

**Norfolk Mead Hotel, Coltishall**  
Report by Head of Planning

**Summary:** The report gives the background to and the current issues at the Norfolk Mead Hotel in Coltishall.

**Recommendation:** That Members note the contents of the Report.

**1 Background**

- 1.1 Members will recall that they have received correspondence in the form of an 'Open Letter' raising a series of complaints about the operation of the Norfolk Mead Hotel in Coltishall. An initial holding response was sent on behalf of the Chairman of the Planning Committee, and then a full response prepared by the Head of Planning; Members have been copied into all of this. It is not usual for the Planning Committee to receive a report where investigations and/or negotiations are underway, but given the nature of the correspondence the Chairman of the Planning Committee has requested that a report be prepared.
- 1.2 The Norfolk Mead Hotel is an established hotel sitting in grounds of approximately 8 acres in Coltishall. It is a Grade 2 listed building, and is in the Conservation Area. It is located north of the river Bure and is accessed off Church Loke which is a narrow private lane running down from Church Road (B1354), adjacent to the church, and which leads to the private driveway to the hotel. Church Loke also provides access to a detached residential property (Holly Lodge) and a separate terrace of four dwellings which are located to the rear of the hotel, to the west of the walled garden which are also accessed via the driveway. Originally these buildings were an agricultural building which formed part of the hotel complex, but have since been converted, separated and sold individually.
- 1.3 The property has operated as a small country house hotel for at least 25 years. There were a number of planning applications submitted in the early 1990s for additional holiday accommodation in the form of self-contained cottages, which appear not to have been built, but there is little other planning history until recently.
- 1.4 In 2012 the property was put up for sale and the Local Planning Authority (LPA) had informal discussions with a number of interested parties about the potential for further buildings and/or uses on the site.

## **2 The Planning Applications**

- 2.1 In April 2013 the new owner submitted a planning application (2013/0096) for a new function room and service block, to be located within the walled garden to the side of the main hotel building. The function room was required to enable the hotel to cater for weddings and other functions, whilst the service block would provide a catering kitchen. This application was submitted following pre-application discussions around the principle and detailed design of any such building. Objections were raised against the proposal, on grounds including noise, impact on local amenity and vehicle movements. The application was considered by the Planning Committee on 19 July 2013 and planning permission was granted, subject to a number of conditions including noise mitigation and management and a parking plan.
- 2.2 The planning permission was issued on 26 July 2013.
- 2.3 Conditions 12 and 13 covered noise as follows:
- (12). The function room building, including windows and doors, shall be designed to achieve a minimum sound reduction index (Rw) of 35dB.
- (13). Music noise and noise from public address systems shall not exceed 88dBA (5-min) Leq when measured internally at least 1 meter from any wall within the function room.
- 2.4 Condition 9 covered parking as follows:
- (9). Prior to commencement the applicant shall submit a Parking Management Plan for the Norfolk Mead site. The Parking Management Plan shall identify the layout and management of parking spaces within the site and, additionally, identify appropriate additional measures (such as, for example, areas of parking restriction along the shared access drive) as are required to protect the amenity of neighbouring residents and the appearance and setting of the Listed Building
- 2.5 A number of planning applications were subsequently submitted, making minor amendments to the approved building, including reducing the footprint of the building (2013/0273/NONMAT) and adding a window to the service block (2014/0043/NONMAT).
- 2.6 A number of other planning applications covering other parts of the site were also submitted. Permission was sought for a single storey extension to the kitchen (2014/0068), an extension and two holiday units (2015/0198), replacement chalet and sheds (2015/0278) and various alterations to windows and doors.
- 2.7 In February 2016, following noncompliance with the approved car parking plan submitted under condition 9 above (see 2.4), an application to vary this was submitted (2016/0070/COND). This application is still under consideration.

### **3 The Operation of the Norfolk Mead Hotel Function Room**

- 3.1 The function room permitted in 2013 was constructed in 2014, in accordance with the approved plans. Since the function room has been operational there have been complaints received from the occupiers of neighbouring dwellings, primarily around the issues of noise and traffic movements/parking.

#### Noise

- 3.2 When designing and constructing the function room building the landowner engaged a qualified acoustician to advise him on the structural measures required to comply with planning conditions 12 and 13. Discussions were held with the Environmental Health Officer (EHO) at Broadland District Council. The noise levels which were predicted in the application were considered to be realistic, whilst the measures which were implemented in the construction were considered to be sufficient to meet the requirements of the conditions.
- 3.3 Complaints were received, however, about excessive noise and the EHO undertook investigations, including monitoring the noise at various times in each of the 4 residential properties to the north of the hotel. There was an intensive period of monitoring in the summer of 2015 and a number of management measures were identified which would reduce the noise, including keeping doors shut, as well as technical measures including the installation of an acoustic limiter. An acoustic limiter is a noise sensor installed within the ceiling of the building and when the sound level exceeds the pre-set decibel limit it cuts the power to the noise source – ie the music cuts out. The acoustic limiter was installed in August 2015 and the EHO was satisfied that it had a positive impact on the noise emanating from the venue.
- 3.4 Complaints continued to be received, including allegations that the acoustic limiter was either switched off or over-ridden. The hotel owner advised that he found the limiter operationally restrictive and a number of popular local function bands would not operate with the acoustic limiter as it affected their performance, although over time he was developing a list of bands which could. The EHO continued to investigate the complaints, with further monitoring and unannounced visits. He did not consider the noise to constitute a statutory nuisance and monitoring showed that it was in the main complaint with the planning conditions.
- 3.5 No complaints were received in the latter part of 2015 or early 2016, however complaints began to be received again in June 2016.
- 3.6 In July 2016 a noise report was commissioned by the hotel owner to see what further measures could be used and to test whether the structure was attenuating the noise according its design structures. No further remedies were suggested by the acoustician and the building was found to be attenuating the noise. The hotel owner installed further noise monitoring equipment which gave a constant recording, to demonstrate that he was

working within the specified limits. The EHO checked the supplied data and found that whilst there were incidences of excess noise, this was not constant and the venue operated within the restrictions for much of the time. It appeared to be the case that the restrictions could more easily be met by playing recorded music only instead of live groups.

- 3.7 The hotel owner, however, wishes to continue to offer the option for live bands if possible. In August 2016 he therefore installed acoustic shutters in the function room, having been advised by an acoustician that these could reduce the sound levels by up to 19 decibels. This equipment has been effective in reducing some of the higher frequency noise, but has not addressed the base level or made a significant impact on the overall level. Whilst the noise levels are within the limit of the planning condition (ie 88 decibels), they still need to be reduced in order to satisfy the EHO.
- 3.8 The hotel owner is now discussing with the EHO the purchase of a new comprehensive system, comprising all of the acoustic equipment required for a function including amplifiers and speakers; any band or DJ would simply plug into this. The system would have a pre-set decibel limit and would not emit sound above this limit – rather like a speed restrictor on a car where it's not possible to exceed the pre-set speed limit. This system is likely to cost around £15,000. It would be more consistent and give the hotel full control over the noise limit.
- 3.9 It is acknowledged that there has been a high level of complaints about noise from this venue, and it is accepted that some of these complaints may be justified. It is likely that there have on occasion been breaches of the noise limit condition, however the breaches are not constant, are reducing in frequency and the operator is actively trying to resolve the problems.
- 3.10 The EHO is of the view that the site can operate within the specified noise limits. The proximity to residential properties, however, will affect how it can reasonably operate and the hotel owner needs to better recognise this in the management of the venue and the events. With regard to the adjacent residential properties, whilst the noise levels have on occasion been unacceptable, their amenity will inevitably be compromised by their location next to an established hotel and there needs to be a recognition of this.
- 3.11 In planning terms, there is no evidence of a persistent or prolonged breach of the planning conditions regarding noise such as to warrant any formal action; whilst there has been excessive noise on occasion, the operator is taking steps to address this and progress is being made.
- 3.12 It should also be noted that there have been complaints received about the noise from guests in the garden area of the hotel, including allegations of loud singing, chanting and swearing. These complaints are more frequent in the warmer weather. The hotel grounds form part of the premises and their use by guests (including function room guests) is to be expected. These are largely issues of management and the hotel has installed signs reminding

guests that they are in a residential area and asking for courtesy, particularly after dark; they have also deployed staff to keep the noise down.

### Parking

- 3.13 Subsequent to the granting of planning permission, a Parking Management Plan was submitted as required by condition 9. This proposed that the main car park (to accommodate up to 45 vehicles) to the hotel would be on the driveway to the front, where it had been located historically, and if further or overflow car parking was required this would be on the lawn at the front of the building (which could accommodate up to 39 vehicles). This was not ideal, as the building is listed and its setting would not be enhanced by car parking, however it was not anticipated that the further parking would be frequently required.
- 3.14 When the operation of the hotel and function room started, there was a greater need for parking than had been anticipated; the hotel owner, in addition, did not want parking on the lawn. Instead, overflow parking took place either under the trees on the left side of the driveway, or in a paddock to the north of the hotel. These areas could accommodate around 15 and 20 vehicles respectively. None of this parking was in accordance with the Parking Management Plan. There was also additional staff parking taking place to the rear of the kitchen in the service block.
- 3.15 Complaints were received regarding the impact of parking under the trees on the trees and on the neighbouring amenity, due to proximity to the cottage on the end of the terrace; the complaints about the paddock parking related to noise and light intrusion to the properties to the rear on Church Close.
- 3.16 Discussions took place in the summer and autumn of 2015, seeking a solution. An alternative parking scheme was suggested for trial, which would show the main car park in front of the hotel being used as the principal car park for staff and guests, the overflow carpark on the paddock being used for guests when required by events and the area under the trees only being used for staff and only when a large event meant that there was no other parking available. The rationale for this latter area was that staff should, in the main, be leaving earlier and the hotel owners would have more control over the noise, which had been a source of complaints.
- 3.17 Residents of Church Close were advised of the trial and in November 2015 their views were sought. Unsurprisingly, the preference of Church Close was for any additional parking to be provided elsewhere on the hotel site, including, if needed, the lawn area at the front as originally planned. The issue of impact from the noise from the use of the car park (car doors, engines etc) was raised, but not by all the respondees and one specifically said they had expected it to be a problem but it had not. There was concern about what regularisation of the overflow car park would mean and whether there would be hard surfacing and lighting. There was some support for screening if the proposal were to go ahead. The responses were useful in identifying the issues that any application would need to address.

- 3.18 In May 2016 a planning application was submitted to vary the parking plan approved under condition 9 (2016/0070). The new parking plan as proposed in this application, however, proposed using the area under the trees as the first choice overflow car park, rather than the paddock area, and this is not acceptable due, in a large part, to the impact on the trees. Discussions have been ongoing and the hotel owner appears to have accepted the principle of the paddock area being the primary overflow car park, with the area under the trees as an emergency overflow only, limited to staff. A final plan showing the layout and treatment of the area under the trees is awaited and then the application can be determined. It is anticipated that the application will be reported to the October meeting of the Planning Committee. Planning conditions will be important here, as will monitoring.

#### Other issues

- 3.19 The noise and the parking are the main subjects of complaints at this site, however concerns have also been raised about the following matters.
- 3.20 There is an extractor fan from the kitchen, which residents complain is noisy; it particularly impacts on them when they are in their gardens. It is audible, however it is not considered to adversely affect residential amenity. The hotel owner has installed additional silencers since he was made aware of the problem, as well as reducing the running speed where possible.
- 3.21 The hotel site is not on mains drainage, but has a septic tank which is emptied two or three times per week. It is accessed via the track which runs in front of the terrace of 4 cottages and the heavy vehicle has caused damage to the track. In July 2016 planning permission was granted for a treatment plant at the hotel which, when installed, will reduce the need for emptying (2016/0204). The matter of the damage to the track is between the parties and is not a planning matter. It is understood that the hotel owner has offered to contribute to the cost of repair works.
- 3.22 The behaviour of guests has been raised, with complaints about excessive noise from voices both in the garden and outside the venue. The hotel advises that it does deploy staff to monitor and moderate behaviour, and it was previously agreed that if there was a problem then the residents should telephone the hotel so that it could be dealt with at the time. This is largely a matter for public licensing regime and the EHO will be looking into this.
- 3.23 Complaints have been received that the function room caters mainly for local weddings and events and does not contribute to the visitor offer or tourism economy. The management of the hotel is not a planning matter.
- 3.24 It is the case that the relationship between the parties is poor, and complaints have been received from both sides. No planning matters (other than those above) have been raised.

### Engagement with both parties

- 3.25 The LPA has been proactive here in trying to find a solution to the various issues as this is an attractive facility which offers a high quality experience and provides local employment. It must, however, operate in such a way as to be acceptable within the local community. It must also operate within the planning conditions.
- 3.26 In 2015 the LPA engaged directly with the hotel owners, the EHO and two of the local residents who, it was understood, represented the residents in the terrace of four cottages. All the matters of concern were discussed, at length, in a number of face to face meetings and in correspondence. Following the last meeting on 26 November 2015, a review meeting was arranged for 26 April 2016, however this was cancelled as it was not required as there were, at that time, no outstanding issues between the parties.
- 3.27 The LPA will be offering to meet with the other occupiers of the terrace of cottages, to enable them to discuss their concerns.
- 3.28 The planning application for the revised parking plan will be presented to the Planning Committee.

## **4 Recommendation**

- 4.1 That the report be noted

Background papers: None

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Appendices: APPENDIX 1 – Location Plan

APPENDIX 1

BA/2015/0003/BOCP2 - The Norfolk Mead Hotel, Church Loke, Coltishall, NR12 7DN

