9. Amenity

1. Principle of development:

The site is proposed to be used in connection with the work carried out by the applicant's social enterprise; Absolute Specialists Wellbeing (ASW). It is proposed to use the caravan on site to maintain the site, and as a base for ASW's Norfolk operations, as well as providing a location for 'retreats' for carers or people in the caring professions, which is the sector ASW seeks to assist.

The exact nature of the proposed use of the site has required further exploration with the applicant leading to the submission of an updated operating statement in April 2024. It specifies three 'activities' proposed to take place on site as follows:

Activity A

This would involve a maximum of 66 overnight stays per year for a maximum of 2 people. These stays would facilitate the management of the site, local community work, and daytime retreats for carers or people from caring professions. It is considered this is akin to a Class C3 residential use, with visitors.

Activity B

This involves up to 84 overnight stays per year for a maximum of 4 people. The submitted operating statement summarises this as *'restorative residential retreats for carers and people are the caring professions' comprising 'stays of up to a week for 1 or 2 people which will enable them to bring their children, family members or friends for support.'*

It is understood that these stays would be advertised through the applicant's email list, as part of The "Walters Method" which is described on the applicant's website as being *"a transformational 5 step process that will give you the clarity and confidence to start living your best life."*

This is considered to be broadly similar to a tourism use.

Activity C

This would involve up to 18 overnight stays per year for the applicant or an affiliate of ASW to host a carer or someone from the caring professions to work intensively on their mental health.

Overall

Taking account of the above, it is considered that the proposal is for a mixed use of the site, with residential and tourism elements. The site is located within the area designated as Countryside under to Policy SS 1.

Core Strategy Policy SS 2 allows for tourism uses in principle, but not residential development within this area other than for affordable housing or occupational dwellings where there is a clear functional need.

Due to the short term nature of the visits, it is considered the proposal should be assessed as a tourism use. Policy SS 2 permits such developments provided they accord with all other relevant policies within the development plan unless material considerations indicate otherwise.

Due to the structure being a caravan, it is not deemed to be a 'building', and Policy EC 2 which deals with the re-use of buildings in the Countryside is therefore not considered to be relevant in this case.

Core Strategy Policy EC 7 seeks to control the location of new tourism development. Serviced accommodation can be permitted in accordance with a sequential approach, requiring there to be no sequentially preferable sites, no suitable buildings for re-use, and that a rural location is necessary. If the development meets these criteria then it may be permitted providing it is in within a designated tourism asset zone where it is in close proximity, and has good links, to principal and secondary settlements. Although the site is within the rural tourism asset zone, it is considered not to be within 'close proximity' nor does it 'have good links' to Principal or Secondary settlements. North Walsham is approximately 2.8 miles away, predominantly along a narrow section of highway with only passing places. There would be a high reliance upon private car use, along what is a generally poor part of the highway network. It is therefore considered that the proposal is contrary to the aims of Policy EC 7 and this would weigh against the grant of planning permission.

In addition, many of the stays proposed would require independent use of the caravan in a way that is akin to un-serviced accommodation, and the Countryside location is considered inappropriate as it is inherently unsustainable.

Whilst It is noted that the operating statement provides upper limits for the number of stays, as well as the number of people attending the site, it is considered this would be difficult to control and monitor in planning terms, even though it does lessen the harm. It is also noted that the scheme would bring some social benefits in terms of the wellbeing service offered.

On balance however, this is not considered to overcome the harm to the aims of delivering sustainable patterns of development and the conflict with planning policy. Consequently, it is considered than the proposed development is unacceptable in principle.

2. Landscape

The site lies within two Landscape Character Areas (Tributary Farmland and River Valleys) as defined by the North Norfolk Landscape Character Assessment SPD. This requires that proposals should be informed by, and be sympathetic to, their distinctive character areas. They should also demonstrate that they will protect, conserve, and where possible enhance the special qualities and local distinctiveness of the area.

Given the size, scale, and nature of the proposal, no detrimental effect on the character and visual amenity of the wider landscape is considered to occur. The caravan has a lawful use and would stay in place even if the current proposal was refused.

The proposal is considered to be acceptable in terms of landscape impact and complies with Policy EN 2 of the Core Strategy.

3. Highway safety

The site lies in the hamlet of Bradfield, around 4km by road north of North Walsham; the closest town with access to a range of local services, and amenities. It is accessed via narrow rural roads (classed as 'Quiet Lanes').

The Public Right of Way Trunch FP6/FP11 is 500m to the northeast of the site, and Swafield RB2 880m to the east of the site. The village of Trunch, which has more limited access to local goods, services, and amenities, lies approximately 2km northeast of the site. There is no local public transport provision in the vicinity of the site.

It is likely that many of the visitors attending the site would not make use of these transport options, although there is access to services/facilities within cycling distance for people staying on site.

The submitted transport statement states a total of 168 overnight stays per year, outside of the winter months, would generate up to 252 two-way trips per annum. Local concerns regarding this intensification are noted, and the sub-standard nature of the immediate highway network is a consideration. The Council has had regard to the advice it received from the Local Highway Authority with no objection raised due to the development being 'below' the threshold for a sustainability objection. Similarly with regards to highway safety, the Highway Authority comment that *"whilst the proposed caravan and its use for overnight accommodation introduces additional vehicle activity onto Common Road, the proposed increased level of activity from equestrian to holiday use would not be considered to be significant to warrant an objection on highway safety grounds given the likely speeds and frontage extents"*.

Overall, it is considered that, for the reasons outlined above, the proposed development would not cause unacceptable highway safety impacts and is acceptable in terms of Core Strategy Policy CT 5.

4. Car parking

Officers consider that the site would be able to provide the required number of on-site car parking places for the development. This is supported by the Highway Authority, subject to a condition to secure the parking.. On that basis, the proposal is in accordance with Policy CT 6.

5. Biodiversity & Ecology

The planning application is accompanied by an ecology report (June 2023) which demonstrates net gains for biodiversity, in line with Policies SS 4 and EN 9. It is stated that the trees will be protected during the cladding works however the exact nature of this protection is not specified. It is therefore recommended that such details be secured prior to the development progressing, so as to ensure that the trees on site are suitably protected.

The proposed development is not subject to statutory Biodiversity Net Gain (BNG) requirements.

Subject to the imposition of a planning condition, it is considered that the proposal is acceptable in terms of biodiversity and ecology-related impacts and would be in accordance with Policy EN 9 of the Core Strategy.

6. Foul water drainage and nutrient neutrality

This site lies within the Broads SAC and Ramsar catchment area for surface water drainage. As confirmed within the submitted planning statement, the site is connected to mains foul drainage which does not discharge into a sensitive catchment. As such, on the basis of connection to mains drainage and the drainage discharging outside of the sensitive catchment, the proposed development would not result in water quality issues and the advice of Natural England under nutrient neutrality.

The proposal would therefore accord with Policy EN 9.

7. Recreational impacts on designated sites

Norfolk Local Planning Authorities have worked collaboratively to adopt and deliver a Green Infrastructure and Recreational Impact Avoidance and Mitigation (GIRAM) Strategy to ensure that the cumulative impacts of additional visitors, arising from new developments of housing and tourism, to European sites, will not result in any likely significant effects which cannot be mitigated. The site is within the Zone of Influence of a number of such sites.

An appropriate contribution has been secured in line with the RAM Strategy as part of this proposal. It is considered that the contribution is sufficient to conclude that the project will not have an adverse effect on the integrity of the above identified European sites from recreational disturbance, when considered alone or 'in combination' with other development.

On that basis it is considered the proposal complies with Policy EN 9.

8. Design

The caravan would be clad in light larch colour finish timber with fenestration frame and corner detailing. This would improve the appearance of the caravan as well as its insulation. It is likely that the caravan would be maintained to a high standard as doing so would support and benefit the proposed operation.

It is considered that proposal is acceptable in terms of design impact, having regard to Policy EN 4 of the Core Strategy.

9. Amenity

The site is already widely landscaped with mature trees and hedgerows running alongside the western boundary nearest the existing residential dwellings. As such, it is considered unlikely that the proposal would have a significant detrimental effect on the residential amenities of neighbouring occupiers in terms of overlooking, overbearing, overshadowing, and causing a

loss of outlook. The proposal is considered acceptable in residential amenity terms for both existing adjacent residents and future occupiers providing use as short-stay accommodation.

The proposal is therefore considered to be acceptable in terms of amenity impacts in accordance with Policy EN 4 of the Core Strategy..

CONCLUSION AND PLANNING BALANCE

The proposal involved the use of the land which falls within a C3 residential use class comprising both use of the land for holiday purposes but also for residential purposes.

Whilst some aspects of the proposals are acceptable or could be made acceptable through the use of planning conditions, the use of the land for residential purposes has not been adequately justified and restricting the use in the way put forward by the applicant would give rise to complexity in relation to enforcement of any conditions limiting the maximum number of days each proposed aspect could be undertaken.

Officers note there are some benefits associated with the proposed uses, however, the benefits do not attract sufficient weight in the planning balance to override the clear harm that would arise from residential use in the countryside. As such the proposal is considered to be contrary to Core Strategy Policies SS 2 and EC 7.

RECOMMENDATION

REFUSAL for the following reasons:

In the opinion of the local planning authority the application site is not an appropriate location for the development and the mixture of activities proposed having regard to the strategic objectives of the development plan and the aims of the National Planning Policy Framework in terms of achieving sustainable patterns of development as it does not provide safe and suitable access including good links to Principal and Secondary Settlements. The proposed development is therefore contrary to policies SS 1, SS 2 and EC 7 of the adopted North Norfolk Core Strategy.

Final wording of reasons to be delegated to the Assistant Director – Planning