

**Reference:** 06/16/0590/CU

**Parish:** Mautby

**Officer:** Mr G Clarke

**Expiry Date:** 02-12-2016

**Applicant:** Mr S Hewitt

**Proposal:** Change of use from agricultural field to storage of timber/firewood

**Site:** Hall Farm  
Hall Road  
Mautby

## **REPORT**

### **1. Background / History :-**

- 1.1 The application site is part of a field to the south of the group of farm buildings at Hall Farm, there is a dwelling to the north east of the site (Hall Farm Cottage) and another to the west (Hall Farm House). The land to the south is open farm land.
- 1.2 The applicant runs a business from the farm buildings at Hall Farm which involves importing, cutting splitting, storage and distribution of firewood, this use was recently regularised when a Certificate of Lawful Use was granted on 13<sup>th</sup> July 2016 (06/16/0280/EU). In recent years the business has spilled over onto the field to the south which has had piles of logs stored on it, the applicant has been advised that this use is unauthorised and the current application has been submitted for the storage of timber on a smaller area of land to the north east corner of the field. Vehicular access to the site will be from the existing access to Hall Farm.

### **2 Consultations :-**

- 2.1 Parish Council – No objections.
- 2.2 Highways – No objection.
- 2.3 Public Rights of Way Officer – The area identified on the plan is adjacent to a restricted byway, Mautby RB8, but does not directly affect it. The change of use area is accessed via the existing property and not via the restricted byway, therefore we have no objection to the application.

- 2.4 Broads Authority – The location of the proposed works will have some impact on the visual appearance of the Broads landscape. The appearance has the potential to be unsightly, as can be seen from the existing adjacent storage area and as such we would ask that the applicant establish a native hedge with the occasional standard tree along the southern boundary of both the existing and proposed wood storage area. This will ultimately a) provide a visual buffer between the activities on site and the public right of way and the Broads area generally in views northwards, b) provide a good habitat enhancement.

If a hedgerow is out of the question, then a small copse would be beneficial planted in the south eastern corner of the area consisting of native trees and shrubs.

I can confirm that the Broads Authority does not wish to raise an objection subject to the above comments.

- 2.5 Environmental Health - I can confirm that I have viewed the plans, carried out site visits and discussed the application with the applicant and land agent. While I am aware of the potential for noise disturbance in this area it is my opinion that the application of suitable planning conditions can effectively mitigate the potential for noise nuisance. Accordingly I would have no objection subject to a condition being attached to any permission granted requiring that no mechanically powered cutting, sawing or splitting of timber (or other similar operation) take place at the development.
- 2.6 Neighbours – One letter of objection has been received on behalf of the occupiers of Hall Farm Cottage (copy attached), the reasons for objection are noise and disturbance from the site which affects the residential amenities of their property.

### **3 Policy :-**

#### **3.1 Policy CS6 – Supporting the local economy**

The Borough of Great Yarmouth has a diverse local economy. It is the main service base in England for the offshore energy industry and has a thriving seasonal visitor economy. To ensure that the conditions are right for new and existing businesses to thrive and grow, there is a need to continue to strengthen the local economy and make it less seasonally dependent. This will be achieved by:

- a) Encouraging the redevelopment and intensification of existing employment sites, particularly those sites with good access by a variety of transport modes
- b) Safeguarding existing local employment areas identified in Table 10 and future local employment areas allocated in other Local Plan Documents for employment use. Alternative uses will only be allowed where it can be demonstrated that:

- There is a satisfactory relationship between the proposed use and any pre-existing neighbouring uses, without significant detriment to the continuation and amenity of existing or proposed uses
  - There is no commercial interest in the re-use of the site for employment, demonstrated by suitable marketing at an appropriate price for at least 18 months
  - A sequential viability test has been applied following the unsuccessful marketing of the site, based on the following sequence of testing: mixed use of the site that incorporates an employment-generating use, then non-employment use
- c) Allocating approximately 10-15 hectares of new employment land at Beacon Park Extension, South Bradwell, through Policy CS18
- d) Exploring the potential for up to 22 hectares of land reclamation to the north of the Outer Harbour at South Denes
- e) Supporting port-related development proposals relating to the Outer Harbour and existing river port, in particular encouraging cargo handling and other port-reliant activities
- f) Encouraging a greater presence of higher value technology and energy-based industries, including offshore renewable energy companies, in the borough
- g) Supporting the local visitor and retail economies in accordance with Policies CS7 and CS8
- h) Encouraging the development of small scale business units, including those that support the rural economy and rural diversification
- i) Supporting the provision of development essential to sustain a rural workforce, including agricultural workers' dwellings and rural community facilities
- j) Minimising the potential loss of the best and most versatile agricultural land by ensuring that development on such land is only permitted if it can be demonstrated that there is an overriding sustainability benefit from the development and there are no realistic opportunities for accommodating the development elsewhere
- k) Supporting the delivery of high speed broadband and communications technology to all parts of the borough
- l) Encouraging flexible working by:
- Allowing home-working where there is no adverse impact on residential amenities

- Allowing the development of live-work units on residential and mixed-use sites, subject to the retention of the employment element and safeguarding of residential amenity
- Allowing the development of relevant ancillary facilities, such as childcare facilities and eateries, in local employment areas, where appropriate

m) Improving workforce skills by:

- Working with local education and skills agencies and local business organisations to establish training facilities to enhance workforce skills
- Encouraging the provision of new training facilities on employment sites

### **3.2 National Planning Policy Framework (NPPF) – paragraph 28, Supporting a prosperous rural economy.**

Planning policies should support economic growth in rural areas in order to create jobs and prosperity by taking a positive approach to sustainable new development. To promote a strong rural economy, local and neighbourhood plans should:

- support the sustainable growth and expansion of all types of business and enterprise in rural areas, both through conversion of existing buildings and well designed new buildings;
- promote the development and diversification of agricultural and other land-based rural businesses;
- support sustainable rural tourism and leisure developments that benefit businesses in rural areas, communities and visitors and which respect the character of the countryside. This should include supporting the provision and expansion of tourist and visitor facilities in appropriate locations where identified needs are not met by existing facilities in rural service centres;  
and
- promote the retention and development of local services and community facilities in villages such as local shops, meeting places, sports venues, cultural buildings, public houses and places of worship.

## **4 Assessment :-**

- 4.1 The site involved in the application is an area of land to the north east of the field to the south of Hall Farm, the site is screened from the road by a mature hedge and trees and is only visible from the road to the south of the site. At present several piles of wood can be seen to the western part of the site on and which is not part of the application, it is the applicant's intention to move this to the application site or process it with the unit to the north. The applicant has already planted trees along the southern boundary which will help to screen the site as they mature.

- 4.2 The only objection to the application is from the occupiers of Hall Farm Cottage which is to the north east, the occupier of Hall Farm House which is to the west has not objected to the application. The letter of objection includes two reasons for objecting to the proposal, the first is loss of grade 1 agricultural land and the second is noise and disturbance.
- 4.3 According to the Local Plan Policies Map which is part of the Great Yarmouth Local Plan: Core Strategy the nearest grade 1 agricultural land is just over 300 metres to the north of Hall Farm, the site itself is not grade 1 land so the proposal will not result in the loss of grade 1 or grade 2 agricultural land.
- 4.4 The proposed use of the site is for storage of timber that is awaiting processing on the site to the north, the only noise that will occur from the storage use is when material is delivered to the site or when it is moved to the processing area. The applicant has submitted a letter (copy attached) which states that all deliveries happen during the working week and that there is no intention to increase the scale of the business.
- 4.5 Providing the use is for storage only it is unlikely to cause any significant harm to the amenities of the nearest dwellings and it is considered that the use is acceptable and will comply with the aims of Policy CS6 of the Core Strategy and Paragraph 28 of the NPPF. If approved, it is suggested that permission is initially granted for a temporary period of one year with consent being made personal to the applicant. This will give time to see if any problems occur and ensure that if the applicant no longer runs the business the land will revert to agricultural use. Any consent should also include conditions limited deliveries to Monday to Friday, limit working hours and no mechanically powered cutting, sawing work, etc. (as suggested by Environmental Health) taking place on the site.

## **5 RECOMMENDATION :-**

- 5.1 Approve – the proposal complies with Policy CS6 of the Great Yarmouth Local Plan: Core Strategy and Paragraph 28 of the NPPF.
- 5.2 Approval should be subject to the conditions suggested in paragraph 4.5.

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## Nuisance Record Form

Name: ...Gail Younge Location of noise: Hall Farm, Mautby, NR29 3JB.....

Your address: Hall Farm Cottage, Mautby, NR29 3JB

To assist the Council in obtaining evidence of a noise nuisance, please fill in this log sheet as accurately as possible, noting any specific effects the noise has on your daily life.

Date	Time		Description e.g. barking dogs, loud music	How the noise affects you e.g. unable to hear TV, unable to sleep
	From	To		
9/8	5.30	6.15	Heavy vehicles moving wood	Unable to enjoy garden in the EVENING - not knowing when the noise would end
11/8	ALL DAY		Cutting by the pond all day without any screening to mitigate the noise	Unable to be in our garden
13/8	All day SATUR DAY	6.30	Loading/moving/dumping logs SATURDAY through to the EVENING	Anxiety - unable to enjoy garden. General anxiety about this being a SATURDAY AFTERNOON / EVENING and not knowing how long it will continue
14/8	9.00	11.00 onwards?	Loading/moving/dumping logs SUNDAY MORNING	Anxiety - unable to enjoy garden. General anxiety about this being a SUNDAY MORNING and not knowing how long it will continue

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10/9 *	All day SATUR DAY		JCB running constantly, tumbling logs, loading logs, heavy machinery	Anxiety, anger, humiliation and dissatisfaction - that this should continue through the whole day without reprieve on a SATURDAY
11/9 *	All morning SUNDAY		Loading/moving/dumping logs SUNDAY MORNING	Anxiety, anger, humiliation and dissatisfaction - that this should be dominating a SUNDAY MORNING
14/9	All day	thro' to 7.00 p.m	Loading, moving, cutting, dumping logs; heavy machinery running constantly	Anxiety - unable to enjoy garden. General anxiety about this being at an unreasonable pitch all day and continuing through to 7.00 p.m. to ruin our EVENING as well as being an unreasonable level during working hours
17/09 *	All day SATUR DAY	6.00 p.m.	JCB running constantly, tumbling logs, loading logs, heavy machinery	Anxiety, anger, humiliation and dissatisfaction - that this should continue throughout the whole day without reprieve - on a SATURDAY through to 6.00 p.m.
18/09 *	All morning SUNDAY	1.00 p.m.	JCB running almost constantly, tumbling logs, loading logs, heavy machinery	Anxiety, anger, humiliation and dissatisfaction - that this should continue on a SUNDAY MORNING

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21/09	All day	6.30p.m.	Constant whine from cutting machinery was the cause of a bad headache by 4.00 p.m ..... I defy anyone to be sweet and without a headache at the end of such a day.
15/10	8.00	7.00 p.m.	<p>Cutting, JCB left running constantly, tumbling logs, heavy machinery on a SATURDAY EVENING though to 7.00 p.m.</p> <p>Anxiety, humiliation, anger, dissatisfaction: we had friends here to play tennis late afternoon as the light was fading. We like to play when the geese are flying overhead, the rooks, pheasants are roosting. We like to play into the dark and have a drink afterwards whilst enjoying the birdlife. NOT POSSIBLE as the <i>Weekend Woodyard</i> prevents this on a SATURDAY EVENING. JW often states that the noise nuisance should be judged according to what's normal in the area. I believe that listening to the geese in the autumn on a Saturday at dusk is what should be considered normal.</p>
16/10	8.00	beyond 1.00p.m.	<p>Unable to relax in our garden due to constant JCB (I find it extraordinary that a JCB is never turned off!), tumbling of logs, movement of heavy machinery on SUNDAY MORNING</p> <p>General anxiety because it's a SUNDAY MORNING and Sunday mornings in Mautby should not be dominated by this sort of disturbance.</p>



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22/10	8.00	6.15 p.m.	Cutting, JCB left running constantly, tumbling logs, heavy machinery on a SATURDAY EVENING This was not 'emergency' loading of logs to deliver to customers	Anxiety, humiliation, anger, dissatisfaction: we had friends here to play tennis late afternoon as the light was fading. We like to play when the geese are flying overhead, the rooks, pheasants are roosting. We like to play into the dark and have a drink afterwards whilst enjoying the birdlife. NOT POSSIBLE as the Weekend Woodyard prevents this on a SATURDAY EVENING. JW often states that the noise nuisance should be judged according to what's normal in the area. I believe that listening to the geese in the autumn on a SATURDAY at dusk is what should be considered normal.
26/10	4.00	6.30	EXTRAORDINARY levels of noise in the EVENING, dropping heavy tree trunks from a height, banging metal bucket, JCB paled in insignificance Wood smoke into our bedrooms overnight	Sick - but faintly amused ..... it was that bad!  Not amused by woodsmoke into our bedroom windows.

I certify that the details stated above were recorded by me concerning noise and activity emanating from the premises of the alleged offender stated above and that all the incidents referred to above were personally witnessed by me. \* rather than be cavalier with the truth, it should be said that I'm not totally sure of the dates for the 2 weekends, 10th, 11th & 17th, 18th September. However, I am totally sure that there were 2

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*weekends leading up to us leaving for holiday (22nd September) when this level and length of noise took place.*

Dated the 24th day of October 2016 Signed .....

Steven Hewitt  
Bracken Lodge  
Barn Lane  
Runham  
Great Yarmouth  
Norfolk  
NR29 3EF

Graham Clarke  
Great Yarmouth Borough Council  
Town Hall  
Hall Plain  
Great Yarmouth  
Norfolk  
NR30 2QF

Dear Graham,

**RE – 06/16/0590/CU Site at Hall Farm, Mautby, Great Yarmouth, NR29 3JB. Change of use from agricultural field to storage of timber/firewood**

With regards to the above planning application, we would like to make the following points:

The land in question has been a rough meadow and has never been cropped to my knowledge, for the last 45 years. Up until the point I was given my tenancy, my father farmed the land for 40 years and it has always been a grazing meadow.

The proposed area is only a small proportion of the whole field. Trees have already been planted as has been suggested by the Broads Authority and have now been established over the last 5 years. They are mixed tree species and some shrubbery, most of these are evergreen to act as a screen.

The timber on the field that has been suggested is outside the planning area, is old wood that has no use and is there as a natural habitat for wild life as discussed with Great Yarmouth Planning Department. As a result of this we have noticed an increase in grass snakes, lizards, field mice and voles. On the grassed area adjacent to this we regularly have a pair of barn owls onsite. We are looking at siting an owl box and to install a couple of bat roosts in the surrounding trees.

The proposed area is not to upscale the business, it is to make it easier to handle timber that comes in from Great Yarmouth Borough Council and Norwich City Council. This timber is arb waste which comes on a bulker, loose and is tipped up as it can't be stacked by crane. This timber is then left and only moved when the timber is processed into firewood. If this area is not able to be used for timber storage, the wood will still come into the existing yard, adjacent to the field but once tipped would need to be re-handled to be stored in designated areas. As we are a sustainable business we feel that this process will keep our carbon foot print lower. We have been advised by Norfolk Fire Service that using the proposed storage area is good practice for the storage for larger amounts of timber.

All lorry deliveries happen within the working week. Great Yarmouth Borough Council and Norwich City Council usually deliver one lorry each per month, to illustrate that this is not a frequent occurrence.

Alleged noise objections are associated with the existing yard which has planning permission not the storage area in question. We have worked closely with Environmental Health and follow their guidance regarding noise parameters. Steps have been taken (including huge investment) to mitigate any possible noise disturbance to all of our neighbours. The proposed area is for storage only and any cutting or splitting takes place in the existing planning unit.

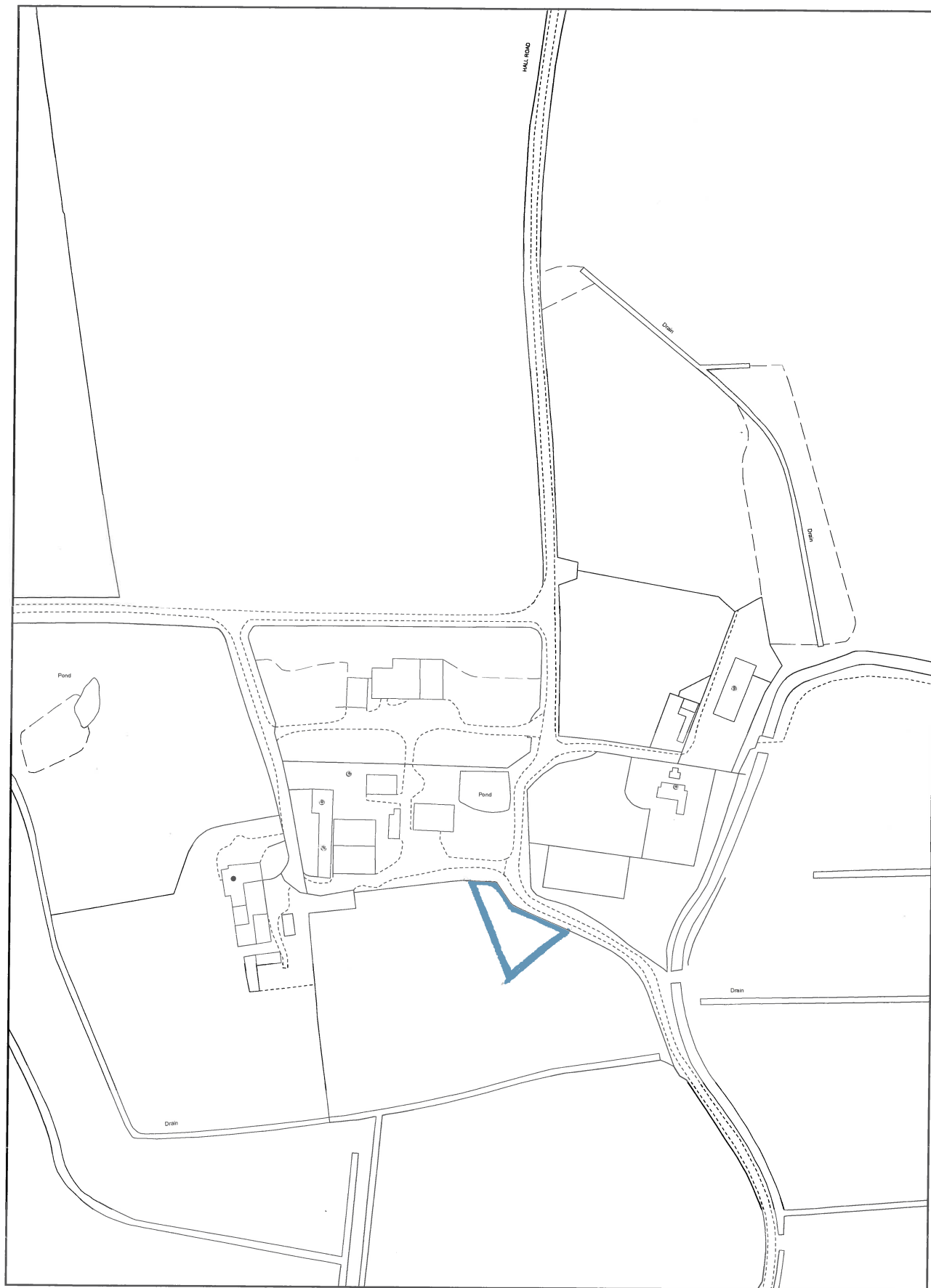
Before any decisions are made we would welcome a site visit to clarify the planning request.

Finally, we would like to stress that both of our closest neighbours have raised no objections and only offer support for our business.

Kind Regards

S. G. Hewitt

Steven Hewitt



Date: 07:11:16	Scale: 1:2500
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**GREAT YARMOUTH**  
BOROUGH COUNCIL

**Planning & Business Services**