

STALHAM - PF/24/2338 - Change of use from dwellinghouse (Class C3) to holiday let (no specified use class) including upgrade of an existing access surface and installation of a tennis court (retrospective) at Sutton Hall, Hall Road, Sutton

Minor Development

Target Date: 21.1.25

Extension of time: 30. 6.2025

Case Officer: Phillip Rowson

Full Planning Permission

RELEVANT SITE CONSTRAINTS:

Countryside LDF designation

Landscape Character Assessment - Settled Farmland

Agricultural Land Classification - Agricultural Land: Grade 1

EA Risk Surface Water Flooding 1 in 30

Public Right of Way - Sutton FP4

Nutrient Neutrality Zone

The site falls within multiple GIRAMS Zones of Influence.

RELEVANT PLANNING HISTORY:

ENF/24/0069 – Creation of a new access, change of use of the venue for weddings and holiday let and the creation of hard standing.

CL/24/1328

Certificate of lawfulness for existing use of dwelling as holiday let accommodation (Refused)

IS2/24/0219

Proposed change of use to holiday let and wedding/events venue (Advice given)

HN/24/0206

Notification of intention to erect an 8.0 metre Single Storey Extension to Rear of Property, (refused – proposal not considered permitted development).

PF/23/1546

Conversion of barn to dwelling (withdrawn).

HN/15/1319

Notification of intention to erect single-storey rear extension which would project from the original rear wall by 5.1 metres, which would have a maximum height of 3.34 metres and an eaves height of 2.3 metres (refused – planning permission required)

PF/11/0585

Conversion of outbuilding to one unit of holiday accommodation (extension of period of commencement of planning permission reference 08/0513) (Approved)

PF/08/0513

Conversion of outbuilding to one unit of holiday accommodation (Approved)

PF/06/1880

Glazed Attrium (Approved)

THE APPLICATION & BACKGROUND

The application was submitted because of an enforcement investigation (ENF/24/0069) and agreement to apply for permission to regularise use of Sutton Hall as a short-term holiday letting business following refusal of a certificate of lawfulness for the existing use holiday let use of the dwelling (CL/24/1328). The application also seeks to retain operational development for an upgraded access, and tennis court.

The enforcement case remains open pending an outcome from this application.

Although a local planning authority may invite an application, it cannot be assumed that permission will be granted, further that the local planning authority will take care not to fetter its discretion prior to the determination of any application for planning permission – such an application must be considered without prejudice on its material planning merit, in the normal way.

Prior engagement with the applicant under the formal pre application advice issued under IS2/24/0219 for the proposed change of use to holiday let and wedding/events venue took place.

The applicant has been requested to clarify if the proposals will include wedding and event use, in the current proposal for Sutton Hall. The applicant has not included these uses or adjacent land in this application. Further, the applicant has chosen to not accept conditional control over the use of land immediately adjoining the application site. Rather the applicant has confirmed that they wish to assert alleged permitted development rights for temporary use of land for up to 28 days for Weddings and Events.

Officers consider that the wedding & events activities are operationally dependent on the use of Sutton Hall. Legal opinion has confirmed that the balance of probability is currently that planning permission will be required for the adjacent wedding and events use. This matter is currently subject to investigation and will stand apart from consideration of the current application for the short-term letting of the Hall as overnight accommodation. Any in combination effects arising from the adjacent land use will be considered as a separate issue under any subsequent application.

REASONS FOR REFERRAL TO COMMITTEE:

At the request of Local Ward Cllrs (Cllr Matthew Taylor and Cllr Kevin Bayes) for the following reasons:

As Sutton's District Councillors, we write to formally object to the retrospective planning application submitted by Sutton Hall Escapes Ltd. The proposed change of use from a residential dwelling (Class C3) to a holiday let raises significant concerns for the local community.

The operation of Sutton Hall as a holiday let catering to up to 12 guests has introduced increased traffic, noise, and disruption in what is otherwise a peaceful rural setting. Whilst the applicants assert their guests comply with house rules and noise policies, the presence of transient visitors, particularly groups for weekend stays, has altered the character of the area. Residents have expressed concerns about loud gatherings, amplified by the inclusion of amenities.

The increase in vehicle movements associated with guests and their support teams places additional stress on the local road infrastructure, which is ill-suited to accommodate such

activity. Despite claims of only 2-4 vehicles per stay, anecdotal evidence from residents suggests higher volumes, particularly during peak times. This creates safety concerns for other road users and places a greater burden on the existing infrastructure.

The site's location within The Broads Nutrient Neutrality Catchment raises questions about the adequacy of the measures in place to ensure nutrient neutrality. While the applicant claims no additional overnight accommodation is being created, the commercial use of the property introduces a higher intensity of use, potentially impacting local biodiversity and water quality. We have already discussed with enforcement the noted affect on local owl populations, which have ceased to use the boxes in the air since the lighting of Sutton Mill, also understood to be owned by the applicant. Of course, this doesn't directly factor into this application but should be noted as part of the wider context of the site.

Granting permission for this retrospective application sets an undesirable precedent for others to operate commercial ventures in residential areas without prior approval. The lack of enforcement during the operation since January 2024 undermines trust in the planning process and raises fairness issues for those who comply with regulations.

We believe local residents have not been adequately consulted about the impacts of this change of use. Their lived experiences and concerns must be given greater weight in the planning process. It is also disappointing to us that we have not been contacted by the applicant throughout this process.

In conclusion, we strongly urge the council to refuse this application on the grounds of its adverse impact on the local community, infrastructure, and environment.

Call in to Development Committee in event of recommendation for approval.

REPRESENTATIONS:

14 representations have been made **objecting** to this application, raising the following points (summarised):

- Policy – countryside location fails to comply with relevant policies.
- Highways – narrow single track road network, increased traffic will lead to conflicts between vehicle users, riders, cyclists and walkers, flawed Transport Assessment.
- Noise – intensification of use, ineffective / unenforceable noise management plan.
- Amenity – intensification of use creating nuisance from noise, additional vehicle flows and associated loss of amenity, contrary to Article 8 Human Rights.
- Light – greater light pollution, impacting on amenity and protected species.
- Ecology – Adverse impacts from nuisance associated with use on bats, owls and woodpeckers, discrepancies in ecological report.
- Landscape – adverse impacts from installation of tennis court and access track.
- Retrospective proposals, repeated breaches for unauthorised and ongoing short-term holiday letting, a wedding event.
- No benefits to the local community.
- The development is not appropriate in scale and nature to its location and the tennis court and maintenance track would have a harmful urbanising impact in this rural location.

CONSULTATIONS:

Sutton Parish Council: Objection

18.12.24

You will have noted that the following planning applications have already been objected to by this council and refused by your planning committee.

IS/24/0129 - Proposed change of use to holiday let and wedding/events venue.

CL/24/1328 - Certificate of Lawfulness.

It is therefore incredulous to see a further application that seeks to supersede the previous applications and disregard most of the pre-application advice. If the application is agreed, it will be evidence that the Norfolk Planning Policy does not have to be adhered to.

Enforcement actions have been taken and yet the applicant held a large wedding function in September 2024. This was covered by a temporary events license notifying one resident, with a handwritten just a barely legible note on the eve of the function. This event was followed by media posts confirming the size and scale of the wedding and overnight guests. It would appear guests also arrived by helicopter. We understand a number of these temporary permits are available to the applicant within a year and so assume their ambitions are much bigger.

The evidence shows us they offer large events and able to accommodate at least 150 people for three nights. This does affect the safety of our residents. The roads are narrow, and we do not have street lighting. A road safety review in 2024 has already acknowledged the risks we currently live with.

Action has been requested because The Hall has installed multiple lighting areas within the grounds, lighting up trees and the house. This has caused interference with a light pollution free environment and affected the nesting and movement of wild birds and bats including the local barn owl community.

It is also disappointing to hear that the agents of the hall have delivered inaccurate information to residents over the past year. And yet, despite advice given by NNDC and invitation from the Parish Council, representatives have not felt the need to communicate with us in the local community. The local community enjoys their peaceful rural existence and yet a business from outside of Norfolk can change or remove this enjoyment solely for their own for profit. That profit brings nothing back to the local or wider community.

We sincerely hope this application will be refused but if that is not your intention, we would wish at the least it is submitted to your development committee for approval. This would allow the community to be heard and confirm NNDC is supporting their taxpayers.

18.6.25:

Retain objection

- *Principle – disregard refusal certificate of lawfulness, permission for holiday letting is required.*
- *Noise – noise report ignores concern of Parish Council, not just holiday use includes corporate / group meetings / weddings.*
- *Light Pollution*
- *Dark sky zone, Hall lit up like a Christmas tree, adapt tennis court for other sports, hours restrictions*
- *Ecology – large buildings without permission, no car parking shown*
- *Nutrient neutrality - Only ensuite bathrooms/toilet, where do extra guests go as no separate toilets are shown on house plans.*
- *Transport*
- *Single track Road few passing places, conflicts arise, Use large vehicles for deliveries.*
**They said they have parking for 6+ cars more like 25+ Agents reference to 2 appeals that are not traceable. Occupancy patten mostly weekend/ school holidays. Roads are all busy at this time*

- of year, hall situated in an agricultural area so lots of farm traffic to cope with as well. Visibility on the road very poor in the summer as hedgerows are quite high would not see dog walker, hikers doing the weavers way walk and we have quite a few horse riders around.
- of the public, approval of this application as recommended is considered to be justified, proportionate and in accordance with planning law.
- Landscape – Tennis Court no plans, outside noise.
- Third party representations – all objections, already held a wedding, corporate events. they will do what they want regardless
- Tourism benefits are limited.
- Fallback Position spurious as rely on using the Hall.
- Planning balance negative with unenforceable conditions

We stand by our first letter and wish to add this follow-up letter to be taken into consideration. We would also like to add the use of this application is not suitable for our rural village resulting in harm to neighbouring residential amenities and compromises highway safety and noise . The principle of the change of use is at odds with both existing and emerging local policy. The tennis court and maintenance track would have a harmful urbanising impact in this rural village location.

We already have 12 high end and 30+ medium to low end bed and breakfast within 14 mile radius of Sutton village which we think is plenty.

We have a lot of retired residents with dogs that walk these road and lanes, hikers walking Weaver's way plus horse riders and cyclists.

We worry about Road safety for residents that use the village roads/ lanes as most of the village is without footpaths or lighting in more rural roads/lanes have steep sides or ditches so not easy to get out of the way of traffic quickly.

Highways (NCC): No objection

Initial response:

The Highway Authority would not wish to restrict the grant of permission. If minded to approve the application recommend condition requiring access / parking and turning areas to be laid out in accordance with the submitted plan.

British Pipeline Agency: Advice

The pipeline is not affected by these proposals, and therefore BPA does not wish to make any comments on this application.

Environmental Protection (NNDC) : Advice

Environmental Health has considered the above referenced planning application, and recommends planning conditions for external lighting, and compliance with Noise Management Plan to be applied if planning consent should be granted.

Landscape (NNDC) : Advice

Ecology:

The application is supported by an Ecological Assessment (EcIA) prepared by David Watts Associates Ltd, dated 15/11/2024. The Landscape section is satisfied with the ecological information provided and holds no objection on ecological grounds.

Biodiversity net gain:

The Landscape section is satisfied with the information presented and can agree the baseline calculations.

Nutrient neutrality:

We do not need to request a Nutrient Neutrality budget calculator where we are satisfied there would not be an increase in overnight accommodation. The proposal does not increase the number of bed spaces and is not captured by Nutrient Neutrality advice. Recommend a condition to maximum number of bedspaces, to ensure that if there is subsequently an increase in the number of bed spaces then mitigation will be required.

Trees:

The application is supported by arboricultural information from DWA ecology dated 15 November 2024, the report sets out trees have been removed prior to assessments being made. Additional evidence has been supplied no objections are now raised.

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, approval 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 (September 2008):

Policy SS 1 (Spatial Strategy for North Norfolk)

Policy SS 2 (Development in the Countryside)

Policy SS 4 (Environment)

Policy SS 6 (Access and Infrastructure)

Policy EN 2 (Protection and Enhancement of Landscape and Settlement Character)

Policy EN 4 (Design)

Policy EN 6 (Sustainable Construction and Energy Efficiency)

Policy EN 8 (Protecting and Enhancing the Historic Environment)

Policy EN 9 (Biodiversity and Geology)

Policy EN 10 (Development and Flood Risk)

Policy EN 13 (Pollution and Hazard Prevention and Minimisation)

Policy EC2 (The Re-Use of buildings in the countryside)

Policy EC 7 (The Location of New Tourism Development)

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 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

North Norfolk Emerging Local Plan

The Council's Emerging Local Plan was subject to a further round of examination in April 2025 and, following receipt of the Inspector's letter dated 08 May 2025, subject to completion of required Main Modifications, six-week public consultation and completion of any additional modifications, the plan is expected to be found sound and adopted in Autumn 2025. At this stage, whilst the Emerging Local Plan is capable of attracting some weight for decision making purposes, this would be considered "limited" at this stage and, in any event, there are no specific proposed new policies that would lead to a materially different planning outcome than the policies within the existing Core Strategy documents.

Supplementary Planning Documents:

North Norfolk Landscape Character Assessment (2021)

OFFICER ASSESSMENT:**Main issues for consideration:**

1. Principle of development
2. Noise and light pollution
3. Highways and Parking
4. Landscape & Ecology
5. Other matters
6. Conclusion & Planning Balance

1. Principle of Development

Section 38(6) of the Town and Country Planning Compulsory Purchase Act 2004 requires that planning applications must be determined in accordance with the Development Plan unless material considerations indicate otherwise.

In this case the development plan for the area still includes the North Norfolk Local Development Framework Core Strategy and the Site Allocations Development Plan Document. The emerging North Norfolk Local Plan has been subject to two rounds of examination. However, at the current time, only limited weight can be afforded to the policies of the emerging plan.

At a National level, the National Planning Policy Framework 2024 (NPPF) constitutes guidance which the LPA must have regard to. The NPPF does not change the statutory status of the development plan as the starting point for decision making but is a material consideration in any subsequent determination.

Adopted plan policy:

The spatial strategy for North Norfolk is set out within Core Strategy Policy SS 1. This states that most of the new development within the district will take place in the towns and larger villages dependent on their local housing needs, their role as employment, retail and service centres and environmental and infrastructure constraints. The policy lists principle and

secondary settlements as well as service and coastal service villages. The rest of North Norfolk is designated as 'Countryside' and development in the Countryside will be restricted to types of development to support the rural economy, meet affordable housing needs and provide renewable energy.

The application site is within designated Countryside, Policy SS 2 directs that development is limited to that which essentially requires a Countryside location. The policy sets out qualifying criteria for development that will be considered in such locations. The proposed change of use involves re-use and adaptation of buildings for purposes to support tourism and leisure uses. The relevant detailed policy considerations are detailed at policy EC 2 The Re-use of Buildings in the Countryside and policy EC 7 The Location of New Tourism Development.

Policy EC 2 supports re use of buildings in the countryside subject to three criteria:

- the re-use must be appropriate in scale and nature to the location.
- 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.
- the proposal is in accordance with other policies seeking to protect biodiversity, amenity and character of the area.

Policy EC 7 enables tourism use within the Service Villages, Coastal Service Villages and the Countryside for new tourist accommodation and attractions in conjunction with other policies for Employment Areas, the Re-use of Buildings in the Countryside.

Emerging Plan policy:

Officers note that the general settlement hierarchy as set out in Emerging Policy SS 1 is supported by the Inspector but can only be given limited weight, as the suggested main modification changes are extensive on this Policy. The consequent guidance relating to development in the Countryside for new tourism accommodation under Policies HOU 7 & E 6 follow adopt plan policy principles in any event.

The re-use of buildings for tourism development at the application site would be supported in land use principle as detailed in adopted plan Policies SS 1 & SS 2. The proposals will require measured assessment under adopted policy EC 2 & EC 7 regarding appropriate scale and nature, and compliance with other technical policies covering amongst other matters amenity (EN 13) and biodiversity (EN 9). These issues will be considered within the body of this report.

2. Noise and light pollution

Core Strategy Policy EN 13 Pollution and Hazard Prevention and Minimisation sets out that proposals should minimise, and where possible reduce, all emissions and other forms of pollution, including light and noise pollution. Development should not unacceptably impact on the natural environment and general amenity.

Para 198 of the NPPF follows EN 13 and includes consideration of light pollution, requiring that development

- mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development – and avoid noise giving rise to significant adverse impacts on health and the quality of life;*
- identify and protect tranquil areas which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason; and*

- c) *limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation.*

Noise

The applicant has commissioned a consultant to undertake a noise assessment to support the application. Officers note that the report relates to short-term letting and fails to consider potential wider in-combination effects associated with the immediately adjacent weddings and events use. However, this issue will be addressed under separate consideration via planning application / enforcement investigation. This application will be addressed on its merits as a proposal for short-term letting holiday purposes.

The applicant's report provides an assessment of the noise levels that may arise during short-term holiday lets. This includes consideration of the likely audibility of different types of noise, and the potential resulting impact on nearby dwellings. Noise sources are identified as:

- Guests talking in internal and external areas.
- Amplified music in internal areas only; and
- Sound from guests using the proposed new tennis court

Noise was surveyed at the nearest noise sensitive receptor (Sutton Hall Barn), background noise levels were established and a noise model created which reflects the above noise sources for the nearest dwellings. The report finds that:

- *Noise from tennis is likely to be inaudible outside all noise-sensitive receptors most of the time during daytime hours, but is likely to become slightly more after 19:00 hrs. However, the absolute noise levels generated by the tennis court would still be much quieter than the noise from traffic and/or other existing sources.*
- *Noise levels at the nearest noise-sensitive receptors from guests congregating in external areas depends on the location, the number of guests, and the behaviour (as defined here in terms of the speech effort level) of the guests.*
 1. *Expect 'normal' and 'raised' voices on the patio to the south of the hall to be mostly inaudible at the nearest dwellings during the daytime but may become slightly more audible after 21:00 hrs as the ambient and background sound levels reduce. 'Loud' voices are likely to be more audible at times throughout the day, and very likely to be audible after 21:00 hrs. However, absolute noise levels would still be much quieter than the noise from existing sources.*
 2. *Expect 'normal' and 'raised' voices in the walled garden to sometimes be audible in the day and to be more clearly audible during the evening, particularly after 21:00 hrs (note: the walled garden would not be permitted to be used after 21:00 hrs). 'Loud' voices in the walled garden would not be permitted.*
- *Elevated music noise levels inside the hall with windows and doors open likely to be audible at the nearest noise-sensitive receptor at any time of day, again the absolute noise levels would still be much lower than those from road traffic.*
- *Elevated music noise levels inside the hall with windows and doors closed are likely to be inaudible at all receptors up to 21:00 hrs. From 21:00-23:00 hrs, music may at times be audible, and from 23:00-04:00 hrs music noise would be likely to be much more clearly audible. Absolute noise levels at any time would be lower than the prevailing road traffic noise*

The report goes on to consider noise levels in combination with guest activities, i.e. with guests being split into different areas carrying out different activities simultaneously. The report

finds that there will be times when some noise from guests at Sutton Hall would be audible outside the nearest residential dwellings, particularly in garden areas. Noise impact can be managed to mitigate potential adverse noise impacts, particularly during quieter periods where the potential for adverse impact would be greater.

The proposed Noise Management Plan (NMP) seeks to mitigate disturbance arising from the short-term letting use, it proposes that:

- Tennis court will only be permitted to be used between 07:00-21:00 hrs.
- External gatherings - walled garden and other outdoor areas close to noise-sensitive receptors will not be permitted after 21:00 hrs. Guests will be advised as to the sensitivity of this area. No restrictions for external south facing patio area, guests advised to keep noise to minimum after 11:30. Signage to be used to emphasise noise limitations.
- Music - Amplified music will only be permitted inside the hall (kitchen and orangery are intended for this). A dedicated sound system will be installed for this. Guests will not be permitted to bring their own sound systems, speakers, or instruments. Windows and doors are to be kept closed whilst music is playing. The sound system will incorporate a tamper-proof line-driven music limiter device to automatically control music levels. This will monitor input signals to the amplifiers and automatically reduce the output level if a set threshold level is exceeded. The limiter will not allow levels above 88dB(A) at any time but will also reduce noise levels automatically at quieter background noise times. The music system would be subject to a commission process to ensure noise levels achieve confirmed mitigation levels.
- The complaints procedure is outlined with points of contact for complainants, details of a complaints log to be maintained, and complaints to be managed by the responsible person. The complaints process would be reliant upon enforcement via planning conditions and where appropriate the Environmental Protection Act (1990).

Objectors have raised concerns over the impacts from the ongoing short-term letting use and the increased noise nuisance from the proposed use by virtue of the perceived intensification of use associated with the proposed holiday letting. Noise from the movement of vehicles is also cited as a source of noise that has not been accounted for within the acoustician's report. Finally, the NMP is criticised and considered by objectors as being unenforceable.

The submitted noise report was reviewed by Environmental Protection Officers (EPO), as then proposed (solely for short-term letting) at that time the report was considered and officers found that the NMP was appropriate and enforceable.

Officers have noted the concerns of third-party representations relating to noise pollution, arising from expectations of the proposals for short-term letting and the breaches associated with events which have taken place on the adjacent land. The concerns arising from the proposed short-term letting are understandable given the current low level of nuisance associated with the rural location of Sutton Hall. The applicants noise survey notes low background levels which should be respected under any NMP. Officers consider that the NMP is appropriate in terms of suitable enforceable controls for impacts arising from short-term letting. It is not exceptional for Noise Management Plans to be conditioned where low background noise levels exist, and new uses (Agents of Change) are disruptive / impactful.

Lighting:

There is no lighting report to support this application, the proposals are within a dark sky countryside location. Objections have been received in relation to impacts from light pollution relating to the unauthorised use. Officers recommend that mitigation and control can be delivered by an appropriately worded condition which will limit any pollution arising from the

proposed use. The condition will require submission of a lighting scheme with suitable installation (where required removal) within a specified number of days following the approval of planning permission.

The proposals can then be mitigated and controlled within expected dark sky levels to meet adopted Policy EN13 & Para 198 of the NPPF.

The applicant seeks to ring fence planning consideration solely for the proposed short-term letting use. The question for the decision maker is *“whether the use is acceptable, or can it be made acceptable via mitigation modelled to ameliorate the harm that arises from the change of use”*.

Officers consider that the applicant has demonstrated that the harm arising in terms of noise from the proposals can be mitigated to offset impacts on amenity in this sensitive location. Lighting impacts can be controlled by a suitably worded planning condition.

The proposals are considered compliant with adopted policy EN 13 and para 198 of the NPPF.

3. Highways and Parking

As a remote location which intends to service a new short term holiday letting business then Policy CT 5 (The Transport Impact of New Development) is a material consideration. This sets out that proposals shall provide safe and convenient access on foot, cycle, public and private transport inclusive of those with a disability. The proposals shall; be served via a safe highway network with detriment to the character or amenity of the locality. The expected nature and volume of traffic generated by the proposal should be accommodated by the existing road network without detriment to the amenity or character of the surrounding area or highway safety.

Policy CT 6 requires adequate vehicle parking facilities will be provided by the developer to serve the needs of the proposed development. Development proposals should make provision for vehicle and cycle parking in accordance with the Council's parking standards, including provision for parking for people with disabilities. Annex C to the local plan details requirements in terms of parking for proposed uses.

The proposal is supported by a transport statement which relates solely to the short-term letting use, being *“a typical Airbnb style holiday let accommodation serving up to 12 guests.”* The transport statement should be read in conjunction with the Existing Access Appraisal drawing reference 23493 01 (gated access to east) as well as the further accompanying planning drawings and documents which accompany this planning application.

The report confirms that the geometry of the existing access to the east of the Hall meets the requirements of Norfolk County Council Highways and offers an acceptable visibility. It is this access which will serve as the entrance for short-term letting customers staying at the hall.

The proposals include creation of an upgrade of an existing access to the west of the hall. The western access is proposed as a “secondary maintenance only access” to the short-term letting use. The applicant states that the access has been upgraded in terms of its surfacing to enhance the appearance of the property and to aid access for the various maintenance, landscaping and agricultural vehicles associated with the general upkeep of the overall property. It can also be noted that this existing ‘secondary’ access serves the applicant’s ‘blue land’ to the rear of Sutton Hall.

An existing vehicular access to the north of the Hall is proposed to be closed off and may present betterment in terms of proliferation of access / highway safety.

The applicant considers that:

“traffic generation in relation to the proposed change of use is very similar to that of an existing Class C3 residential dwelling use. The generally accepted traffic generation figure for a single dwelling is 6 no. vehicle movements for 24 hours. This is considered low when considering a property the size of Sutton Hall. The letting use does not typically comprise of regular traffic movements during each day, given there are frequent periods of time between lettings where occupation levels are considerably below that of a typical residential dwelling”.

The applicant's report concludes that the proposed development of this scale and location where can be regarded as acceptable in highway safety terms. Traffic generation is limited in relation to a low-key operational holiday let use.

NCC Highways would not wish to restrict the grant of permission for short-term letting subject to imposition of a condition requiring that access and parking shall be laid out in accordance with the supporting plan.

Objectors have raised concerns relating to the narrow single track road network, potential for increased conflicts between vehicle users, riders, cyclists and walkers. There is concern that the transport assessment is flawed, under-playing the extent of the change or potential intensive nature of flows associated with the use.

Officers consider that the control of numbers visiting the letting use and servicing the use will ensure that the nature of the use is lower key and more comparable to activities that would otherwise be associated with a large dwelling. It is acknowledged that the narrow nature of the local network around the site is of concern. However, those concerns are again mitigated by the limitation to no more than 12 guests using the hall at any one time. Those controls along with the closing up of the existing access and provision of suitable parking spaces is considered to comply with adopted Policies CT 5 and CT 6.

4. Landscape & Ecology

Core Strategy Policy EN 2 states that proposals should be informed by, and be sympathetic to, the distinctive character areas identified in the North Norfolk Landscape Character Assessment and features identified in relevant settlement character studies. Development proposals should demonstrate that their location, scale, design and materials will protect, conserve and, where possible, enhance eight defined criteria.

The hall is surrounded by mature tree planting, potential impacts on arboriculturally assets which are in proximity will need to be considered in any submission. These assets form part of the wider landscape and setting to the Hall. Officers are content that the proposals comply with policy EN 2.

The proposals include additional retrospective operational development, to resurface and improve an existing access to the west of the hall. The proposals also seek to include a tennis court in place of the former orchard. There is a less than substantial landscape impact from both proposals. Access tracks in the surrounding area have an agricultural and rustic character, they lack the formalised surfacing of the proposed access or its width. The tennis court is also retrospective but has progressed little further than a levelled gravelled space which has most recently been used for car parking. Both the “improved” access or tennis court

have negative landscape impacts, however those impacts are mitigated by the mature planting around the hall. The impacts are not considered so substantive as to justify refusal, particularly with suitable mitigation and completion of the proposed tennis court under agreed conditions.

Biodiversity Net Gain information, specifically the baseline calculations contained in the Metric, have been updated to reflect previous comments issued by the Landscape team regarding BNG. Officers are satisfied with the information presented and can agree the baseline calculations. Proposals to achieve a net gain of >10% habitat units remain viable.

The application is supported by an Ecological Assessment. The report considers the impacts to designated sites and protected species, in addition to outlining plans to achieve biodiversity gains on site. Due to the nature of the proposal, there is no requirement to undertake a bat survey of the buildings on site, however trees have been assessed for roosting potential.

The report states that the site has limited potential to support any other protected species, except for breeding birds. Officers are satisfied with the ecological information provided and holds no objection on ecological grounds.

As a result, the applicant has demonstrated that subject to conditional controls and mitigation that the proposals are compliant with policy EN 2 and Para 198 NPPF.

5. Other matters

Fallback Position

The applicant considers that the hall benefits from a fallback position relating to its current lawful use as a dwelling (C3 Use class). They suggest that the hall may be occupied as:

- Bed & breakfast accommodation,
- Use class 3(c), as a household of up to six people living together as a house in multiple occupancy,
- hosting informal parties or activities,

Officers are not in agreement that the hall and its gardens could be used for up to 28 days for temporary events (inclusive of temporary structures).

It is unclear as to what the applicant refers when they speak of informal parties and events, this would appear to be a matter of fact and degree as to the materiality of the parties / activities. Use as a bed & breakfast would again be coloured by matters of fact and degree. Little to no weight appears applicable under fallback to these elements.

The Council's position relating to use for short-term letting was defined under application CL/24/1328, planning permission is required, this decision has not been challenged by the applicant. The key consideration in this matter was materiality i.e., in this case where the activities and intensity of use materially changed the character of the hall. The expectation being that any permitted use such as bed & breakfast / hosting would not materially change the residential use.

On this basis consideration of a fallback position for the hall as a large family dwelling, there or as a home in multiple occupancy for up to six people may be appropriate. Members should also bear in mind that the fallback position to be a material consideration then there must be a realistic probability that the use will be brought forward if the current planning application

were to be refused.

For any of the uses to operate without planning permission that there would be a requirement that no material change is apparent. As such the fallback options would operate at a lesser scale and intensity than the current application proposes. As such the direct relevance of a less intensive use is of limited material weight in this matter. The proposed use operates at a scale and intensity which materially changes the use of the Hall and requires planning permission.

Tennis Court

The tennis court is located to the southwest of the hall on land beyond the historic curtilage of the hall. The land was formerly an orchard serving the hall. The tennis court appears unfinished with an uneven gravelled surface, and no catch fencing. The proposals plan shows further planting will be introduced to soften landscape impacts. The supporting plan notes no, lighting to be installed. This element arrives as a result of an ongoing enforcement investigation.

As a matter of land use principle an ancillary tennis court poses no concerns, the landscape impact of the court will be controlled by further conditions relating to a landscape planting, with no illumination. The Noise management Plan covers impacts and controls appropriately.

Subject to suitable conditions then the proposed Court will comply with relevant policy.

Proposed access

A Maintenance access is proposed to the northwest of the hall. The access is existing and appears to have historically served agricultural uses immediately adjacent to the hall. As such the proposals seek permission of resurfacing and improvement of the otherwise low-key access. The proposals arrive as a result the ongoing enforcement investigation.

Section 3 above discussed the matter of highway safety; no concerns are raised by NCC Highways officers on safety to the proposals. The access is surfaced in crushed stone, it is gated with tall metal gates and timber posts. Subject to gates being suitably set back from the highway then no objections are raised. The access will be for servicing purposes only for the short-term letting use.

Subject to suitable conditions then the proposed access will comply with relevant policy.

Planning Balance and Conclusion:

Concerns of residents and the Parish Council are noted. The remote location, limited capacity of the road network and quiet background noise levels are relevant material considerations to this application. However, the proposals are limited to being for short-term letting of 12 bedspaces. It is the incremental detriment arising from the intensification for short-term letting upon local amenity and highway safety that the application turns on. In addition, officers note that the application is supported by a noise management plan and can be mitigated further by conditions limiting illumination, access, parking and landscaping.

It is on this basis that Officers consider that the proposal would accord with the aims of Development Plan policies. The principle of development is supported by adopted strategic policies SS 1 and SS 2, material details required under policies EC 2 & EC 7 are either satisfied or can be suitably mitigated by condition.

RECOMMENDATION:

APPROVAL subject to conditions relating to the following matters:

- Development in accordance with approved plans
- No more than 12 guests
- Noise management plan
- Lighting scheme
- Precise details of the tennis court to be submitted (including fencing, surfacing)
- Close off Northern vehicular access
- Access / parking and turning areas to be laid out in accordance with the submitted plan

Final wording of conditions and any others considered necessary to be delegated to the Assistant Director – Planning