APPLICATION NUMBER: 20171131

PROPOSAL: Private Motor Cross Track & Change of Use of agricultural land to Residential Curtilage (Retrospective)

APPLICATION EXPIRES: 25/09/2017

CONSULTATIONS:

Pollution Control Officer: No comments.

Environmental Health Officer: I think it is likely that the noise from the motorcycles will be clearly heard at nearby properties. Given that the application is for residential curtilage I'm not sure that applying conditions would be appropriate for its use. All noise concerns would allayed if the applicant used electric motorcycles.

Highway Authority: No objections.

NCC Ecology: Object. The application is contrary to Policy EN1 of the DMDPD and Policy 1 of the JCS.

NCC Trails Officer: No objections but comments regarding the footpaths surrounding the site.

PARISH COUNCIL:

Biofield Parish Council:
The application form omits FP3 as identified below and we would seek assurances that access to FP3 is maintained

The moto cross element of this application appears to be at odds with our Neighbourhood Plan Objective 3: To protect and enhance the countryside, including wildlife habitats and open 3 spaces, of which Howes Meadow is explicitly mentioned in NP ENV 1 policy. Therefore, we have concerns that the pollution from the Moto Cross track could have an adverse effect of the ecology of Howes Meadow and the Whitton Run.

Section 13 of the application form has not been completed correctly as the proposal is adjacent to Howes Meadow, a site of Biodiversity and Geological Conservation.

Biofield PC recommendation: If approved we would seek a condition applied to have the applicant contribute to regular testing (say 6 monthly) of the water quality in Howes Meadow and if any detrimental effect has been identified to cease operations at the Moto Cross track immediately.

Concerns about the flooding occurring on Shack Lane that has now become impassable in heavy rainfall – possibly from run off from the site and drainage ditches being blocked.
The Council are also concerned about the noise levels of the Moto Cross Track and would wish to seek measures to control operational hour and restriction to personal use to limit the number of bikes using the track at any one time; and or monitoring of the noise via decibel metering, similar to the constraints introduced to the High Noon Farm cross track requested by Stumpshaw Parish Council.

SITE NOTICE:

20 July 2017

REPRESENTATIONS:

Letters of representation have been received from 13 household located in Blofield.

Summary of comments:

- Noise impact on nearby residential properties.
- Pollution concerns.
- Impact on the ecology of the area. Concerns regarding run off from the site.
- Adverse impact on the landscape character.
- Will the use be restricted to certain times?
- How will the use be monitored to ensure it is only for family?

PRE-APPLICATION ADVICE:

(1) Pre-application advice sought?: No. the application is retrospective.

POLICY FRAMEWORK:

☐ National Planning Policy Framework

Joint Core Strategy for Broadland, Norwich and South Norfolk (as amended) 2014
☐ Policy 1 – Addressing Climate Change and Protecting Environmental Assets.
☐ Policy 2 – Promoting Good Design

Development Management (DPD) 2015
☐ GC1 – Presumption in favour of sustainable development
☐ GC2 – Location of new development.
☐ GC4 – Design
☐ EN1 – Biodiversity & Habitats
☐ EN2 – Landscape
☐ EN4 – Pollution
☐ CSU5 – Surface water drainage.

ISSUES:

This application seeks retrospective consent for the change of use of agricultural land to residential curtilage and the creation of a motocross track for private use. The works have been in place for approximately 12 months and have involved engineering operations to create the track as well as extensive works to the boundaries including the erection of fencing and some planting.

To the west of the site is a County Wildlife Site which has been impacted on by the works within the boundaries of Red House. The Natural Environment Team is of the opinion that the construction of the motocross track has resulted in the loss of valuable habitats both within the red line and in association with the adjoining CWS.
The applicant has advised that the motocross track is for his own personal use and he has provided details of the bikes used and the levels of noise produced. The agent has also confirmed that the applicant has stated he would be willing to accept a condition restricting the number of bikes used at any one time and the noise levels of such bikes.

However, it is not considered that the application has demonstrated that the noise and disturbance impact can be mitigated in an acceptable form that is precise, reasonable and enforceable.

Furthermore, no evidence has been submitted to demonstrate that the benefits of the development outweigh the adverse impacts on biodiversity nor does the application provide for appropriate mitigation or replacement of habitats that have been lost and therefore cannot achieve a long-term maintenance or enhancement of the local biodiversity baseline.

RECOMMENDATIONS:

Refuse for the following reasons:

This application has been considered against the Development Plan for the area, this being the Joint Core Strategy for Broadland, Norwich and South Norfolk 2014 (JCS) and the Development Management DPD 2015. The policies particularly relevant to the determination of this application are Policies 1 and 2 of the JCS and Policies GC1, GC2, GC4, EN1 and EN2 of the DMDPD. Also material is the National Planning Policy Framework (NPPF) and the Landscape Character Assessment SPD 2013.

This application seeks retrospective consent for the change of use of agricultural land to residential curtilage and the creation of a motocross track for private use.

Although the motocross track is proposed to be for private use, it is highly likely to result in an adverse impact on the amenity of neighbouring residential properties and users of the adjacent footpath network. In addition, it has not been adequately demonstrated that the noise impacts of the proposal can be mitigated in an acceptable form that is precise, reasonable and enforceable.

Furthermore, no evidence has been submitted to demonstrate that the benefits of the development outweigh the adverse impacts on biodiversity nor does the application provide for appropriate mitigation or replacement of habitats that have been lost by the development.

Accordingly, it is considered that the proposals are contrary to Policies 1 and 2 of the Joint Core Strategy, Policies GC1, GC2, GC4, EN1 and EN2 of the Development Management DPD and the fundamental principles of the NPPF.

SIGNATURE: C Peel

DATE: 02/02/18