Reference: 06/17/0745/F

Parish: Belton Officer: Chris Green Expiry Date: 22/6/20

Applicant: Bourne Leisure Limited

Proposal: Proposed change of use to convert existing touring and camping site to form additional 50 static caravans and ten safari tents (existing), relocation of existing touring site to provide 75 pitches, new touring services building on part of existing golf course, change of use existing Belton common for new golf course

Site: Wild Duck Caravan Park, Howards Common, Belton

#### REPORT

#### 1. Background

- **1.1** This is a full planning application for the placement of caravans on land divided into three distinct and separate parcels.
- **1.2** The details of layout for the static vans will be subject to the caravan site licence, as otherwise constrained by trees shown as retained. The layout of the touring site is less formal.

#### 2. Site, Context and proposal

- **2.1** All the parts of this three-part application are outside the residential envelope for the village of Belton, though the caravan site entrance is within the village so the whole site physically is an extension of the built form.
- **2.2** The proposal is in three parts.
- **2.3** The first north-western most part starts just beyond the old railway line beyond a small roundabout and involves the conversion of an existing touring caravan and tent area to a site for 50 static caravans and ten retained "safari" tents.
- **2.4** This land currently hosts 108 touring caravan and tent pitches. This land is largely open (and level) to its centre fringed by mature evergreen tree belts. These fringing tree belts are shown as being within a County Wildlife Site.

There is no proposal to impact these surrounding trees. This land is shown on the proposals map as primary holiday accommodation.

- 2.5 To the south of the existing park is a golf course in the ownership of "Caldecott Hall" a tourism and golfing site. It is understood that the owner of this site will make it available for the second element of the proposal where the area in question is to be laid out as 75 formal touring caravan (drawing 7159 p11 H) and up to 33 informal tent pitches up to a combined total of around 108, to be operated by the Wild Duck park.
- 2.6 This land is also presently, relatively open golfing fairway, albeit with some level changes, and fringing planting of gorse and smaller trees. Access to this site is at a point where the unsurfaced public right of way known as Marsh Lane intersects the former Beccles to Great Yarmouth Railway on the diagonal and where the vehicular access would have a right-angle relationship to the former railway and diagonal to the right of way. There is a slight rise through this access relict of the embanked railway. This land is shown on the adopted proposals map as "primary holiday attraction". This land is not part of any County Wildlife Designation.
- 2.7 The third part of the proposal site measuring 3.4 ha is south east of the proposed touring site and currently forms around 2/3rds of land identified as a County Wildlife Site (non-statutory designation) and comprising medium sized trees to its periphery with an area of smaller trees, gorse and bushes to its central part. There is a prefabricated building used as a scout hut, adjacent to the access track that runs from the north of the County Wildlife site to make a gated connection with Marsh Lane Public Right of Way.
- **2.8** The proposal is to create a single fairway and a green and hole for the golf course to replace the holes lost to the proposed touring caravan site above. This entails the clearing of a fairway 35m wide and 135m long or .45 ha and the green area of .2 ha, the approach to this from the tee being over the existing trees, these shown as retained.
- **2.9** In total therefore the proposal is for an additional 50 static caravans and ten safari tents and the existing touring and camping area to be relocated without expansion of numbers.

## 3. Proposal

- **3.1** No additional jobs are created. Existing employment will be safeguarded.
- **3.2** Accompanying the proposals are the following documents:
- Golfing layout habitat overlay plan
- Arboricultural Implication Assessment
- Arboricultural Management Plan
- Heritage Assessment
- Ecology Appraisal and protected species survey

- Shadow Habitat Recreational Impact Assessment
- **4.** Relevant Planning History
- **4.1** This is a long-established holiday site. There is little record of substantial expansion of the site or other intensification of use for the last 15 years. In 2001 some layout changes within the site were authorised and there is record of several instances of improvements to the communal facilities available for the clientele, within the existing core of the overall caravan site.

# 5. Consultations :- All consultation responses received are available online or at the Town Hall during opening hours

- **5.1** The parish council for **Belton and Browston** has objected, their objections mirror the reasons raised by other correspondents below and in addition:
- Traffic generation and its impact on the village, the need to prevent access on Sandy Lane
- Harm to Wildlife and as a result to the wider environment.
- Overburdening of local services and utilities.
- This must be referred to committee.
- 5.2 The parish council for **Fritton and St Olaves** has objected.
- Outside development limits
- Local highway capacity issues
- Overburdening drainage
- **5.3** Neighbours and residents of the village have objected, on the following summarised points:
- The application should go to committee.
- Some correspondents have complaints about notification.
- Belton will lose its village character.
- A small part of the common survives so this loss will be felt. Common rights are precedent over other law. Villages and dog walkers use the common.
- Loss of coastal heathland, harm to invertebrates and potential extinction of some species. Site hosts yellowhammers and nightingales, deer, slow worms and adders. Bats are suspected, this is a protected turtle dove breeding site. Harm to the County wildlife Site and to statutory sites, only 2.3km away. The applicant's ecologist is wrong that there is no impact. The report is not explicit as to when reptile surveys were conducted.
- Traffic impact on Station Road from additional traffic and larger vehicles, blocking Station Road and emergency access. As Caldicott Hall is adjacent, access could be shared by both sites off the A143. Poor quality and worn out local roads. Excess traffic on change over day.
- The local sewers regularly get blocked. Water supply pressure is low.

- The park has carried unauthorised tree felling. There are Tree Preservation Orders set by the Broads Authority. Space to allow tree maintenance in the PROW is needed.
- Lighting as required by the police, will harm ecology and cause pollution
- Marsh Lane serves as a suitable stop line for caravan expansion.
- The touring caravans will harm the access surface across the PROW and there will be conflict between the farmer and walkers and the cars and touring caravans. Existing gates erected across the PROW are unlawful.
- The new access requires a pedestrian and wheelchair pavement, signage should give priority to the footpath, there are level changes and mounding that need to be made disabled accessible.
- The road through the tents needs supervision. Speeds need to be restricted. Dog signage and waste facilities required.
- A ban on open fires should be in place and the site supervised.
- The shower block looks to be very large.
- Golf balls might injure passers-by and scouts and deny access to the scout hut.
- The park does not integrate with village life.
- The golf course with its high fee is exclusive and not a community asset.
- Harm to archaeology, there is a Viking burial site.
- There are other land-owners not contacted. Right of way has not been obtained from owner of part of the land within the development site. This owner has said they will not allow access rendering the application futile.
- Increased traffic on Sandy Lane.
- Harm to green belt/ development outside the village
- There are problems with noise from camp entertainments.
- Increase of 138 plots will be harmful and increased holiday making within Britain will lead to more disturbance.

Several supportive letters have been received.

- This will bring control to an area of waste and stop unauthorised motorcycle use
- Will bring more visitors and jobs.

# 5.4 Consultations – External

## Norfolk County Council

- **5.5 Highways** No objection. The additional traffic will be marginal in comparison to that existing. Directional signing to the site is considered sufficient as it is.
- **5.6 Rights of Way Officer** No objection, subject to PROW being kept open at all times and repairs conducted at the point of crossing at the applicant's expense.

# 5.7 Historic Environment Service –

The County Archaeologist had suggested an archaeological desk-based assessment including walkover survey noting aerial photographic analysis has

recorded cropmarks and extensive remains relating to the use of Belton Common as a training area during both wars.

A desk base archaeology assessment report with site walkover was further produced January 2019. This was not intrusive. It noted that much of the work has low potential to impact. The County Archaeologist requires standard conditions to agree the work schedule

# 5.8 Norfolk Constabulary (Architectural Liaison Officer) -

Recommends appropriate boundary treatment and lighting to provide adequate security protection, while respecting ecology interest.

**5.9 Norfolk Fire and Rescue**. Standard comments regarding provision for firefighting, but noted too when asked, that further small scale, on site, fire prevention and firefighting measures would be negotiated with the operator as part of the licencing regime. As such these need not be further considered under the planning application process.

# 5.10 County Infrastructure Team –

Because the advice on infrastructure was over the six-month validity period a second request was made, this confirmed that nothing had changed, and a financial contribution is required only for the provision of a hydrant and supply for firefighting.

## Other external consultees

# 5.11 Norfolk Wildlife Trust -

The southernmost site identified is to provide a golf course extension to compensate for the area lost by developing the central parcel of land as a touring caravan site.

Norfolk Wildlife Trust concerned with regard to loss of County Wildlife site, albeit to a golf course and while pleased to accept management plan for the remainder of the CWS that is unaffected, is concerned that the applicant should secure 1 ha of additional site and provide a management plan for that. A LEMP should be submitted. There is potential to improve wildlife connectivity. This can be by condition.

**5.12 Broads Authority** - The Broads Authority note that development of leisure and recreational industries in this area impact the Broads Area and require mitigation, especially where cumulative impact occurs

They concur with the agents report that direct visual landscape impact does not occur as a result of mature planted screening. There is potential impact of light pollution on the Broads and the wider landscape, this can however be controlled by condition.

The large-scale of the development will create disturbance to the locality and wider Broads area and this will be a cumulative impact in relation to the number of similar existing sites in the area.

The authority is critical of the quality of the proposal with high density, regular alignment and close spacing. The submitted proposed landscaping drawing is too vague. The creation of heathland as mitigation/enhancement would be of benefit.

The proposals are of a scale and intensity which is considered inappropriate and would erode the distinctive perceptual qualities of landscape character and the setting of the Broads.

If approved, the Broads Authority request further consultation on details, with limited external lighting secured by condition and further full landscape details by condition.

- **5.13 Broads Drainage Board** The response of the internal drainage board on 3 June 2020 to the drainage test results and the strategy, removes any objection. While the IDB has a separate consenting system not materially considered within the planning process, their objection can frustrate the implementation of planning permissions. This impediment is removed.
- **5.14 Historic England** Historic England were initially concerned about impact on a prehistoric barrow to the south east of the golf course expansion, however following the issue of a Heritage Assessment withdrew the objection, it is clear to officers that the dense retained planting to this part of the site would mean that no alteration to the setting of the asset would occur.
- **5.15** Natural England Satisfied with HRA. No objection but additional heathland could be created as mitigation, however refer to Norfolk Wildlife Trust advice.

## **Consultation - Internal GYBC**

## 5.16 GYBC Services (Arboriculture) –

An updated response from the tree officer of 8 June 2020 reviewing the August 2018 tree report, confirms that the additional information considers fully the arbouricultural constraints of the site and the action that will be taken to develop the site with these in mind; protecting trees retained and minimising the impact that the development has upon the woodland.

**5.17** Environmental Health – In 2018 wrote to suggest catch fencing for golf balls be secured. The layout of the Fairway was subsequently altered. No other objection made.

## 6. Assessment of Planning Considerations: Policy Considerations:

#### National policy

- **6.1** Paragraph 47 of National Planning policy Framework states: Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise.
- 6.2 Paragraph 8 of NPPF sets the balance between the "three overarching objectives" the "economic objective" to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure; the "social objective" to support communities' health, social and cultural well-being; and the "environmental objective" to protect and

enhance the natural, built and historic environment; improve biodiversity, use natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

- Paragraphs 83 and 84 "Supporting a prosperous rural economy" seek 6.3 decisions that should enable: the sustainable growth and expansion of all types of business in rural areas, and sustainable rural tourism and leisure developments which respect the character of the countryside; and seek to retain local services and community facilities, such as local shops, meeting places, sports venues, open space, cultural buildings, and public houses and goes on at paragraph 84 to recognise that sites may have to be found adjacent to or beyond existing settlements, and in locations that are not well served by public transport. In these circumstances it will be important to ensure that development is sensitive to its surroundings, does not have an unacceptable impact on local roads and exploits any opportunities to make a location more sustainable (for example by improving the scope for access on foot, by cycling or by public transport). The use of previously developed land, and sites that are physically well-related to existing settlements, should be encouraged where suitable opportunities exist.
- 6.4 This proposal is on previously developed land, albeit of open character, it will help to support the local shops and pubs and is well located to access non-car modes of transport during stays on the site.

## Local Saved Policy

- **6.5** Saved Policy TR5 requires that "primary" holiday areas character is preserved or enhanced by preventing overdevelopment (primarily by noisy attractions) where the policy concern relates to offsite amenity impact.
- **6.6** Saved policy TR10 requires new leisure facilities in open countryside to be well located for the needs of users with adequate access, both in terms of immediate access to the site and in terms of traffic generation, parking and servicing access. The relatively marginal change in facilities provided and the well-established site and lack of objection from the County demonstrate that these requirements are met.
- **6.7** The nearest residences are at 300m from the proposed new touring site and as only an amenity block is proposed on this site and not entertainment facilities it is considered that this expansion does not threaten property on Sandy Lane. The level changes noted within and beyond the site will have some further mitigating effect and other parts of the existing static site are considerably nearer to neighbouring residences. The proposed golf course expansion is 140m from the nearest property and other existing parts of the golf course are already present albeit further away, however, golfing activity is not usually notably noisy and occurs during daylight hours (this is not a driving practice range).

- **6.8** The touring site will feature an amenity block. The scale of this is not specified, but it is stated as single storey, so its wider landscape impact will be minimal and further detail can be subject to planning condition.
- **6.9** This proposal does significantly depart from the saved policy in that part of a County Wildlife site is disturbed and cleared for the golf course amounting to .66 ha directly and more if disturbance by human presence is considered.

#### Adopted Core Strategy

- **6.10** Adopted Core Strategy Policy CS8 "Promoting tourism, leisure and culture" encourages and supports the upgrading, expansion and enhancement of existing visitor accommodation and attractions to meet changes in consumer demands and encourage year-round tourism by new, high quality tourist accommodation, designed to a high standard with easy access and have good connectivity with existing attractions. This is considered able to be met, subject to the design of the associated amenity block, both in terms of appearance and facility.
- **6.11** The policy also seeks to enhance the early evening and night time economy in appropriate locations. The touring part of this site is not considered an appropriate location, but night time activity is not suggested on the touring site and it will increase use of the offer within the existing site, so is considered beneficial and compliant.
- **6.12** It will be compliant with green tourism aims given the relatively good connectivity, especially if the use of the old railway as a cycle route comes to fruition.
- **6.13** No information has been submitted to suggest new employment is created, however, expansion will protect existing employment within the site to some extent.
- **6.14** The policy also encourages habitat-based tourism, especially where habitat creation or enhancement is proposed and in an area linked to the Broads. If one accepts that the mitigation strategy represents enhancement and the location offers foot and cycle linkages to the Broads Area this element of policy is considered met. While local people are expressing concern about the growth of this site and others in the area creating character change and overloading the local highway network, the Highway Authority do not share that concern given the marginal change proposed, and the existing park relates well to the village and has good access within relative proximity to the town and seafront.
- **6.15** Belton does have two bus service routes into Great Yarmouth and to Norwich beyond, with the routes passing the site entrance. There are local pubs and other services, so the application is considered to address this aspect of the policy concern by being relatively sustainable located.

- **6.16** Policy CS11 for Enhancing the natural environment seeks to avoid ecology impact by conserving and enhancing designated nature conservation sites, including County Wildlife Sites and working in partnership with relevant nature conservation organisations and secure the measures identified in the Habitat Regulations Assessment.
- **6.17** Proposals are required to safeguard and enhance landscape character, given the existing planting, the small degree of change proposed and the ability to obtain mitigation and enhancement, character is not considered materially harmed.
- **6.18** The ecological network shall be improved protecting habitats from fragmentation: In this instance the County Wildlife site is already fragmented, and the greatest gains would arise from strengthening the peripheral woodland to the proposed static site and link this into the planting around the new touring site.
- **6.19** The policy also requires that where adverse impacts occur, suitable mitigation measures will be provided and required by condition to create greater biodiversity and further public understanding of biodiversity can be fostered by the use of information boards, secured by condition.

## The Emergent Local Plan

- **6.20** Emergent Policy L1: Holiday accommodation areas. The part of the site shown for the static caravans and within the existing tourer sites remains within the holiday accommodation policy designation on the emergent policy map. The policy is however quite accepting of expansion concluding that "expanded holiday accommodation that is developed over the plan period which is located outside of the identified 'Holiday Accommodation Areas' will be treated as being a Holiday Accommodation Area once complete for the purposes of this policy".
- **6.21** Within the 'Holiday Accommodation Areas' as defined on the Policies Map, the Council encourage year-round, sustainable tourism, to some extent caravan parks fail to do this being less comfortable in cold weather, however in the current pandemic and what will be a long recovery period beyond it, caravans do offer a prospect of social distancing.
- **6.22** The policy supports upgrading of accommodation and supports maintaining and improving the public realm and the area's open spaces. Camping and caravan pitches are mentioned as acceptable.

## 7. Planning Assessment

Landscape Character

7.1 The land involved is either within the "tourism accommodation/ facility" designation or the County Wildlife site, the proposal is not considered to erode the character of the open countryside (one objection mentions "green belt" because the touring site features only one small permanent building and the

wildlife site will remain a green space albeit hosting part of a fairway and green around the hole.

Habitat loss

**7.2** The loss of habitat within the County Wildlife site physically relates to the Fairway and Green being created, with the "rough" being left as is. Consideration also needs to be given to the impact of golfers created by their physical presence on the land and the disturbance to wildlife implicit in this in the area undisturbed by the physical works. The playing of golf typically involves two players and perhaps caddies at a pin at any time. This is a relatively infrequent and low level of disturbance. It is noted from the general correspondence returns that members of the public access the whole of the County Wildlife site to observe birds and walk dogs and so these activities serve to offer some disturbance to wildlife. On that basis the disturbance beyond the fairway and green can be considered to be low and of no greater significance in terms of disturbance than that existing. Nevertheless the loss of part of the Wildlife site should be compensated for by improvement works elsewhere through the suggested Management Plan.

Compensation for actual loss.

**7.3** The impact of development falls on .65ha of the land within the County Wildlife designation for the golf facility. There is no material impact to the areas of CWS designation surrounding the static caravan site, as this is a site currently used by touring caravans, where the plots only touch up to the tree belts that form the fringing CWS and the proposal would result in static vans being placed instead, so while these would be in place year round, there would be no disturbance arising from movement of vehicles. A condition is suggested for enhancement of other areas in line with the Management Plan.

Reasonableness of suggested golf course catch fence.

- **7.4** Although Environmental Health had suggested this, before the fairway layout was adjusted to make stray balls unlikely, it is considered that the scout hut is now considerably outside the likely trajectory of balls struck from the proposed fairway or arriving at the Green. If it was considered necessary to fence here, by implication a lot of other parts of the course might be candidates for catch fences. A recommended condition wording is included, but its necessity doubted.
- **7.5** The applicant had intended to use palisade fencing around the whole site but is prepared to consider a different secure form such as fully welded mesh fencing and further details can be secured by condition.

Claim regarding prospective public rights of way over parts of the County Wildlife Site

**7.6** There is a legal process underway with the County Council where an objector to the proposal has asked the County to determine whether some of the informal pathways through the County Wildlife Site should be adopted as Public Rights of Way under S53 of the Wildlife and Countryside Act (1981). It is considered that this is not a current material planning consideration, and that planning decisions are required to be determined "without delay". It may

become a matter for the developer and the developer is aware that development of the golfing fairway might have to be taken up to establish a right of way in future and so work here would be at their risk. This process can be very lengthy including the rights of parties to appeal decisions taken by the County Council.

Applicants confirmation of rights to cross the footpath with vehicles.

- **7.7** This has been disputed by contributors, however, the Green Infrastructure Manager at the County Council has however accepted the applicant does enjoy access rights. If this were not so it would be a Common Law matter and could not impinge on how planning decisions are made.
- **7.8** It is suggested that restriction is required by condition to ensure only holiday use. No restriction to have a closed period is suggested in this case because the rest of the site is not so constrained by condition.

## 8. 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 defined as a government grant such as new homes bonus or the Community Infrastructure Levy. It is noted that the Borough of Great Yarmouth does not have the Community Infrastructure Levy. Whether or not a local finance consideration is material to a particular decision will depend on whether it could help to make the development acceptable in planning terms. It would not be appropriate to make a decision on the potential for the development to raise money for a local authority. It is assessed that financial gain does not play a part in the recommendation for the determination of this application.

## 9. Shadow Habitats Regulation Assessment

- **9.1** The applicant has submitted a bespoke Shadow Habitat Regulations Assessment (HRA). It is confirmed that the shadow HRA submitted by the applicant has been assessed as being suitable for the Borough Council as competent authority to use as the HRA record for the determination of the planning application, in accordance with the Conservation of Habitats and Species Regulations 2017.
- **9.2** The Shadow Habitats Regulations Assessment submitted with application has been reviewed. The context of the site is that this development proposal of up to 75 touring caravans repositioned and an additional 50 static holiday caravans just northwest of the existing settlement of Belton a rural primary village. The site is east of The Broads SAC boundary

- **9.3** The report rules out direct effects in isolation; but accepts that in-combination likely significant effects cannot be ruled out from increased recreational disturbance on the, Breydon Water SPA. The report identifies that despite the proximity of the nearby Broads SAC, recreational access (and potential for disturbance) to the SAC is extremely limited. An Appropriate Assessment (AA) has been carried out. The AA considers that there is the potential to increase recreational pressures at Breydon SPA, but this is in-combination with other projects and can be adequately mitigated by a contribution to the Borough Council's Habitats Monitoring & Mitigation Strategy (£110 per six non-dwelling bed-spaces) to ensure that there will be no adverse effects on the integrity of the internationally protected habitat sites.
- **9.4** The Borough Council as competent authority agrees with the conclusions of this assessment. To meet the mitigation requirements, it is recommended that the appropriate contribution is secured by either S.111 or S.106 agreement.

## 10. Concluding Assessment

- **10.1** Little weight is given to the emergent policy because of the early stage within the adoption process and the policy has been opposed in consultation. It is noted that while this site is not shown as allocated for tourism accommodation, the emergent policy does allow for accommodation outside the tourism area as shown subject to criteria. The proposal complies with existing tourism policy and designations.
- **10.2** The Shadow Habitat assessment concludes mitigation acceptable both to LPA as "competent" authority and to Natural England, subject to a Section 106 agreement being in place The County Highways Authority's support
- **10.3** While the site is adjacent to the Broads Area, the site is well hidden from the Broads Area by a substantial tree belt.
- **10.4** There is no material impact on neighbours
- **10.5** The expansion of static caravan provision at this time of economic hardship where early reinvigoration of the tourism industry will be very significant is considered to carry considerable material weight.
- **10.6** The location of expansion within an existing "tourism facility" accords with adopted tourism policy. The quality of what is offered, being static caravans set close together in the manner allowed by caravan site licencing does challenge the high quality requirement in terms of design, however the static vans in themselves are likely to offer good quality accommodation of its sort and the linkage to the remainder of the site provides a quality of holiday offer.

## 11. **RECOMMENDATION:** -

- **11.1** A section 106 agreement requires conclusion before the release of a planning consent, for Recreational Activity Mitigation, and to deal with the handover of parts of the site to the Parish Council.
- **11.2** The recommendation is to approve therefore subject to this being secured, and conditions for surfacing the access, landscaping, wildlife mitigation including a Landscape and Environment Management Plan, lighting, security fencing.
- **11.3** A condition to secure electric vehicle charging facilities is recommended. Archaeology conditions are required and conditions to limit occupation to holiday uses, with a closed period over winter.
- **11.4** A condition is required to limit static caravan numbers to 50, as the application description has been shown by case law not to represent a limit unless restricted in this way, because the site licence regime determines layout whereas the planning regime determines land use alone.
- **11.5** A package sewerage plant is part of the application and further details of the means to prevent grease contamination and ongoing maintenance are recommended as sourght.

Background Papers 06/17/0745/F





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	H 10/09/18 Revised layout for proposed Static Caravan park to meet Clients CL   G 27/02/18 Blue boundary line surrounding old rail line amended as appropriate CL   F 07/02/18 Proposed golf course layout altered and red development outline altered with notes added CL   E 23/01/18 Proposed golf course layout altered and red development outline altered with notes added CL   D 13/12/17 Red line to access link amended to accommodate Planners requirments CL   C 28/11/17 Access link amended to Planners CL   B 28/11/17 Drawing number altered CL   A 24/11/17 Access link included within red area outlining site boundary CL
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