



## Committee Report

**Planning Committee South - 30 June 2020**

**Application no** DC/19/4875/FUL

**Location**

Brightwell Wood  
Brightwell Street  
Brightwell  
Suffolk

**Expiry date** 11 February 2020

**Application type** Full Application

**Applicant** Twisted Oaks bike park and trails CIC

**Parish** Newbourne

**Proposal** Creation of bike park with associated facilities, infrastructure, and landscaping; management compound including 3 static caravans; Enlargement of fishing pond, and the erection of 10 Glamping units.

**Case Officer** Danielle Miller  
01394 444594  
[Danielle.miller@eastsuffolk.gov.uk](mailto:Danielle.miller@eastsuffolk.gov.uk)

### 1. Summary

- 1.1. The application seeks permission for the creation of a mountain bike park with associated facilities, which include infrastructure, and landscaping; a management compound including 3 static caravans; enlargement of fishing pond, and the erection of 10 Glamping units.
- 1.2. The application was considered at the Referral Panel because the 'Minded to' decision of the Planning Officer is contrary to the Bucklesham Parish Council recommendation to refuse. Officers recommended that the application should be referred to Planning Committee due to the sensitive nature of the site, the finely balanced nature of the recommendation and the level of public interest. The Planning Referral Panel referred the item to Planning Committee for the same reasons.

## **2. Site description**

- 2.1. The site relates to Brightwell Woods, privately owned land of 44 acres, within the parish of Bucklesham. The site is relatively isolated but falls within a Special Landscape Area. The site comprises of an area of open grassland located a short distance from the edge of the main area of woodland plantation located to the north of the site, this has been planted with additional trees. Land to the east, west and south of the site consists of either open agricultural land or grassland. Mill River is also located a short distance to the west of the site, bordering the sites western boundary. This is classified as County Wildlife Site known as Brightwell Grazing Meadow and Mill River.
- 2.2. There is a storage/workshop building on part of the site, this was subject to permitted development requirements as confirmed by the council under reference DC/18/0981/AGO. In addition there is a current enforcement case open on the site reference ENF/2018/0152/USE which relates to the uses under consideration in the application, namely the change of use of land from agriculture to a Bike Park and construction of a new access, the glamping element has not commenced.

## **3. Proposal**

- 3.1. The application seeks permission for the creation of bike park with associated facilities, infrastructure, and landscaping; this includes a management compound including 3 static caravans; enlargement of fishing pond, and the erection of 10 Glamping units.
- 3.2. The access track runs from Brightwell Road, once at the site there are two car parking areas. One at the site entrance (north western corner, and one larger one towards the top of the site, north east. The top car park is not hard surfaced; it is bounded by a grass bund to shield vehicles from the surrounding area. There are two areas for disabled parking, one close to the pond and one close to the parks practice jumps area.
- 3.3. The bike tracks themselves are for push bikes, no motorised vehicles will be used on the tracks. The tracks amount to 4 miles in length and run through the woodland and open land, across the entire site. Some of the ground has been made up to form relevant bumps for users to navigate. The tracks run around and between the trees. There is no hardstanding making up the tracks.
- 3.4. The fishing pond, is an original pond which has been enlarged and modified for use. The pond was originally 10 x 15 meters and 1.5 meters deep. The pond was heavily silted with leaves and mud. The pond is fed by two natural inlets and has one outlet point. The silt and mud have been removed from the pond restoring it to a size 20 x 20 meters and 3 meters at the deepest point the inlets and outlets remain in their original position. The pond is fenced with a five-foot fence constructed in timber. There are three gates built into the fence. There is also a low electric fence to deter otters and mink from entering the pond to keep the fish safe. The pond holds Carp (Common and Mirror); Rudd; and Green Trench in line with the environmental agency licence to stock fish that the applicants hold. The pond is serviced by two fishing jetties that are fully wheelchair accessible these measure at 3.6m x 1.8m with a compacted level path between them of 1.8m in width. There are railings with a height of 1.1m lowering to 500mm at the water's edge.

- 3.5. The 10 glamping pods are proposed close to the pond; they are timber, triangular structures measuring 3702 x 4822mm in floor plan and a max height of 3444mm. The eaves run to the ground.
- 3.6. The disabled toilet block and showers, located close to the pond, is a timber structure with a dual pitched roof measuring 8.6m x 4.3m with a ridge height of 3.4m and an eaves height of 2.4m.
- 3.7. There is a work yard arrangement on the site where most of the structures are located. Within this area there is the existing workshop approved under permitted development; the proposed workshop; two static caravans; and a storage container. Just outside this area is a toilet facility, which is the size of a storage container; and another static caravan which will be used as a tea/rest area.
- 3.8. The workshop proposed within the compound area will be 9m x 12m with a mono pitch roof raising from 3.4m high to 4.6m.
- 3.9. The static caravans are not intended for residential accommodation; however, they will be used as part of the site for managers to stay over to ensure the glamping element is secure when there are guests. They will also be used for managers rest areas.

#### **4. Consultations/comments**

- 4.1. 11 letters of objection have been received raising the following points.
- Concern that the application is retrospective.
  - Concern that the letter of support is not from neighbouring properties
  - Access is not sufficient for scale of development
  - more than 112 cars using site on a Sunday noted.
  - Commercial venture
  - Damage to the Ecology of the woodland
  - Noise and disturbance from camping element
  - Not considered to be suitable for disabled use no consideration has been given to walkers who are expected to share the public footpath with the increasing number of vans, cars and large tipper lorries.
  - The area already provides several camping/glamping sites and therefore the introduction of another will dilute the existing businesses and set a precedent for more development, either on this site or others.
  - Dominating/ overbearing design in context of rural setting, impact on landscape, noise, parking (car park right next to our property), fear of crime brought in by a large number of people on adjoining site with no fencing to prevent people coming into our property, loss of privacy, loss of open space and outlook, principal of use and impact on property value caused by change of use next to site, setting of precedent and wildlife (creation of bike trails will not encourage wildlife but to the contrary will detract wildlife).
  - Impact to create extra traffic through the village of Newbourne.
  - Unsuitable access arrangements and visibility splays.
  - Negative impact on traffic when considering new housing development in the area.
  - Negative impact on neighbouring outlook.
  - Negative impact on neighbouring amenity in terms of noise and disturbance.
  - Concerns over management of park and safety of users.

- Insufficient sanitary facilities.
- Negative impact on ecology including otters.
- Risk to users of the public footpath.
- misrepresentation of drawings.
- Concerns over inaccuracies in the application.
- Dominating/ overbearing design in context of rural setting, impact on landscape, noise, parking (car park right next to our property), fear of crime brought in by many people on adjoining site with no fencing to prevent people
- coming into our property, loss of privacy, loss of open space and outlook, principal of use and impact on property value caused by change of use next to site, setting of precedent and wildlife.
- The development proposed will materially harm the unspoilt character of the site, bringing about significant additional noise, both from very large numbers of vehicles accessing deep within the site but also additional noise that is intrinsic to the activities that are proposed.
- Concern about the use of amplified music on the campsite and noise from use of the cycle track but also cars using the car park.
- The siting of a septic-tank based sewerage system is either a feasible or sustainable for what is effectively a commercial leisure amenity operation that has a longer-term plan to bring significant additional overnight visitors to the development site as part of a camping / glamping operation.

4.2. 160 letters of support have been received noting the following points.

- Good Community Facility
- Provides additional facility not currently available in the district
- Providing sporting activity in a natural environment for people of all ages and abilities
- Beneficial for mental health
- Ecological benefits
- Improves tourism for the area
- Social engagement
- Youth engagement
- The Twisted Oaks Bike Park has potential to become a key part of the local leisure & tourism industry and significantly enhance the area in both social & environmental aspect
- Having a dedicated bike park for off road cycling provides a safe environment to take part in cycling away from cars
- With the UCI World Championships Masters Cycle Cross event coming to Trinity Park for two consecutive years, it will inspire new interest in off road cycling.
- Currently Suffolk only has 2 locations for off-road cycling, as these are forestry commission owned they do not fit the requirements of an accomplished mountain biker.
- The area is unobtrusive, is away from the main road and does not attract noise, waste or any other negatives. It is professionally managed and organised.
- Economic benefit to Ipswich and Woodbridge
- Glamping units will be a further boost to the Suffolk tourism industry helping local businesses.
- Provides opportunity for families to be together in shared pursuit
- British Cycling Coach for the Eastern Area coaches from the site, new riders and local aspiring mountain bikers that are on the pathway to Olympic events.
- Mountain biking in Rendlesham, Tunstall or Thetford is OK but Twisted Oaks is in another league - it provides the mountain biker a variety of different riding which is not available

anywhere nearby. Trails are built by hand mainly and offer the rider means to progress their riding and fitness and technical skills.

- The Bike Park provides a valuable resource for both the local and wider community encouraging
- the sport of mountain biking for all abilities thus promoting fitness and wellbeing.
- The Bike Park has preserved an area of forestry and has been expertly managed to provide a safe environment for both walkers and bikers by removing dead and damaged trees.
- The area has been enhanced by the planting of many new trees and the restoration of a pond
- The stream running through the area has been maintained and managed correctly.
- The Bike Park owners provide a safe and community orientated site suitable for all ages - having bought the land they effectively 'share' it with everyone.
- Bike Park safety standards are explicit and enforced for the benefit of everyone.
- Appropriate parking and footpaths are well sign-posted and maintained.
- There is minimal noise disruption to the surround area - wildlife such as buzzards and hares have not been disturbed.
- Support for local business who have seen a massive increase in sales of relevant bikes and protective equipment.
- Purpose built pond for fishing which has helped the local environment thrive, that is also easily accessible by wheel chair, but also having the park closed on certain days to mountain biking to allow people who are struggling with mental health to come and explore the very much preserved woodland areas they have.
- The site offers the ability to learn how to fish, and it is a very special, tranquil place.
- Thomas's Cycle Revolution Ltd would like to wish Twisted Oaks Bike Park success in it's endeavour
- Beaver Scout leader at 1st Kesgrave Scout Group I have been offered opportunities to take my Beavers there to go pond dipping in a safe environment, visiting the park with up to 40 Beavers to participate in our Community Impact badge where they will learn about the importance of trees to our environment and climate and then we will do some tree planting. In partnership with the Woodland Trust, we will be planting 420 trees on the site. This is in addition to the hundreds of new saplings already planted. This is just one small aspect of how Twisted Oaks is improving local communities and is a much-needed asset to our area.
- Coaching business has seen a growth in bookings and brought investment into the local community through the use of local services by the parks users.

## Consultees

### Parish/Town Council

Consultee	Date consulted	Date reply received
Parish Council	N/A	11 March 2020
<p>Summary of comments:</p> <p>Bucklesham Parish Council:</p> <p>The Group Parish Council is disappointed that it has only recently been notified of this application and has only had a short time to consider it. We are not against such leisure developments in principal. However, we object to this development. It is clear that the Bike Park has been operating</p>		

for a considerable period of time without planning permission. It is enjoyed by a great many people but appears to have grown larger and more popular without proper regulation and is clearly causing concern to a number of local residents.

Some consultees have raised concerns about the development and are recommending that conditions be imposed prior to development. This is not possible as the site is already in use! Of particular concern are the comments made by the Suffolk County Council Highways Department in their letter dated 10 January 2020 they state four conditions relating to Highway Safety which should be complied with prior to the development being commenced.

It is unclear whether or not the appropriate work has been carried out. If not, the site has been, and continues to be detrimental to the highway safety of users of the highway.

There appears to have been little, if any, consultation with local residents and the effect on their amenity and well being in terms of additional traffic, noise and disturbance whilst there are conflicting views about the effect of the development on local wildlife.

We believe it is essential that the Planning Committee visit the site to see it in operation and can therefore better assess the impact on local residents and the potential problems with the access to the site for such a large number of visitors.

For these reasons we believe that this application, as it currently stands, should be rejected.

Consultee	Date consulted	Date reply received
Newbourne Parish Council	20 December 2019	2 March 2020
Summary of comments: Newbourne parish council neither object or support the above planning application.  1 member of the parish council objected to the planning and the others had no comment.		

### **Statutory consultees**

Consultee	Date consulted	Date reply received
Suffolk County Archaeological Unit	25 February 2020	No response
Summary of comments: No response received		

Consultee	Date consulted	Date reply received
Suffolk County - Highways Department	24 February 2020	12 March 2020
Summary of comments: Notice is hereby given that the County Council as Highway Authority recommends that any		

permission which that Planning Authority may give should include controlling conditions.

Consultee	Date consulted	Date reply received
Suffolk County - Highways Department	20 December 2019	7 January 2020
<p>Summary of comments:</p> <p>Before the County Council as a Highway Authority can fully comment on the proposed access further details would need to be submitted, the supplied drawings for the access need to be revised to show the full extent of the required visibility splays.</p>		

#### **Non statutory consultees**

Consultee	Date consulted	Date reply received
Landscape Team (Internal)	N/A	23 April 2020
<p>Summary of comments:</p> <p>Internal Planning Services Consultee, comments included within planning considerations section.</p>		

Consultee	Date consulted	Date reply received
Economic Development (Internal)	N/A	27 April 2020
<p>Summary of comments:</p> <p>Would be supportive of any new tourism accommodation proposals that would strengthen the visitor economy in East Suffolk and enhance the diversity of the current offer, whether by means of conversion or new build. Tourism and leisure are key drivers of economic growth (seen in the East Suffolk Economic Growth Plan) and our primary aims, as described in the East Suffolk Tourism Strategy, are to increase the volume and value of tourism, to extend the tourist season, to create compelling destinations and to link visitors more to experiences. They are also keen to encourage growth of visitor experiences in rural areas. They would be pleased to see the creation of rural employment opportunities and the generation of income into the local economy as a result. They would be supportive of any new tourism accommodation proposals that would strengthen the visitor economy in East Suffolk and enhance the diversity of the current offer, whether by means of conversion or new build.</p> <p>For this application they note that the Suffolk Coast Tourism Strategy 2013-23 advises that "it is recommended that additional off-road trails be developed for cyclists" due to a desire to strengthen the range of visitor activities to broaden market appeal. Also recommend is to develop 'mix and match' activities such as the offer suggested in this application. It is recommended that new attractions should be encouraged to "enable the Suffolk Coast to be regarded as a destination that can attract activity enthusiasts, which in turn can motivate visitors during the shoulder and off-season months".</p>		

Consultee	Date consulted	Date reply received
Disability Forum	20 December 2019	No response
Summary of comments: No responses received		

Consultee	Date consulted	Date reply received
SCC Ecology	20 December 2019	20 December 2019
Summary of comments: No responses received		

Consultee	Date consulted	Date reply received
Suffolk County - Rights Of Way	20 December 2019	No response
Summary of comments: No response received		

Consultee	Date consulted	Date reply received
Suffolk Wildlife Trust	20 December 2019	17 March 2020
Summary of comments: No responses received		

Consultee	Date consulted	Date reply received
Environmental Protection (Internal)	20 December 2019	31 December 2019
Summary of comments: No Objections Recommend standard condition relating to finding unexpected contamination.		

Consultee	Date consulted	Date reply received
Ecology (Internal)	20 December 2019	No response
Summary of comments: Internal Planning Services Consultee, comments included within planning considerations section.		



Consultee	Date consulted	Date reply received
Suffolk Fire And Rescue Service	13 January 2020	13 January 2020
Summary of comments: Standard comments relating to provision of access for fire appliances and water supplies, and recommend a sprinkler system		

### Reconsultation consultees

Consultee	Date consulted	Date reply received
Disability Forum	24 February 2020	No response
Summary of comments: no response received		

Consultee	Date consulted	Date reply received
Ecology (Internal)	24 February 2020	4 March 2020
Summary of comments:		

Consultee	Date consulted	Date reply received
Environmental Protection (Internal)	24 February 2020	No response
Summary of comments: no response received		

Consultee	Date consulted	Date reply received
Suffolk Fire And Rescue Service	24 February 2020	No response
Summary of comments: no response received		

Consultee	Date consulted	Date reply received
Newbourne Parish Council	24 February 2020	11 March 2020
Summary of comments: Newbourne Parish Council: "Newbourne parish council neither object or support the above planning application.		

1 member of the parish council objected to the planning and the others had no comment.

Points raised

1. The site is already being used already for a bike park.
2. The entrance is on dangerous part of the road where it is 60mph.
3. Concerns that there may be more bikes and people walking through the village using the roads.
4. A member of the parish council that lives on Jackson road has not noticed any more noise since the bike park has been operational but this could increase if there is glamping and more attractions at the site.
5. Wildlife could be affected"

Consultee	Date consulted	Date reply received
SCC Ecology	24 February 2020	4 March 2020
Summary of comments: They recommend conditions to secure the impacts are minimised and mitigation measures are secured.		

Consultee	Date consulted	Date reply received
Suffolk County - Rights Of Way	24 February 2020	12 March 2020
Summary of comments: The proposed site does contain public rights of way (PROW): Footpath 18 and Footpath 19 Brightwell, and Footpath 1 Newbourne.  We object to this proposal based on the following: <ul style="list-style-type: none"><li>. Part of the proposed access track is a public footpath and we feel that 200 cars is too much and will significantly impact the ability of the public to safely exercise their lawful right to use the route on foot.</li><li>. As set out below, it is unlawful to carry out works or alter the surface on a public right of way without explicit consent from the Highway Authority (in this case, the Rights of Way and Access Team at Suffolk County Council). Regardless of whether planning permission is granted, the Applicant MUST contact the East Area Officer (<a href="mailto:prow.east@suffolkhighways.org">prow.east@suffolkhighways.org</a>) to discuss any plans they may have for works on the public rights of way on their land, and to apply for authorisation. Failure to do so will result in enforcement action being taken.</li><li>. There is a culvert running under the proposed access track carrying the public rights of way. The culvert is adequate for the pedestrian use on the public footpath, but we are concerned that it may not be fit for purpose for the volume of vehicular traffic the Applicant is proposing. We would either like to see the structure replaced by the Applicant with something agreed as being fit for purpose with Suffolk County Council's Bridges Team, or for the Applicant to provide a report from a suitably qualified person to reassure us that the structure is safe and fit for purpose.</li></ul>		

Consultee	Date consulted	Date reply received
Suffolk Wildlife Trust	24 February 2020	No response
Summary of comments: No comments received		

## Publicity

The application has been the subject of the following press advertisement:

Category	Published	Expiry	Publication
Public Right of Way Affected	9 January 2020	30 January 2020	East Anglian Daily Times

## Site notices

General Site Notice	Reason for site notice: In the Vicinity of Public Right of Way Date posted: 8 January 2020 Expiry date: 29 January 2020
---------------------	---

## 5. Planning policy

- 5.1. On 1 April 2019, East Suffolk Council was created by parliamentary order, covering the former districts of Suffolk Coastal District Council and Waveney District Council. The Local Government (Boundary Changes) Regulations 2018 (part 7) state that any plans, schemes, statements or strategies prepared by the predecessor council should be treated as if it had been prepared and, if so required, published by the successor council - therefore any policy documents listed below referring to "Suffolk Coastal District Council" continue to apply to East Suffolk Council until such time that a new document is published.
- 5.2. In addition to considering applications in accordance with the National Planning Policy Framework (NPPF 2019) and the National Planning Policy Guidance (NPPG), Section 38 of the Planning and Compulsory Purchase Act 2004 requires applications to be determined in accordance with the Local Planning Authority's 'Development Plan', unless material considerations indicate otherwise.
- 5.3. East Suffolk Council's Development Plan, as relevant to this proposal, consists of:
  - East Suffolk Council - Suffolk Coastal District Local Plan – Core Strategy and Development Management Development Plan Document (Adopted July 2013);
  - East Suffolk Council – Suffolk Coastal District Local Plan – Felixstowe Peninsula Area Action Plan (Adopted January 2017) and;
  - The 'Saved' Policies of the Suffolk Coastal Local Plan incorporating the first and second alterations.

- 5.4. The relevant policies of the Suffolk Coastal District Local Plan – Core Strategy and Development Management Development Plan Document (Adopted July 2013) and the East Suffolk Council – Suffolk Coastal District Local Plan – Felixstowe Peninsula Area Action Plan (Adopted January 2017) are:

SP1 - Sustainable Development (East Suffolk Council - Suffolk Coastal District Local Plan - Core Strategy and Development Management Development Plan Document (July 2013))

SP1a - Presumption in Favour of Sustainable Development (East Suffolk Council - Suffolk Coastal District Local Plan - Core Strategy and Development Management Development Plan Document (July 2013))

SP7 - Economic Development in the Rural Areas (East Suffolk Council - Suffolk Coastal District Local Plan - Core Strategy and Development Management Development Plan Document (July 2013))

SP8 - Tourism (East Suffolk Council - Suffolk Coastal District Local Plan - Core Strategy and Development Management Development Plan Document (July 2013))

SP14 - Biodiversity and Geodiversity (East Suffolk Council - Suffolk Coastal District Local Plan - Core Strategy and Development Management Development Plan Document (July 2013))

SP15 - Landscape and Townscape (East Suffolk Council - Suffolk Coastal District Local Plan - Core Strategy and Development Management Development Plan Document (July 2013))

SP16 - Sport and Play (East Suffolk Council - Suffolk Coastal District Local Plan - Core Strategy and Development Management Development Plan Document (July 2013))

SP29 - The Countryside (East Suffolk Council - Suffolk Coastal District Local Plan - Core Strategy and Development Management Development Plan Document (July 2013))

DM13 - Conversion and Re-Use of Redundant Buildings in the Countryside (East Suffolk Council - Suffolk Coastal District Local Plan - Core Strategy and Development Management Development Plan Document (July 2013))

DM17 - Touring Caravan, Camper Vans and Camping Sites (East Suffolk Council - Suffolk Coastal District Local Plan - Core Strategy and Development Management Development Plan Document (July 2013))

DM19 - Parking Standards (East Suffolk Council - Suffolk Coastal District Local Plan - Core Strategy and Development Management Development Plan Document (July 2013))

DM21 - Design: Aesthetics (East Suffolk Council - Suffolk Coastal District Local Plan - Core Strategy and Development Management Development Plan Document (July 2013))

DM22 - Design: Function (East Suffolk Council - Suffolk Coastal District Local Plan - Core Strategy and Development Management Development Plan Document (July 2013))

DM23 - Residential Amenity (East Suffolk Council - Suffolk Coastal District Local Plan - Core Strategy and Development Management Development Plan Document (July 2013))

DM27 - Biodiversity and Geodiversity (East Suffolk Council - Suffolk Coastal District Local Plan - Core Strategy and Development Management Development Plan Document (July 2013))

DM32 - Sport and Play (East Suffolk Council - Suffolk Coastal District Local Plan - Core Strategy and Development Management Development Plan Document (July 2013))

- 5.5. The new Local Plan (covering the former Suffolk Coastal area) was submitted to the Planning Inspectorate (PINS) for examination on Friday 29 March 2019, the examination took place between 20th August and the 20th September 2019. Full details of the submission to PINS can be found through this link: [www.eastsuffolk.gov.uk/localplanexamination](http://www.eastsuffolk.gov.uk/localplanexamination).
- 5.6. Presently, only those emerging policies which have received little objection (or no representations) can be given more weight in decision making if required, as outlined under Paragraph 48 of the National Planning Policy Framework (2019).

## **6. Planning considerations**

### Principle

- 6.1. Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that an application should be determined in accordance with the Development Plan, unless material considerations indicate otherwise. In this case, the Development Plan is the Suffolk Coastal District Local Plan which comprises the Core Strategy and Development Management Policies, adopted in July 2013 and the Site Allocations and Area Specific Policies DPD.
- 6.2. The Local Plan was adopted as being in general compliance with the National Planning Policy Framework ('the Framework').
- 6.3. There are two main elements to consider for the principle of development.
1. The sites change of use to a recreational use as a bike park and fishing lake; and
  2. The suitability of the site for glamping purposes.
- 6.4. The site lies within the countryside outside any physical limits boundaries as such SP29 (The Countryside) is the starting point when considering development in such areas. The countryside comprises an important economic; social and environmental asset within the district which is important to sustain. The council's strategy in respect of new development outside the physical limits boundaries will be limited to that which is of necessity and accords with relevant policies namely SP7 (Economic Development in Rural Areas) and DM13 (Re-Use of Redundant Buildings).
- 6.5. The principle considerations with regards to the change of use from an agricultural site to that of a recreational use lies within local policies SP7 (Economic Development in Rural Areas); SP8 (Tourism); SP16 (Sport and Play); SP14 (Biodiversity and Geodiversity); and SP15 (Landscape and Townscape).

- 6.6. Objective 4 (Economic Development) seeks to support the growth and regeneration of the local economy and to build on those elements of its unique economic profile that are identified as being of significance, this includes tourism. The council seeks to encourage initiatives that introduce new employment generated activities that help to diversify the local economy. This is possible through the strengthening of uses such as tourism. Policy SP7 (Economic Development in Rural Areas) seeks to promote opportunities which maximise economic development in rural areas, particularly where this will secure employment locally, one of these areas is expanding the tourism offer where it is compatible with the objectives in respect of the environment and Policy SP8 (Tourism).
- 6.7. The district is reliant on its Tourism industry; the tourism appeal of the district to the west of the A12 receives less attention to that of the east within the forests, AONB and Heritage Coast; the council seek to improve the tourism offer in this area in a diverse manner which does not have a negative impact on the environment. SP8 (Tourism) states that the remaining area east of the A12, in addition to new facilities through conversions or extensions, modest new development in sustainable locations will be permitted. Officers in this instance consider that the development in terms of economic development has a modest benefit to the district with the creation of three part time jobs, furthermore Officers would be pleased to see the creation of rural employment opportunities and the generation of income into the local economy as a result of the bike park.
- 6.8. Policy SP16 notes that appropriate provision, protection and enhancement of formal and informal sport and recreation facilities for all sectors of the community will be supported, particularly where shortfalls in local provision can be addressed and it accords with local requirements. This is further supported in DM32 which state the proposals for new facilities for sport and play will be supported where they do not have a negative impact on the landscape and townscape; access provisions; highway safety or residential amenity. In this instance, the proposals firstly relate to providing additional recreational facilities to those persons with additional needs, which are not currently available elsewhere in the District, as well as all other members of the community. The Core Strategy seeks to ensure that the community is as healthy as possible by providing/promoting opportunities for it to live a healthy lifestyle. One of the ways of achieving this is to ensure the provision of areas for active play, sport and recreation. Officers consider that the proposals relate well to objective. Furthermore the site may well promote additional economic development in this area and secure employment opportunities on site; this may be solely through the sites recreational use or the tourism element in terms of the glamping pods.
- 6.9. With regards to the camping element, the council have three main policies that when considering holiday use. SP8 -Tourism; DM17 Touring Caravan, camper vans and camping sites; and DM8 Static holiday caravans, cabins and chalets.
- 6.10. As set out above tourism is an important element of the district economy. Policy SP8 sets out the strategic policy for proposals in relation to tourism and determines where they can be accommodated. Policies DM18 and DM17 detail the finer consideration points in relation to camping, it should be noted that if the council permit holiday units of this nature on the site they will be subject to an occupation condition stating that no holiday unit on the site shall be occupied by the same person for 56 day or more in a calendar year. In respect of sites for static cabins such as those proposed, site will be acceptable where the road network is able to accommodate the volume of traffic generated without having a significant adverse impact on highway safety; they are of a scale appropriate to the nature

of the location and its setting; they are of a high standard of design; and there is adequate services. The application states that a septic tank will be used for the disposal of waste and the pods will be serviced by a toilet block that will utilise that septic tank and be fed with water from a water bore. The Highways Authority has not raised any objection over the proposals and considers the access suitable for the scale of development.

- 6.11. The NPPF promotes healthy and safe communities where paragraph 91. c) seeks to enable and support healthy lifestyles, especially where this would address identified local health and well-being needs - for example through the provision of safe and accessible green infrastructure, sports facilities, local shops, access to healthier food, allotments and layouts that encourage walking and cycling. This is continued in paragraph 92 which states local policies should provide the social, recreational and cultural facilities and services the community needs; take into account and support the delivery of local strategies to improve health, social and cultural well-being for all sections of the community, along with paragraph 96 which states access to a network of high quality open spaces and opportunities for sport and physical activity is important for the health and well-being of communities. This proposal meets the overall objective of the national policies without having a negative impact on landscape; amenity or highway safety.
- 6.12. The councils Economic Department have offered their support for the application where the council are supportive of any new tourism accommodation proposals that would strengthen the visitor economy in East Suffolk and enhance the diversity of the current offer, whether by means of conversion or new build. Tourism and leisure are key drivers of economic growth (seen in the East Suffolk Economic Growth Plan) and the councils primary aims, as described in the East Suffolk Tourism Strategy, are to increase the volume and value of tourism, to extend the tourist season, to create compelling destinations and to link visitors more to experiences. We are also keen to encourage growth of visitor experiences in rural areas. The council are supportive of any new tourism accommodation proposals that would strengthen the visitor economy in East Suffolk and enhance the diversity of the current offer, whether by means of conversion or new build.
- 6.13. For this application officers note that the Suffolk Coast Tourism Strategy 2013-23 advises that "it is recommended that additional off-road trails be developed for cyclists" due to a desire to strengthen the range of visitor activities to broaden market appeal. Also recommended is to develop 'mix and match' activities such as the offer suggested in this application. It is recommended that new attractions should be encouraged to "enable the Suffolk Coast to be regarded as a destination that can attract activity enthusiasts, which in turn can motivate visitors during the shoulder and off-season months". As seen in the letters of support the proposals cater for something the District currently does not offer, in addition to this it is a place which in itself can support additional economic development by way of coaching opportunities; and local businesses in relation to bike repairs/maintenance and purchasing; and local pubs and restaurants. It has also proved popular with the local scouting community where Beavers have been actively involved in the creation of the site. When considering the key principles set out in SP7 and SP8, the proposals offer a diverse tourist facility which has the potential to be a national destination for mountain bikers to use. This in itself offers economic benefits to the district as a whole, along with its community value Officers consider the weight that can be given to the application is high. Officers accept that the location of the site is within the countryside, which is not considered sustainable in terms of development, however the scale of site required for this proposals is not in keeping with areas found within physical limits boundaries. The site itself

is less than a mile from the A12 which is the main road connecting East Suffolk to the south and west of the country, as such Officers consider the overall nature of the site and its location is in keeping with the principle of policy SP8.

- 6.14. The emerging Suffolk Coastal Local Plan is currently being examined by an Independent Planning Inspector. Given that it is currently out for consultations on the main modifications, policies can be given moderate weight. The principle policies to review include SCLP4.5: Economic Development in Rural Areas; 6.1 Tourism; 6.4 Tourism outside the AONB; 6.5 New Tourist accommodation.
- 6.15. With regards to Economic Development in Rural Areas, the policy is similar to that in the current local plan where proposals that grow and diversify the rural economy, particularly where this will secure employment locally, enable agricultural growth and diversification and other land based rural businesses, will be supported, providing there is no adverse impact on the landscape and proposals are in accordance with other policies. In respect to this policy proposals will be expected to provide additional community, cultural or tourism benefits where opportunities exist.
- 6.16. The emerging plan has additional tourism policies, over and above that in the current plan, where the Council will seek to manage tourism across the District in a way that protects the features that make the District attractive to visitors, and supports local facilities where the local road network has the capacity to accommodate the traffic generated from proposals. Proposals which improve the visitor experience and support opportunities for year round tourism will be supported where increased tourism uses can be accommodated. Tourism development outside of the AONB will be supported where it enhances the long term sustainability of the area; is well related to existing settlements; avoids, prevents or minimises mitigates adverse impacts on the natural environment and on local landscape character; is of a scale that reflects the surrounding area; is of the highest design standards; minimises light pollution from artificial light sources and ensures the retention of dark skies; and demonstrates sustainable aspects of the development during construction and throughout the life of the development. Renewable energy provision is strongly encouraged. Proposals for new tourist accommodation, as in this instance, will be acceptable on medium and large scale sites where commercial, recreational or entertainment facilities are provided on site. The proposals are considered to accord with the emerging policy in that the same way as those existing with regards to the economic benefit provided to the District along with the enhancements to the recreational facilities provided on site. Given the sites location and use it is considered necessary to restrict occupation of the holiday use to a continuous period of 56 days by one person or persons within one calendar year, restricts the period the accommodation can be occupied plus requires a register of all lettings, to be made available at all times. In addition secure covered cycle storage is required to comply with Policy SCLP 6.5 of the emerging plan.
- 6.17. Officers consider that the proposals in this instance accord with the councils strategic policies SP29; SP7; SP8; SP16 and development management policies DM18; DM32 in terms of bringing tourism to the county and providing additional recreation facilities which have been noted as required within the councils tourism strategy. Furthermore support can be found within the emerging plan in respect to SCLP 4.5; 6.1; 6.3; and 6.5 along with support from the NPPF.



## Landscape

- 6.18. The Site lies within a Special Landscape Area recognised in Policy SP15 from the Suffolk Coastal District Local Plan. The policy states that 'In addition to the protected landscape of the AONB, the valleys and tributaries of the Rivers Alde, Blyth, Deben, Fynn, Hundred, Mill, Minsmere, Ore, Orwell and Yox, and the designated Parks and Gardens of Historic or Landscape Interest are considered to be particularly significant'. The River Mill lies alongside the sites western boundary however officers do not consider that the proposed development will have an impact on the character of the river valley due to the low impact nature of the proposals. The proposed bike track will run alongside the western boundary but not directly along the River Mill and the proposed glamping units are well screening within the site. With no permanent hard structures being in close proximity to the river it is considered that the proposed development will not have a significant impact on the Special Landscape Area, in accordance with SP15 and DM18(b). Emerging policy SCLP10.4: Landscape Character sets out similar standards to that of SP15 where development will not be permitted where it will have a significant adverse impact on rural river valleys, historic park and gardens, coastal, estuary, heathland and other very sensitive landscapes. Further more proposals should include measures that enable a scheme to be well integrated into the landscape and enhance connectivity to the surrounding green infrastructure and Public Rights of Way network.
- 6.19. The visibility of the site is largely confined to the near distance. Users of Public Right of Way PRoW E-041 001/0 are likely to be most affected by the proposed change of use. Users of Brightwell Road are likely to notice a change to the proposed access point however this is unlikely to have a significant impact due to users traveling at speed along the road. Users of PRoW E-041 017/0 are likely to only have views of the proposed camping site to the east of the Site. The PRoW is lined with trees which help to screen the Site however there are some notable gaps which can be mitigated through proposed planting. There are long distance views towards the Site from the north and west however the existing woodland is the only aspect that is visible. The location of the site, local topography and vegetation in the wider landscape restrict views of the Site from elsewhere. Due to the dense tree cover on Site and the proposed planting, the development would be hidden from the network of Public Rights of Way around the Site. Due to the low impact nature of the proposals it is unlikely that the change of use will have a significant impact on local landscape character.
- 6.20. The key principles outlined in the recommendations proposed within the submission have full regard of the principles established in the district landscape guidance. This includes the creation of a secondary tree and hedge belt along the northern and western Site boundaries. This belt will add appropriate visual screening from key viewpoints. The implementation of an appropriate and high quality planting scheme will help to integrate the proposed development into the surrounding landscape whilst retaining local landscape character. This can be controlled through condition to ensure this additional planting is carried out.
- 6.21. Officers conclude the described development is of sufficiently low profile and impact such that it is not considered likely to have any serious or significant impacts on local landscape character or visual amenity. Where such impacts may occur, most notably for users of the adjacent PROW to the north of the site, additional appropriately located tree planting will help to screen the development and mitigate the impacts. Such planting is partly indicated on the submitted site layout plan and further prescribed in the landscape impact assessment. In the event of planning consent being granted, full details of this planting

should be submitted by Condition for implementation in the next planting season i.e. October 2020.

#### Highway/Access

- 6.22. The access track has been used for many years to access the land, it was used by heavy farm machinery such as sugar beat lorries, combine harvesters and tractors, formally the game keeper used it; as did those who used to shoot on the land before the current owners acquired it. The applications have imposed a 5mph speed limit and signage giving pedestrians the right of way. The applicants have worked extensively with the Highways Authority to resolve any access issues, where the access has been laid out in accordance with the Highways recommendations and the visibility splays have been secured. The Highways Authority have not requested any pre-commencement conditions and are satisfied that the access point is suitable for the proposed use. The Highways Authority have confirmed that a Minor Works Licence for improvements to the access is required, however this is separate legislation to that of this planning application.
- 6.23. The proposed site does contain public rights of way (PROW): Footpath 18 and Footpath 19 Brightwell, and Footpath 1 Newbourne.
- 6.24. The PROW team has objected to the application as they consider that the 200 cars travelling over the public right of way will impact the ability of the public to safely exercise their lawful right to use the route on foot. Whilst Officers accept that 200 cars will be a significant increase in the amount of vehicles the site currently experiences, this would only be once a year at an annual event, the normal usage are much lower. The applicants have provided information based on numbers using the park to date, on weekdays that see the park open namely Monday, Thursday and Friday between 5 -15 vehicles per day use the track. At the weekend this increases to between 35-70 vehicles per day will use the track. The applicants have included mitigation measures to improve safety to the PROW which include signage and speed limits. During larger events it is recommended that the applicants will deploy marshals at designated points of the track to direct traffic and walkers safely to their destinations and /or connecting public footpaths to ensure public safety. This mitigation can be conditioned to ensure the safety of road users. It is important to note that whilst the surface of the access is vested in the Highway Authority, the Highways Authority do not have freehold ownership of it. The owners of the track have private rights of vehicular access. The applicants own the land upon which the PROW sits, but they cannot obstruct it or do works to the surface etc without consent. They can lawfully allow others to drive along the track. In addition to this the Highways Authority does not object to the use of the access in terms of amount of vehicles, and have recommended conditions relating to the lay out of the access point and visibility splays which can be secured by conditions. It is accepted that use has commenced without planning permission, however this in itself is not a reason to withhold permission. The necessary works can be carried out to the access, and the protection of the PROW is controlled under separate legislation.
- 6.25. There is a culvert running under the proposed access track carrying the public rights of way. The culvert is adequate for the pedestrian use on the public footpath, but the PROW team are concerned that it may not be fit for purpose for the volume of vehicular traffic the Applicant is proposing. The applicants mitigation measures state that the bridge will be strengthened if need be once it has been assessed by an approved structural engineer. The bridge has been used by heavy machinery such as tractors and sugar beat lorries (35-40 tonnes) for many years, the average car weighs 3-4 tonnes. This works can be secured by

condition to ensure the integrity of the Culvert is maintained, any works will also be subject to agreement by the Suffolk County Council's Bridges Team.

- 6.26. Given the above the proposals are considered acceptable in highways terms, they would therefore meet the requirements of Local Plan policies DM19 and DM22.

#### Amenity

- 6.27. The Parish Council and Objectors have concerns with regards to noise and disturbance and potential for additional traffic. Policy DM23 seeks to ensure that development is acceptable where it would not cause an unacceptable loss of amenity to adjoining or future occupiers, in terms of privacy, outlook, access to daylight and safety.
- 6.28. The camping element of the application which were cause for concern in relation to late night music and parties has been removed and opening times will be secured by condition to ensure that there is no activity after dark.
- 6.29. The nature of the use is not a noisy activity, it consists of mountain bikes; fishing and nature trails to be used by all members of the public. As set out in the landscaping section the visibility between the neighbouring property and the site are minimal and additional tree planting will future ensure that the site will not result in any loss of outlook or privacy to the neighbouring properties. The car parking area has been bunded to ensure that there is no view of parking cars from neighbouring properties or indeed the PROW. The council's environmental protection team have not raised any concerns over noise and disturbance as such officers are satisfied that the proposals accord with DM23 in terms of amenity.
- 6.30. With regards to the threat of crime, there is no evidence that during the period the site has been opened there has been an increase in crime levels. There are no high value assets at the land which would encourage crime and the park is managed with visitors being paid for members as such it is likely that those visiting the park will do so for the purpose of using the facilities it offers. There is a boundary fence around the site to deter members from straying off the park onto neighbouring land.

#### Contamination

- 6.31. The councils Environmental Department have considered the proposals and do not consider there to be any issues in terms of contamination, a standard condition is proposed in relation unexpected contamination which officers consider suitable. The proposed septic tank is considered an acceptable solution in terms of the location and it is standard for this type of development, officers do not consider this to cause unacceptable issues in terms of land contamination.

#### Ecology

- 6.32. Officers have read the Ecology Walkover Survey (James Blake Associates, March 2019) and note the conclusions of the consultant. It is accepted that many of the features detailed in the application are in existence and being operated. The ecology report identifies that there are protected species present within the locality, and recommends that these are protected with buffer zones to prevent any impacts. There is no construction works proposed which use heavy machinery, and none is proposed in those areas. As such it is not considered that the protected species will be impacted by the proposed bike tracks. The camping element has now been removed from the application there is no need for external lighting. The

glamping pods will generate a small amount of artificial light from their internal LED lights but this will be minimal.

- 6.33. This proposal site is also within scope of the Suffolk Coast RAMS as it falls within the 13 km 'zone of influence' for likely impacts where certain residential development type (including tourism accommodation such as static caravans/lodges etc), are subject to necessary mitigation measures. It is anticipated that such development in this area is 'likely to have a significant effect' upon the interest features of the aforementioned designated site(s) through increased recreational pressure, when considered either alone or in combination. Therefore the council would seek to undertake an Appropriate Assessment to assess recreational disturbance impacts on the above designated sites and Check IRZs to see whether recreational disturbance is an issue for non-coastal European sites or Sites of Special Scientific Interest (SSSIs). In these instances, the council have undertaken an Appropriate Assessment and whilst it is acknowledged that RAMS covers tourist accommodation it does not cover tents and touring caravans. The glamping pods proposed in this instance are lightweight structures akin to a permanent tent. There are no facilities inside the units other than open space for sleeping. Given the scale of accommodation in this instance officers do not consider that they fall under the scope for mitigation covered under RAMS.

#### Other Issues

- 6.34. Whilst it is noted in the letters of objection that this application is retrospective; this is not a reason to withhold planning permission. The application has been analysed under the same criteria as it would have been if it had been submitted prior to commencement.
- 6.35. The operator and their objectives with regards to references to the level of income gained from the venture is not a reason to withhold planning permission. This application has not been submitted as a charity, it has been analysed by officers as a commercial venture with the use of the site being viewed as a leisure/business facility for the area and considered under policies relating to economic development in rural areas and tourism.
- 6.36. Third party objectors have mentioned the decrease in property values as a result of the application, this is not a material planning consideration.

## **7. Conclusion**

- 7.1. The principle of development is sound where Officers consider that the proposals accord with the councils strategic policies SP29; SP7; SP8; SP16 and development management policies DM18; DM32 in terms of bringing tourism to the county and providing additional recreation facilities which have been noted as required within the councils tourism strategy. Furthermore support can be found within the emerging plan in respect to SCLP 4.5; 6.1; 6.3; and 6.5 along with support from the NPPF.
- 7.2. Officer conclude the described development is of sufficiently low profile and impact such that it is not considered likely to have any serious or significant impacts on local landscape character or visual amenity. Where such impacts may occur, most notably for users of the adjacent PROW to the north of the site, additional appropriately located tree planting will help to screen the development and mitigate the impacts. Such planting is partly indicated on the submitted site layout plan and further prescribed in the landscape impact assessment. In the event of planning consent being granted, full details of this planting

should be submitted by Condition for implementation in the next planting season i.e. October 2020.

## **8. Recommendation**

8.1. The application is recommended for approval subject to controlling conditions which include but are not restricted to:

- The restriction of occupation of the holiday use to a continuous period of 56 days by one person or persons within one calendar year, restricting the period the accommodation can be occupied plus requires a register of all lettings, to be made available at all times.
- Highway conditions which include secure covered cycle storage is required to comply with Policy SCLP 6.5 of the emerging plan.
- The creation of a secondary tree and hedge belt along the northern and western Site boundaries. The implementation of an appropriate and high quality planting scheme will help to integrate the proposed development into the surrounding landscape whilst retaining local landscape character, details of which are to be submitted.
- Control of opening times to ensure that there is no activity after dark.

### **Conditions:**

1. The development hereby permitted shall be begun within a period of three years beginning with the date of this permission.

Reason: In accordance with Section 91 of the Town and Country Planning Act 1990 as amended.

2. The development hereby permitted shall be carried out in all respects strictly in accordance with Site location plan, Vision splays B, Glamp Pod style 1, Showers, elevation and workshop, upper car park and bund, cross sections, Brightwell Pond, Landscape Statement, Ecology report, Block plan; received 18th December 2019;, for which permission is hereby granted or which are subsequently submitted to and approved by the Local Planning Authority and in compliance with any conditions imposed by the Local Planning Authority.

Reason: For the avoidance of doubt as to what has been considered and approved.

3. The materials and finishes shall be as indicated within the submitted application and thereafter retained as such, unless otherwise agreed in writing with the local planning authority.

Reason: To ensure the satisfactory appearance of the development in the interests of visual amenity

4. The premises shall only be open to the public between 9am- 4pm December - March and 8am 9 pm April - November, and the premises shall be closed to the public at all other times.

Reason: In the interests of amenity and protection of the local environment, so that the Park is operated during daylight hours.

5. Prior to first use of the holiday accommodation, a "lighting design strategy for biodiversity" for the site shall be submitted to and approved in writing by the local planning authority. The strategy shall:

- a) identify those areas/features on site that are particularly sensitive for biodiversity likely to be impacted by lighting and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and
- b) show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.

All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

Reason: To ensure that impacts on ecological receptors from external lighting are prevented.

6. In the event that contamination which has not already been identified to the Local Planning Authority (LPA) is found or suspected on the site it must be reported in writing immediately to the Local Planning Authority. Unless agreed in writing by the LPA no further development (including any construction, demolition, site clearance, removal of underground tanks and relic structures) shall take place until this condition has been complied with in its entirety.

An investigation and risk assessment must be completed in accordance with a scheme which is subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and conform with prevailing guidance (including BS10175:2011+A1:2013 and CLR11) and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority.

Where remediation is necessary a detailed remediation method statement (RMS) must be prepared, and is subject to the approval in writing of the Local Planning Authority. The RMS must include detailed methodologies for all works to be undertaken, site management procedures, proposed remediation objectives and remediation criteria. The approved RMS must be carried out in its entirety and the Local Planning Authority must be given two weeks written notification prior to the commencement of the remedial works.

Following completion of the approved remediation scheme a validation report that demonstrates the effectiveness of the remediation must be submitted to and approved in writing by the LPA.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and

ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

7. The access shall be maintained in accordance with drawing DM04 with the access properly surfaced with a bound material for the minimum distance of 15 metres from edge of the metalled carriageway, in accordance with details previously submitted to and approved in writing by the local planning authority.

Reason: To secure appropriate improvements to the vehicular access in the interests of highway safety.

8. The visibility splays shall be maintained as shown on Drawing No. SK383383 with an X dimension of 2.4m and a Y dimension of 160m in the specified form.  
Notwithstanding the provisions of Part 2 Class A of the Town & Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) no obstruction over 0.6 metres high shall be erected, constructed, planted or permitted to grow within the areas of the visibility splays.

Reason: To ensure vehicles exiting the drive would have sufficient visibility to enter the public highway safely and vehicles on the public highway would have sufficient warning of a vehicle emerging in order to take avoiding action.

9. Notwithstanding the details shown on the approved plans, no occupation of the holiday units hereby permitted shall take place until detailed drawings of the secure/covered bicycle storage to serve the development has been submitted to and approved in writing by the local planning authority and these facilities have been provided and made available for use in accordance with the details as approved.

Reason: To ensure there is adequate cycle parking for the development.

10. The approved tree/shrub planting scheme shall be implemented not later than the first planting season following commencement of the development (or within such extended period as the local planning authority may allow) and shall thereafter be retained and maintained for a period of 5 years. Any plant material removed, dying or becoming seriously damaged or diseased within five years of planting shall be replaced within the first available planting season and shall be retained and maintained.

Reason: To ensure the submission and implementation of a well-laid out scheme of landscaping in the interest of visual amenity.

11. The 10 glamping pods herein referred to shall be used for holiday letting accommodation and for no other purpose (including any other purpose in Class C3 of the Schedule to the Town and Country Planning (Use Classes) Order 1987). The duration of occupation by any one person, or persons, of any of the holiday units shall not exceed a period of 56 days in total in any one calendar year, unless the Local Planning Authority agrees in writing to any variation.

The owners/operators of the holiday units hereby permitted shall maintain an up-to-date Register of all lettings, which shall include the names and addresses of all those persons occupying the units during each individual letting. The said Register shall be made available at all reasonable times to the Local Planning Authority.

Reason: To ensure that the development is occupied only as bona-fide holiday accommodation, having regard to the tourism objectives of the Local Plan and the fact that the site is outside any area where planning permission would normally be forthcoming for permanent residential development.

**Informatives:**

1. The Local Planning Authority has assessed the proposal against all material considerations including planning policies and any comments that may have been received. The planning application has been approved in accordance with the objectives of the National Planning Policy Framework and local plan to promote the delivery of sustainable development and to approach decision taking in a positive way.

2. Access and Fire Fighting Facilities

Access to buildings for fire appliances and firefighters must meet with the requirements specified in Building Regulations Approved Document B, (Fire Safety), 2006 Edition, incorporating 2010 and 2013 amendments Volume 1 - Part B5, Section 11 dwelling houses, and, similarly, Volume 2, Part B5, Sections 16 and 17 in the case of buildings other than dwelling houses. These requirements may be satisfied with other equivalent standards relating to access for fire fighting, in which case those standards should be quoted in correspondence.

Suffolk Fire and Rescue Service also requires a minimum carrying capacity for hard standing for pumping/high reach appliances of 15/26 tonnes, not 12.5 tonnes as detailed in the Building Regulations 2000 Approved Document B, 2006 Edition, incorporating 2010 and 2013 amendments.

**Water Supplies**

Suffolk Fire and Rescue Authority recommends the use of an existing area of open water as an emergency water supply (EWS). Criteria appertaining to Fire and Rescue Authority requirements for siting and access are available on request from the above address.

Suffolk Fire and Rescue Service recommends that proper consideration be given to the potential life safety, economic, environmental and social benefits derived from the provision of an automatic fire sprinkler system. (Please see sprinkler information enclosed with this letter).

Consultation should be made with the Water Authorities to determine flow rates in all cases.

Should you need any further advice or information on access and fire fighting facilities, you are advised to contact your local Building Control in the first instance. For further advice and information regarding water supplies, please contact the Water Officer at the above headquarters.

3. It is an OFFENCE to carry out works within the public highway, which includes a Public Right of Way, without the permission of the Highway Authority. Any conditions which involve work within the limits of the public highway do not give the applicant permission to carry them out. These works will need to be applied for and agreed with Suffolk County Council as the Local Highway Authority. Application form for minor works licence under Section 278 of the Highways Act 1980 can be found at the following webpage: [www.suffolk.gov.uk/planning-waste-and-environment/planning-and-development-advice/](http://www.suffolk.gov.uk/planning-waste-and-environment/planning-and-development-advice/)



4. 1. PROW are divided into the following classifications:
- . Public Footpath - only for use on foot or with a mobility vehicle
  - . Public Bridleway - use as per a public footpath, and on horseback or by bicycle
  - . Restricted Byway - use as per a bridleway, and by a 'non-motorised vehicle', e.g. a horse and carriage
  - . Byway Open to All Traffic (BOAT) - can be used by all vehicles, in addition to people on foot, mobility vehicle, horseback and bicycle

All currently recorded PROW are shown on the Definitive Map and described in the Definitive Statement (together forming the legal record of all currently recorded PROW). There may be other PROW that exist which have not been registered on the Definitive Map. These paths are either historical paths that were not claimed under the National Parks and Access to the Countryside Act 1949 or since, or paths that have been created by years of public use. To check for any unrecorded rights or anomalies, please contact [DefinitiveMaps@suffolkhighways.org](mailto:DefinitiveMaps@suffolkhighways.org).

2. The applicant, and any future owners, residents etc, must have private rights to take motorised vehicles over a PROW other than a BOAT. To do so without lawful authority is an offence under the Road Traffic Act 1988. Any damage to a PROW resulting from works must be made good by the applicant. Suffolk County Council is not responsible for the maintenance and repair of PROW beyond the wear and tear of normal use for its classification and will seek to recover the costs of any such damage it is required to remedy. We do not keep records of private rights and suggest that a solicitor is contacted.

3. The granting of planning permission IS SEPARATE to any consents that may be required in relation to PROW. It DOES NOT give authorisation for structures such as gates to be erected on a PROW, or the temporary or permanent closure or diversion of a PROW. Nothing may be done to close, alter the alignment, width, surface or condition of a PROW, or to create a structure such as a gate upon a PROW, without the due legal process being followed, and permission being granted from the Rights of Way & Access Team as appropriate. Permission may or may not be granted depending on all the circumstances. To apply for permission from Suffolk County Council (as the highway authority for Suffolk) please see below:

. To apply for permission to carry out work on a PROW, or seek a temporary closure - <http://www.suffolkpublicrightsofway.org.uk/home/temporary-closure-of-a-public-right-of-way/> or telephone 0345 606 6071. PLEASE NOTE that any damage to a PROW resulting from works must be made good by the applicant. Suffolk County Council is not responsible for the maintenance and repair of PROW beyond the wear and tear of normal use for its classification and will seek to recover the costs of any such damage it is required to remedy.

. To apply for permission for structures such as gates to be constructed on a PROW - <http://www.suffolkpublicrightsofway.org.uk/home/land-manager-information/> or telephone 0345 606 6071.

. To apply for permission for a PROW to be stopped up or diverted within a development site, the officer at the appropriate borough or district council should be contacted at as early an opportunity as possible to discuss the making of an order under s257 of the Town and Country

Planning Act 1990 - <http://www.suffolkpublicrightsofway.org.uk/contact-us/> PLEASE NOTE that

nothing may be done to stop up or divert the legal alignment of a PROW until the due legal process has been completed and the order has come into force.

4. Under Section 167 of the Highways Act 1980 any structural retaining wall within 3.66 metres of a PROW with a retained height in excess of 1.37 metres, must not be constructed without the prior written approval of drawings and specifications by Suffolk County Council. The process to be followed to gain approval will depend on the nature and complexity of the proposals. Construction of any retaining wall or structure that supports a PROW or is likely to affect the stability of the PROW may also need prior approval at the discretion of Suffolk County Council. Applicants are strongly encouraged to discuss preliminary proposals at an early stage.

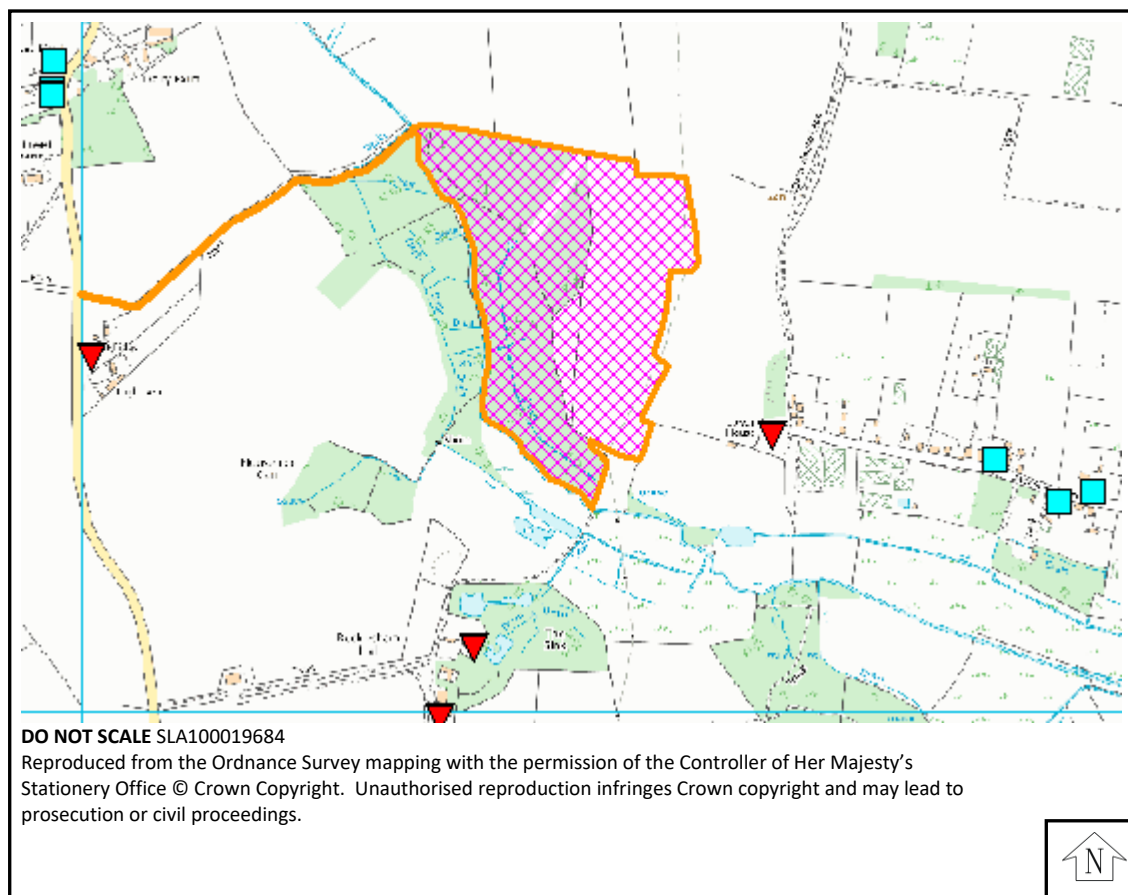
5. Any hedges adjacent to PROW must be planted a minimum of 1 metre from the edge of the path in order to allow for annual growth and cutting, and should not be allowed to obstruct the PROW. Some hedge types may need more space, and this should be taken into account by the applicant. In addition, any fencing should be positioned a minimum of 0.5 metres from the edge of the path in order to allow for cutting and maintenance of the path, and should not be allowed to obstruct the PROW.

In the experience of the County Council, early contact with the relevant PROW officer avoids problems later on, when they may be more time consuming and expensive for the applicant to address. More information about Public Rights of Way can be found at <https://www.suffolk.gov.uk/roads-and-transport/public-rights-of-way-in-suffolk/>





## **Background information**

See application reference DC/19/4875/FUL at <https://publicaccess.eastsuffolk.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=Q2PQU1QXGO600>

## Map



## Key

-  Notified, no comments received
-  Objection
-  Representation
-  Support