

DILHAM – PF/21/1479 – Conversion of agricultural building with associated external alterations to form four-bedroom holiday accommodation (part-retrospective) at Agricultural Barns, Oak Road, Dilham, Norfolk, NR28 9PW

Minor Development

Target Date: 31.03.2022

Extension of Time: Not agreed

Case Officer: Russell Stock

Full Planning Permission

RELEVANT SITE CONSTRAINTS

Within the Countryside as designated within the North Norfolk Core Strategy

Within the Low Plains Farmland Landscape Character Area as designated within the North Norfolk Landscape Character Assessment

Within the Nutrient Neutrality Surface Water Catchment Zone

Within various GIRAMS Zones of Influence

RELEVANT PLANNING HISTORY

Adjoining site:

PF/21/1478: Conversion of agricultural building with associated external alterations to indoor swimming pool for private hire - approved 15.09.2023

THE APPLICATION

Site description:

The site lies within an area designated as Countryside. The barn is located at Oak Farm and is situated in a cluster of agricultural buildings historically associated with the farm. Oak Farm is located 1.5km northeast of Dilham and is accessed via Oak Road. Oak Road is a public highway as it leaves the village of Dilham heading east but reverts to a private road halfway between the Grain Store and the village. The barn, formerly known, as the Pump House is a red brick building with a pan tiled hipped roof measuring approximately 9.5m wide and 14m long.

Proposal:

This application is for the change of use, together with associated operational development, of the building from agricultural use to a four-bed holiday home. The conversion reuses existing openings to form new windows and doors. Externally, the building would be accessed via the existing private drive, connecting to the private roadway, which in turn joins Oak Road. The area of grass south of the building would be fenced with timber post and rail to create a small garden. Parking and manoeuvring areas would be provided on the existing areas of hardstanding.

This application is part retrospective due to the fact that works to the building, roof and surrounding area have been undertaken whilst consideration was being given to this application. These works consist of the following:

- Installation of a package treatment plant
- Repointing of all brickwork
- Creation of new internal slab
- Old windows have been removed and openings for new windows created and made good
- Replacement of block work ready for timber cladding
- New fascia and guttering installed
- External slab surrounding the building for patio created
- Making good the roof structure, re-ridge roof, re-tiling (including new tiles) and installation of rooflight and sun-tubes
- Internal waste pipes fitted
- Internal walls structurally completed

As a number of these works were not originally shown on the submitted plans, it has been necessary for the applicant to provide revised drawings which reflect the works undertaken. Drawing PL0001 Rev A was received on the 25.06.24 and supersedes PL0001. The changes shown on the plan include the introduction of the rooflights and sun-tubes, creation of an additional opening (window) on the southern elevation, removal and addition of timber cladding.

REASONS FOR REFERRAL TO COMMITTEE

1. At the request of Councillor Dixon who considers the scheme results in environmental harm, lies in an unsustainable location and raises concerns in relation to highway safety arising from the increased use of the poor local road network serving the site.
2. The applicant (Luke Patterson) is a North Norfolk District Council Councillor and therefore in accordance with Chapter 6, paragraph 6.2, (4) (d) of the constitution, the application must be determined by Development Committee.

HUMAN RIGHTS IMPLICATIONS

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 above matters, approval of this application as recommended is considered to be justified, proportionate and in accordance with planning law.

CRIME AND DISORDER

The application raises no significant crime and disorder issues.

EQUALITY AND DIVERSITY ISSUES

The application raises no significant equality and diversity 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.

CONSULTATIONS

Dilham Parish Council – Comment concern over the increased traffic levels along Oak Road

NNDC Conservation and Design - No objection subject to conditions

NNDC Landscape - No objection subject to conditions.

NNDC Environmental Health - No objection subject to advisory note

Norfolk County Council Highways - No objection

NCC Public Rights of Way & Green Infrastructure: No objection

Natural England – No objection subject to mitigation being secured.

REPRESENTATIONS

Two received with **objections** on the following summarised grounds:

- The increase in the number of cars results in the increase amount of traffic
- The use of the holiday home will generate noise concerns
- Concerns over the light pollution in such a dark sky remote location

RELEVANT PLANNING POLICIES

North Norfolk Core Strategy (September 2008):

Policy SS 1: Spatial Strategy for North Norfolk

Policy SS 2: Development in the Countryside

Policy SS 5: Economy

Policy SS 6: Access and Infrastructure

Policy EN 1: Norfolk Coast Area of Outstanding Natural Beauty and The Broads

Policy EN 2: Protection and Enhancement of Landscape and Settlement Character

Policy EN 4: Design

Policy EN 9: Biodiversity & Geology

Policy EN 13: Pollution and Hazard Prevention and Minimisation

Policy EC 1: Farm Diversification

Policy EC 2: The Re-use of Buildings in the Countryside

Policy EC 7: The Location of New Tourism Accommodation

Policy EC 9: Holiday and Seasonal Occupancy Conditions

Policy CT 5: The Transport Impact of New Development

Policy CT 6: Parking Provision

Material Considerations:

National Planning Policy Framework (NPPF)

Chapter 2: Achieving sustainable development

Chapter 4: Decision-making

Chapter 6: Building a strong, competitive economy

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 Design Guide (December 2008)

North Norfolk Landscape Character Assessment (January 2021)

North Norfolk Landscape Sensitivity Assessment (January 2021)

Officer Assessment

Main Issues:

- 1. Principle of development**
- 2. Landscape and settlement character**
- 3. Design**
- 4. Residential amenity**
- 5. Biodiversity**
- 6. Pollution and hazard prevention and minimisation**
- 7. Highway safety**

1. Principle of development (Policies SS 1, SS 2, SS 5, SS 6, EC 2, EC 7, and EC 9)

Policy SS 1 sets out that most of the new development in North Norfolk will take place in the towns and larger villages as defined as Principal and Secondary Settlements and a small amount of new development will be focused on several designated Service and Coastal Service Villages. The rest of North Norfolk, including all settlements that do not fall under the above criteria, will be designated as Countryside. Policy SS 2 limits development in areas designated as Countryside to that, which requires a rural location and accords with the re-use and adaptation of buildings for appropriate purposes and recreation and tourism.

Development in areas designated as Countryside will be constrained, except to support rural communities and rural economic diversification. The site is situated in Dilham, within an area designated as Countryside under Policies SS 1 and SS 2. The proposal involves the re-use and adaptation of the existing building for recreation and tourism use. Development which would support the rural economy is acceptable in this location as it is one of the types listed under Policy SS 2.

Within the Countryside policy area proposals should first re-use existing buildings to protect the countryside from development that could erode the character of the area. Paragraph 88 of the Framework seeks the sustainable growth and expansion of all types of business in rural areas through the conversion of existing buildings, the development, and diversification of agricultural and other land-based rural businesses, and sustainable rural tourism and leisure developments, which respect the character of the countryside. On that basis, Policy EC 7 allows new tourist accommodation in the Countryside providing it complies with Policy EC 2.

Government policy has focused on encouraging the re-use of rural buildings for either business or community purposes as a means of supporting the diversification of farming enterprises and the general vitality of rural communities without necessitating the development of new buildings. Policy EC 2 states that the re-use of buildings in the Countryside for non-residential purposes will be permitted providing that economic uses (including holiday accommodation) are appropriate in scale and nature to the location. Secondly, it can be demonstrated that the building is soundly built and suitable for the proposed use without substantial rebuilding or extension and the proposed alterations protect or enhance the character of the building and its setting. Finally, the proposal must be in accordance with other policies seeking to protect biodiversity, amenity, and character of the area.

The barn is appropriate in scale and nature to the location to accommodate a four-bedroom holiday accommodation given that no alterations to its scale barn are proposed and there are other examples of existing tourism accommodation within the vicinity. Secondly, the structural inspection report submitted with the application concludes the building has performed well as a result of a general maintenance programme and it can readily be converted to domestic accommodation subject to the recommendations set out in the report. Finally, it is considered the proposal complies with the relevant policies concerning biodiversity, amenity, and character of the area, consideration of which are set out in the sections below.

Policy EC 9 requires that holiday occupancy conditions will be placed on new unserviced holiday accommodation with a view that it is used for holiday purposes only and shall not be occupied as the sole or main residence of the occupiers. Secondly, it shall be available for commercial holiday lets for at least 140 days a year and no let must exceed 31 days. Finally, a register of lettings/occupation and advertising will be maintained at all times and shall be made available for inspection by the Local Planning Authority on request.

The scheme comprises of unserviced holiday accommodation in the countryside. On that basis, the intention of the above condition is to create a clear distinction between residential dwellings and properties that are used as commercial holiday lets which therefore bring economic benefit to the area. As a result, commercial holiday lets will create less pressure on local services such as schools, and the economic benefits commercial lettings bring justify allowing such use in the Countryside where permanent residential would not be permitted. Therefore, provided the conditions set out above are appended to the decision notice in the event the application is approved, it is considered the proposal would comply with Policy EC 9.

By virtue that the proposal comprises for the re-use and adaptation of buildings for appropriate purposes and recreation and tourism, it complements the existing tourism activities within Oak Farm, therefore contributing to the sustainability of the wider enterprise. The building to be converted is structurally sound and of appropriate scale and nature for the location and therefore the proposal is compliant with the relevant policies.

To conclude, given that new market dwellings in the Countryside are restricted and the proposed use of the barn is for unserviced holiday accommodation, restrictions apply to its use as a holiday accommodation through planning conditions. For the reasons given above, the scheme complies with Policies, SS 1, SS 2, SS 5, SS 6, EC 2, EC 7, and EC 9 and therefore is acceptable in principle.

2. Landscape and settlement character (Policies EN 1 and EN 2)

The Broads are valuable assets for North Norfolk, in terms of sustainable tourism, quality of life and as wildlife habitats. It has a status equivalent to a National Park and includes several European wildlife designations. Policy EN 1 states that the impact of individual proposals, and their cumulative effects on The Broads and its setting, will be carefully assessed. Development will be permitted where it is appropriate to the economic, social, and environmental well-being of the area or is desirable for the understanding and enjoyment of the area and does not detract from the special qualities of The Broads.

Paragraph 182 of the Framework requires that great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks and the Broads, which have the highest status of protection in relation to these issues. The conservation and enhancement of wildlife and cultural heritage are also important considerations in these areas and should be given great weight in National Parks and the Broads. 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.

The application site is situated north of The Broads Special Area of Conservation (SAC). The proposal seeks to bring back to use an agricultural store by converting it into a four-bedroom holiday let accommodation. The conversion of the barn would provide economic and social benefits and would support the current tourism activities within the area. Moreover, given the proposal comprises the utilisation of an existing building, the proposed minor alterations would not affect its scale or impact on the setting of The Broads.

Policy EN 2 sets out that proposals should be informed by, and be sympathetic to, the distinctive character areas identified in the North Norfolk Landscape Character Assessment (LCA) (January 2021). Development proposals should demonstrate that their location, scale, design, and materials would protect, conserve, and, where possible, enhance the special qualities and local distinctiveness of the area.

The site lies within the Low Plains Farmland Landscape Character Area as designated within the LCA (January 2021). The Landscape guidelines for this Character Area requires that the redevelopment of redundant barn complexes outside settlement boundaries is sensitively undertaken avoiding use of suburban features such as surfaced drives, domestic style gates and fences, ornamental planting, overly large windows, or excessive external lighting.

Given that the scheme comprises of the redevelopment of an existing building, there is no alteration to its scale and whilst some suburban features, i.e. timber post and rail fences will form part of the design, their location, size and design will be secured by condition. On balance, the proposal would protect and conserve the special qualities and local distinctiveness of the area and therefore would not give rise to significant landscape concerns. On that basis, the scheme complies with Policy EN 1 and EN 2 and paragraph 182 of the Framework.

3. Design (Policy EN 4)

Policy EN 4 requires that all development should be designed to a high quality, reinforcing local distinctiveness, be expected to be suitably designed for the context within which they are set, and ensure that the scale and massing of buildings relate sympathetically to the surrounding area. Paragraph 135(c) of the Framework sets out that developments should be sympathetic to local character and history, including the surrounding built environment, while not preventing or discouraging appropriate innovation or change and optimise the potential of the site to accommodate and sustain an appropriate amount of mix development.

The proposal seeks the creation of one large opening on the south elevation to accommodate a set of French doors and side glazed panels that provide natural light to the living and dining rooms. This large glazing area in combination with the fenestration that replaces the existing vehicular access to the barn on the north elevation are the largest apertures within the historic fabric of the building. Whilst they are large, these do not appear disproportionate in scale in relation to the overall proportions of the existing barn to justify refusal on design grounds. Finally, the proposed palette of materials comprises of Norfolk clay pantiles, red facing brick, black painted timber fascia and cladding and grey UPVC or aluminium windows and doors.

The Conservation and Design Officer has not objected to the proposal subject to a condition requiring the existing roof tiles to be reused, with any shortfall to match the existing. As the works to the roof have already been carried out, this condition is now not necessary. The

works undertaken to the roof, from a design/heritage perspective are however, considered to be acceptable.

Given the proposal is sympathetic to the local character and context of the surrounding area, and subject to conditions securing the proposed materials, as well as aluminium/timber fenestration, it is considered the scheme would not give rise to significant design concerns. As such, it complies with Policy EN 4 and paragraph 135 of the Framework.

4. Residential amenity (Policy EN 4)

Policy EN 4 requires that proposals should not have a significantly detrimental effect on the residential amenity of nearby occupiers and new dwellings should provide acceptable residential amenity. Furthermore, paragraph 3.3.10 of the Design Guide sets out that the position of dwellings, and the arrangement of their rooms and windows, should not create significant overlooking of other dwelling windows or private garden areas, nor should they lead to any overbearing impacts upon existing dwellings. As such, regards should be given to recommended distances in the case of conventional single and two-storey dwellings (assuming a level site situation) to ensure a degree of privacy between adjacent properties.

The barn lies 21 metres southwest of the nearest dwellinghouse known as Oak Farmhouse. Given the significant separation distance between both buildings, it is considered the proposal complies with the criteria set out in the Design Guide. Therefore, the scheme would not have a significantly detrimental effect on the residential amenity of nearby occupiers.

Given the limited external amenity space, and the proximity to other buildings, including the adjoining barn which was granted permission to be used as a swimming pool under application PF/21/1478, the converted building would not be suitable as an independent dwelling in amenity terms. The proposed development would however be restricted to holiday accommodation via a condition as noted above. Visitors and guests of the accommodation would not require amenity space in the same way as a dwelling would and sufficient internal space would be provided, providing suitable light levels and outlooks. It is therefore considered that the development would provide acceptable amenities for its future users.

For the reasons given above, the proposal is considered compliant with Policy EN 4 and the relevant criteria set out in the Design Guide.

5. Biodiversity (Policy EN 9)

Policy EN 9 sets out that development proposals should protect the biodiversity value of land and buildings and minimise fragmentation of habitats, maximise opportunities for restoration, enhancement and connection of natural habitats and incorporate beneficial biodiversity conservation features where appropriate. Development proposals that would cause a direct or indirect adverse effect to nationally designated sites or other designated sites or protected species will not be permitted unless prevention, mitigation and compensation measures are provided.

The application has been supported by a Preliminary Ecological Appraisal, a subsequent Nocturnal Bats Survey report and a recent Ecology Update (20 June 2024). The reports from 2021 concluded that the proposal would result in the destruction of the day roosts for two common pipistrelle bats and potential disturbance of bats if present during the construction phase resulting in minor negative impact on the local bat populations.

During the consideration of this application, the applicant commenced the development. In relation to bats, all the works to the roof and external structure have been carried out. The applicant has provided evidence that the works were undertaken in accordance with a Natural England Licence. The 20 June 2024 Ecology Update confirms that these works were completed under the relevant licence and that no further works are necessary to the newly tiled roof. The report confirms that the roof will remain in its current state with no disturbance to the tiles or lining. Additionally, the barn has been re-pointed throughout and wooden soffits close fitting, which leaves no potential crevices for roosting bats.

The Landscape Officer has assessed the information submitted with the application and has had regard to the works already undertaken on site and raises no objection. The mitigation and enhancement measures set out within the submitted reports, and which remain relevant, will be secured through planning conditions.

Members of the public objected to the proposal due to concerns over light pollution in such a remote location. The Landscape Officer is of the opinion that to ensure that excessive light spill in the countryside is avoided and to protect the Broads National Park and avoid any adverse impacts on protected species populations, a planning condition requiring details of external lighting to be approved the Local Planning Authority is necessary.

Nutrient Neutrality

The site is within the surface water catchment of Broad Fen Dilham Site of Special Scientific Interest (SSSI) which is a component part of the Broads Special Area of Conservation (SAC) and Ramsar Site which is covered by the advice issued by Natural England in March 2022 about nutrient pollution in this protected habitat and the River Wensum SAC. The letter advised that new development (which includes new holiday lets) within the catchment of these habitats comprising overnight accommodation can cause adverse impacts on nutrient pollution affecting the integrity of these habitats. Mitigation is therefore required to ensure the development would not have an adverse effect on the integrity of Broad Fen SSSI, The Broads SAC and Broadland Ramsar and or damage or destroy the interest features for which the SSSI's has been notified.

The applicant proposes to use the Graf One2Clean biological sewage treatment plant (STP) on the application site. Treated outfall from this plant will then be dissipated in finger drains to groundwater. The proposed development would result in an additional 0.72 kg/yr of Phosphorous and 3.59 kg/yr of Nitrogen (including 20% precautionary buffer). This has been based upon a 110 litres/person/day basis which is reliant on water saving devices. A planning condition would be required to secure this water usage.

To mitigate this additional loading and achieve Nutrient Neutrality for the development, the applicant has proposed to replace an existing septic tank serving a dwelling also within the applicant's ownership (Hillcrest) and positioned approximately 1km west of the application site. The existing septic tank at Hillcrest would be replaced by the more efficient Graf One2Clean STP. The existing septic tank has been calculated to discharge 0.95 kg/yr of Phosphorus and 7.92 kg/yr of Nitrogen. The proposed STP outputs at this site would be 0.13 kg/yr of Phosphorus and 0.65 kg/yr of Nitrogen. Both these figures have been based upon a load of 120 litres/person/day assuming that none of the existing property infrastructure upstream of the plant will be modified.

With this mitigation in place, the applicant has calculated that this would result in a reduction of 0.82 kg/yr of Phosphorus and 7.27 kg/yr of Nitrogen being discharged into the ground at Hillcrest. This saving at the mitigation site would result in a net benefit of 0.1kg less phosphorous per year, and a reduction of 3.68kg nitrogen per year, when taking into account the proposed development outputs.

Natural England were consulted on the Shadow Habitat Regulations Assessment (sHRA) which was provided by the applicants. They have raised no objection to the proposed development, subject to the mitigation being appropriately secured. A legal agreement is required to secure the off-site mitigation which has been proposed. This legal agreement, coupled with conditions on any approval would ensure that the mitigation is provided in accordance with the details approved, by the necessary stages of development. Having considered the submitted evidence and information provided by the applicants and having due regard to the comments made by Natural England, the Council have adopted the sHRA as part of its duty as competent authority. The mitigation proposed and which can be appropriately secured is sufficiently precautionary and the development would achieve nutrient neutrality.

GIRAMS

Since this application was initially submitted, the Norfolk wide Green Infrastructure and Recreational Impact Avoidance and Mitigation Strategy (GIRAMS) has been adopted and agreed between the Norfolk planning authorities and Natural England. The Strategy enables growth in the District by implementing the required mitigation to address adverse effects on the integrity of Habitats Sites arising from recreational disturbance caused by an increased level of recreational use on internationally designated Habitat Sites, particularly European sites, through growth from all qualifying development.

The GIRAM Strategy is a strategic approach to ensure no adverse effects are caused to European sites across Norfolk, either alone or in-combination from qualifying developments. Taking a coordinated approach to mitigation has benefits and efficiencies and ensures that developers and the Local Planning Authorities (LPA) meet with the Conservation of Habitats and Species Regulations 2017 (as amended).

The application site falls within the Zones of Influence of a number of designated habitats as defined within the strategy. Increased recreation without mitigation is likely to affect the integrity of these Habitat Sites across Norfolk. All new net residential and tourism development are required to mitigate the effects of the development and show how this will be achieved before approval of planning permission. The tariff is currently collectively set at £221.17 per net new residential dwelling and is index linked. In relation to this application, the tariff required is £247.91. The applicant has provided the necessary mitigation payment.

In addition to the above payment, the Habitat Regulations Assessment for this development found that further mitigation measures were required in order to avoid adverse recreational disturbance impacts at the nearby Broad Fen Dilham SSSI which is a component site of the Broads SAC, Special Protection Area (SPA) and the Broads Ramsar Site. The mitigation measures relate to information to be provided to occupants of the holiday accommodation, as well as information and signage to be located on the boundaries of Broad Fen itself.

Subject to conditions to secure these additional mitigation measures, in combination with the payment already received, the planning application would not have an adverse effect on the integrity of the European Sites identified above from recreational disturbance, when considered 'alone' and 'in combination' with other development.

Natural England considered GIRAMS and within their latest no-objection response, and state that they note that a payment of £247.91 has been made towards GIRAMS and providing appropriate mitigation is secured to avoid impacts upon the European sites occurring Natural England has no objection/ further comment in regard to this mitigation.

Summary

The introduction of the advice relating to nutrients has resulted in delays in the determination of this application. The information and evidence which has subsequently been submitted by the applicant has now satisfactorily addressed this matter. The ecology reports have also demonstrated that the proposals would not have an adverse impact upon the sites ecological interest. For the reasons stated above, and subject to a legal agreement and relevant conditions, it is considered that the proposal would comply with Policy EN 9, paragraphs 180, 186 and 187 of the Framework and The Conservation of Habitats and Species Regulations 2017 (as amended).

6. Pollution and hazard prevention and minimisation (Policy EN 13)

Policy EN 13 sets out the requirements for all development to minimise, and where possible reduce all emissions and other forms of pollution, including light and noise pollution. Proposals will only be permitted where, individually, or cumulatively there are no unacceptable impacts on the natural environment and general amenity, health, and safety of the public and air quality. Paragraph 191 of the Framework requires that local planning authorities ensure that new development is appropriate for its location considering the effects (including cumulative effects) of pollution on health, living conditions, and the natural environment.

Members of the public objected to the proposal on the grounds that the use of the holiday home will generate noise concerns. The Environmental Protection Officer has considered the information submitted with the application and has no objections subject to advisory notes. Should noise concerns arise from the proposal which would be constitute a statutory nuisance, this would be a matter that would be dealt with by the Council's Environmental Protection Team. It is therefore considered that the proposal complies with the requirements of Policy EN 13 and paragraph 191 of the Framework.

7. Highways (Policies CT 5 and CT 6)

Policy CT 5 sets out proposals should provide for safe and convenient access on foot, cycle, public, and private transport addressing the needs of all without detriment to the amenity or character of the surrounding area or highway safety. The Highway Authority have no objections to the application on safety grounds.

Policy CT 6 requires that adequate vehicle/cycle parking should be made in accordance with the Council's parking standards. Appendix C: Parking Standards of the Core Strategy requires a minimum of three car parking spaces for four or more-bedroom units. Parking provision for the development would be provided on the existing areas of hardstanding. Given the size of these, it is considered they will comfortably accommodate the three parking spaces required.

Councillor Dixon objected to the proposal on the grounds of highway safety arising from the increased use of the poor local road network serving the site. Paragraph 115 of the Framework sets out that development should only be refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. The Highways Authority considered that the former farm use would have had a degree of traffic generation, which needs to be compared to the proposed use. Mitigation measures have previously been implemented with passing places and there is adequate space for vehicles to park and turn around. Having due regard to the advice of the Highway Authority, it is considered that the proposal complies with Policies CT 5 and CT 6.

8. Other matters

Mineral Safeguarding

The application site falls within a Mineral Safeguarding Area whereby Policy 16 of the Norfolk County Council's Minerals Plan is the relevant. This policy seeks to ensure that existing mineral deposits are safeguarded from needless sterilisation. In this instance, given that this application relates to a conversion of a single building on an existing developed site, there would be no significant mineral implication and no substantive conflict would arise with Policy 16 of the Minerals Plan.

Conditions

As the proposed development has already been implemented with various works already complete, it is no longer necessary to impose a number of the conditions requested by consultees. The conditions which are no longer required include: time limit to implement, roof tiles to be reused, Bat Licence to be submitted, GIRAMS notification at commencement.

9. Conclusion

The development is considered to be in accordance with the requirements of the Development Plan for the reasons stated. There are no material considerations that indicate the application should be determined otherwise.

RECOMMENDATION:

APPROVAL subject to:

- 1. The completion of an agreement under section 106 of the Town and Country Planning Act 1990 to secure nutrient mitigation measures; and**
- 2. The imposition of conditions to cover the matters listed below and any others considered necessary at the discretion by the Assistant Director - Planning; and**
- 3. If the Section 106 Obligation isn't completed and the permission isn't issued within 3 months of the date of this Committee meeting then the Director for Planning and Climate Change will consider whether the application resolution remains appropriate and in doing so will take account of the likelihood of the Section 106 being completed and permission issued in the near future (i.e. within another month) and will consider whether there are any potential / defensible reasons for refusal at that time. If he reaches that view – i.e. that the application should potentially be refused - then the application would be reported back to Committee.**

Conditions:

1. Approved plans
2. External materials
3. Biodiversity mitigation and enhancement
4. External lighting
5. Landscaping scheme
6. Use for holiday accommodation purposes only and to be made available for use as such for at least 140 days per year, no individual let to exceed 31 days, register of lettings

7. Removal of permitted development rights for the erection of fences, gates, walls or other means of enclosure
8. Removal of permitted development rights under Schedule 2, Part 1 of the Town and Country Planning (General Permitted Development) Order 2015 for extensions and alterations etc and development within the curtilage and; Classes A and B of Part 14 for installation of solar equipment on the building or free standing
9. Development to meet the higher water efficiency standard of 110 litres/person/day
10. Nutrient mitigation including
 - Replacement of septic tank at Hillcrest
 - The use of the building as holiday accommodation hereby permitted shall not commence until:
 - Connection of holiday accommodation to specified PTP or equivalent
 - Provision of evidence to show completion and connection
 - Maintenance of PTP thereafter
11. Ecological Management Plan