



## Committee Report

Planning Committee North – 14 July 2020

Application no DC/19/3746/FUL

**Location**

Project Gold Crest  
Rushmere Road and Chapel Road  
Rushmere  
Suffolk  
NR34 8ED

**Expiry date** 19 November 2019  
**Application type** Full Application  
**Applicant** Involve Active Limited

**Parish** Rushmere

**Proposal** Use land to give young people and adults with learning disabilities &/or needs / facing barriers, to access services. An opportunity to learn new skills and be involved in countryside activities. Additional hedging, grass reinforced parking, mobility issues caravan/ outdoor camping 4-6 pitches, log cabins for toilets, showers, community activities, educational events- woodland and wildlife walks- wildlife, picnic benches, allotments, replace existing sheds to match existing, new 3.6 by 6.0 metre shed.

**Case Officer** Matthew Gee  
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### 1. Summary

- 1.1. Planning permission is sought for the change of use land to give young people and adults with learning disabilities &/or needs / facing barriers, to access services and opportunity to learn new skills and be involved in countryside activities. The proposal includes the erection of several building on the site, and other works. The application has been brought to the Planning Committee following the referral process to enable the Committee to consider the range of issues associated with the proposal and in the interest of public interest.

- 1.2. The proposal is considered to have an acceptable impact on the setting of the Grade I listed church opposite the application site; highway safety; landscape character; flood risk; biodiversity; and amenity of surrounding area. As such it is recommended that planning permission be granted subject to conditions.
- 1.3. The application is supported by an appropriately detailed Heritage Impact Assessment, that has been reviewed by Historic England and officers of the Council. The matter of heritage impact is addressed by local residents and then covered in detail in this report. On a procedural point, the application must also be advertised in the local press (newspapers) as 'affecting the setting of a listed building'. This publicity will be undertaken, with any recommendation to approve being on the basis that, in response to that press advert, no representations are received raising new material planning considerations that are not already covered in this report.

## **2. Site description**

- 2.1. The site was formerly a wholesale plant nursery, with several buildings still existing on the site linked to that former use. Whilst no exact date is provided, it is understood that this operation ceased over 10 years ago.
- 2.2. The site is located on the north-eastern corner of the Rushmere Road and Chapel Road Junction and is bounded by Rushmere Road to the south, Chapel Road to the west, and agricultural land to the north and east. On the opposite side of Rushmere Road is the Grade I Listed St Michaels Church, residential dwellings, and agricultural land.
- 2.3. The site has an area of 1.36 Hectares and is located outside of a defined settlement boundary. The nearest settlement with a defined settlement boundary is Mutford, located approximately 200m (as the crow flies) north-west of the application site. The site is located outside of the Suffolk Coast and Heaths Area of Outstanding Natural Beauty (AONB); however, the boundary of the AONB is to the west and runs along the opposite side of Chapel Road to this application site.
- 2.4. The nearest residential property to the site is 'Church Barn' located to the south on the opposite side of Rushmere Road to the application site, approximately 15m from the application boundary. Located further south are two dwelling approximately 85m from the site, and to the south-west is a dwelling also located approximately 85m from the site boundary. To the north-west the nearest properties are in the settlement of Mutford, located approximately 200m from the application boundary.

## **3. Proposal**

- 3.1. Planning permission is sought for the change of use of the land to give young people and adults with learning disabilities &/or needs / facing barriers, to access services and opportunity to learn new skills and be involved in countryside activities. The proposal includes:
  - The planting of additional hedging and foliage within and around the site.
  - The creation of a grass mesh parking area
  - Installation of one caravan and placement of 6 tent pitches
  - Installation of two log cabins (each measuring 3.6m wide by 6.1m deep), for use as toilets and shower room, and community activities

- Refurbishment of existing steel framed building for outdoor educational purposes, and five existing polytunnels
- Refurbishment of three existing building and erection of new timber shed for storage purposes.

3.2. The site will effectively be split into eight zones, largely through existing screening and boundaries in the site, these include:

- Zone 1 - Meadow of wildflowers with paths leading to 6 tent pitches
- Zone 2 - Car parking area, this area will benefit from new screening to be planted around the area
- Zone 3 - A wooded area for woodland walks
- Zone 4 - Communal area with the two log cabins, mobility issues caravan and refurbished outdoor education area
- Zone 5 - Garden nursery area comprising of poly tunnels, work sheds, planting beds and growing areas
- Zone 6 - Allotments area
- Zone 7 - A growing area
- Zone 8 - Wildlife area including pond and benches

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

4.1. 17 third-party Objections, including Rushmere Parochial Church Council (PCC), have been received which raise the following material planning considerations (inter alia):

- Proposal would adversely impact on the setting of the Grade I Listed Church.
- Impact on the character and appearance of the surrounding area.
- Result in increased noise, disturbance, light pollution and loss of privacy to surrounding residents and the church.
- Increased traffic movements with no bus routes, pavements or cycle lanes linking the site.
- Impact on highway safety.
- Potential loss of parking for the church on verge along entrance to the site.
- Concerns raised about independency of ecology report and no mention of otters in the report.
- Concerns regarding bridleway access and ownership.
- Increased risk of crime.
- Concerns regarding ownership of land, and future funding.
- There is potential access to more appropriate sites such as village halls.
- Lack of heritage impact assessment submitted.

4.2. Full copies of representations can be seen on the Council's website.

**Consultees**  
**Parish/Town Council**

Consultee	Date consulted	Date reply received
Rushmere Parish Council	25 September 2019	14 October 2019
<p>Comments in full:  Recommendation Refuse</p> <p>Although the Parish supports the aims of the applicant we don't feel we can support this planning application for the following reasons.</p> <p>It is known that the applicant has aspirations for a larger development 20 to 30 tents/caravans rather than the 4 to 6 applied for and if permission is granted feel that it would only be a matter of time before a request for expansion was made.</p> <p>The application is for the full infrastructure required to support a commercial camping/ caravan site, with shop, toilets, showers, cafe, etc. As the applicant does not own the site, we consider that in the future there is a real danger of the site becoming a commercial holiday camp.</p> <p>There are plans to let allotments to residents of Kirkley. They would be visiting the site in all probability by car, despite the applicant's comments to the contrary, there is very poor public transport serving the site with no direct buses from Kirkley. It is suggested car parking for 4 to 6 cars. Will this be anywhere near sufficient for 6 camping pitches plus 8 staff, the allotment holders, staff and volunteers with Hoot with Me?</p> <p>This is before you consider the other activities they plan to run, like Lapwing Education and Realise Futures, Women like me, Greenlight Trust. It would only be a matter of time before other areas of the site were used for carparking.</p> <p>The site itself is on a crossroads which carries a large amount of traffic for a small country lane, the main commuter route between Mutford and Lowestoft and is directly opposite Rushmere St Michael Parish Church and burial grounds.</p> <p>Contrary to the statement in the "Project Gold Crest Vision" statement they have not had any consultation with the Rushmere Parish Meeting, we do not know if they have consulted Mutford Parish Council who's boundary the site sits on.</p>		

Consultee	Date consulted	Date reply received
Mutford Parish Council	N/A	29 October 2019
<p>Comments in full:  The Parish Council wishes to make the following response to planning application:</p> <p>DC/19/3746/FUL Use land to give young people and adults with learning disabilities &amp;/or needs / facing barriers, to access services. An opportunity to learn new skills and be involved in countryside activities.</p>		

Additional hedging, grass reinforced parking, mobility issues caravan/ outdoor camping 4-6 pitches, log cabins for toilets, showers, community activities, educational events- woodland and wildlife walks- wildlife, picnic benches, allotments, replace existing sheds to match existing, new 3.6 by 6.0 metre shed.

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The Council has considered most carefully the above application and wishes to make the following response:

The Council has strong objection to this application and recommends refusal for the following reasons:

1. Change of Use.

The Council has considered the explanation of the project and has concerns about the wide spread of uses being suggested for this site. The Council understands the value of the proposals in providing much valued opportunities for the target groups but does not think that the location of the proposed site is suitable for the project.

Council is of the opinion that there are three distinct elements in this proposal a) Horticultural/Agricultural activities, b) camping and caravan site and cafe operation and c) ecological and wildlife activities and although the project is directly and indirectly linked to outdoor activities a change of use is required particularly for the camping/cafe element. The Council is of the opinion that the caravan/camping and café element are, according to the supporting statements linked to the provision of tourism in the area. Council does not consider the site to be suitable for these activities since the area in which it is situated has no facilities that would enhance the proposal. Further that the site is situated in 'open countryside' and therefore does not comply with both the NPPS and the Local Development Plan for applications in 'open countryside', so should be refused. The Mutford Neighbourhood Plan supports the Local Plan (policy WLP8.36 Coalescence of settlements) which does not permit the development of undeveloped land and intensification of developed land between settlements if it leads to the coalescence (merging) of settlements. For Mutford, this means maintaining separation between the parish and Carlton Colville, and Barnby/North Cove. Council has determined that they are of the opinion that elements of this proposal are contrary to this point.

2. Access.

All of the proposed activities will require the use of motor vehicles for users to access the site. There is no bus service close enough to the site for access. The site is situated on a crossroads with restricted views and a 60mph classification. A significant increase in traffic in this area will seriously increase the probability of a road traffic collision. The narrowness of the roads in this locale does not provide a safe environment for pedestrians and cyclists. Mutford and Rushmere has a large horse and rider population which adds further concerns about the increase in traffic movements in the area. An increase in traffic movement through Mutford will impact on the tranquillity of the village. The recently approved Mutford Neighbourhood Plan states clearly that the strongly held view of residents is that the rural landscape of Mutford must be conserved and the Council is of the opinion that certain elements of this application will have an impact.

3. Funding.

The Council has noted that the applicant has not secured the funding, it has briefly described it needs, to facilitate the project and is making application to various funding sources. Council is of

the opinion that the applicant should provide a business plan detailing the financial sustainability of the project over time. The Council feels that the Local Planning Authority should determine that the project has security of tenure over the site for sufficient time to support the application. The Council has noted that this application and the activities that the project will provide will take the place of projects and groups that have folded because of lack of funds due to budget cuts. The expressions of interest included in the supporting statement may well be affected by further reductions of funds for a number of groups. The applicant should provide details as to how important these sources of funding are to the success and sustainability of the project.

4. Noise and light pollution.

Council is concerned that the activities proposed will generate noise that may impact on nearby residents in both Rushmere and Mutford. The rural aspect of the area allows noise to travel further at night than in an urban zone and as a result cause nuisance to residents. Council is further concerned about light pollution particularly from the proposed camp area and the static caravan and cites the Mutford Neighbourhood policy on the preservation of 'dark skies' in the Parish.

5. Impact on a listed building.

The Church in Rushmere is very close to the proposed site and is grade 1 listed. Council supports the concerns of the PCC that this application will have a negative impact on it with the increase of traffic and other noise generated as a result of activities at the site.

The Council, having considered carefully its opinion of this application, strongly recommends refusal as it does not meet the requirements of the relevant elements of the NPPF, the East Suffolk Local Development Plan and the Mutford Neighbourhood Plan. The Council is aware that the site of this application lays outside the Neighbourhood Plan Area but as it is so close to Mutford the relevant elements of the plan should be considered in the determination of this application.

Consultee	Date consulted	Date reply received
Rushmere Parish Council		31 March 2020

The following comments are summarised from a letter received on behalf of Rushmere PC, a full copy of the letter is available on the council's website:

- Concerns raised regarding the following documents not being submitted:
  - Flood Risk Assessment
  - Foul Drainage Strategy
  - Sustainable Drainage Strategy
  - Contaminated Land Statement
  - Lighting Assessment
  - Planning Statement
  - Transport Assessment
  - Preliminary Ecological Assessment
  - Landscape Appraisal
  - Arboricultural Impact Assessment
  - Noise Impact Assessment
- Proposal lacks clarity regarding what activities will be taking place on the site
- Lack of clarity on the number of camping pitches
- Lack of parking facilities compared to SCC Guidelines
- The submitted Heritage Impact Assessment does not fully take account of the relationship

between the site and the Grade I Listed Church

- The previously horticultural business is considered abandoned and the level of activity of the previous site is not comparable to that proposed
- Permission was refused for a caravan on the site in 1993 and this forms a material consideration for this application
- Permission had previously been refused in the vicinity of the site for conversion of an outbuilding into a holiday let.

### Statutory consultees

Consultee	Date consulted	Date reply received
Suffolk County - Highways Department	9 October 2019	5 November 2019

#### Summary of comments:

Holding objection raised, due to concerns about access detail and connections into adjacent bridleway.

Consultee	Date consulted	Date reply received
Historic England	9 October 2019	16 October 2019

#### Summary of comments:

On the basis of the information available to date, they do not wish to offer any comments, and suggest that the council seek the views of your specialist conservation and archaeological advisers, as relevant.

Consultee	Date consulted	Date reply received
Suffolk County - Rights of Way	25 September 2019	No response

#### Summary of comments:

No comments received

Consultee	Date consulted	Date reply received
Environment Agency	15 April 2020	No response

#### Summary of comments:

No comment, advised to following EA standing advice as site is located within Flood Zone 1

Consultee	Date consulted	Date reply received
SCC Lead Flood Authority	15 April 2020	20 April 2020

#### Summary of comments:

No objections raised.

## Non statutory consultees

Consultee	Date consulted	Date reply received
Design and Conservation (Internal)	9 October 2019	6 February 2020
Summary of comments: Concerns raised; comments incorporated into officer considerations.		

Consultee	Date consulted	Date reply received
Landscape Team (Internal)	9 October 2019	18 October 2019
Summary of comments: No objections subject to conditions, comments incorporated into officer comments.		

Consultee	Date consulted	Date reply received
Ecology (Internal)	9 October 2019	30 October 2019
Summary of comments: Further ecology report required; comments incorporated into officer comments.		

Consultee	Date consulted	Date reply received
Anglian Water	27 April 2020	27 April 2020
Summary of comments: No objections, they note that the developer is not proposing to connect to Anglian Water's Network, this is outside of Anglian Water's jurisdiction to comment.		

## Re-consultation consultees

Consultee	Date consulted	Date reply received
Ecology (Internal)	4 December 2019	23 December 2019
Summary of comments: Following submission of primary ecological appraisal no objections raised, comments incorporated into officer comments.		



Consultee	Date consulted	Date reply received
Historic England	4 December 2019	6 December 2019
<p>Summary of comments:</p> <p>On the basis of the information available to date, they do not wish to offer any comments, and suggest that the council seek the views of your specialist conservation and archaeological advisers, as relevant.</p>		

Consultee	Date consulted	Date reply received
Rushmere Parish Council	4 December 2019	18 December 2019
<p>Summary of comments:</p> <p>Recommendation Refuse</p> <p>In response to Involves amended statement dated 3/12/2019 Rushmere Parish Meeting still strongly oppose the application as we see no significant amendments and nothing to address our earlier concerns, in fact the revised document demonstrated a blatant disregard of the views of not only the Rushmere Parish meeting but also all other objections from local residents who have all strongly objected to this proposed development.</p> <p>Contrary to their claim we would like to point out that there has been no communication between the project and Rushmere Parish Meeting and to the best of our knowledge with Mutford PC. We would also point out that Michael Ladd is not a Parish Councillor for the parishes of Rushmere or Mutford. Involve may have support from their community but as can be seen by the responses you have already received there is no community support from the communities where the site is located.</p> <p>There is still no confirmation on the ownership and security of tenure of the site and we feel there is a real danger that if permission is granted for this development then in a very short time "Involve" may no longer be in control and the site would become a fully commercial Glamping or camping site under commercial management.</p> <p>The parking facilities still seem woefully inadequate for the amount of traffic generated by 10 tenting units, 3 touring caravans and two static vans, this is in addition to their other planned activities of allotments, craft work shop, a shop selling local produce, groceries, plants and community cafe. All this within a few yards of a crossroads with poor visibility. We note they have now included access to the bridle path to the end of the site, but this will not improve pedestrian access to the site as the path does not give direct access to any other habitation.</p> <p>On the site itself there is no indication of the size of the "Large" log cabin in zone 4 and we can only assume this will be very large to house</p>		

Consultee	Date consulted	Date reply received
Suffolk County - Highways Department	4 December 2019	5 February 2020

Summary of comments:

Following submission of further details, no objections are raised subject to conditions.

Consultee	Date consulted	Date reply received
Suffolk County - Rights Of Way	4 December 2019	No response

Summary of comments:

No comments received

Consultee	Date consulted	Date reply received
Landscape Team (Internal)	4 December 2019	13 December 2019

Summary of comments:

No objections subject to conditions, comments incorporated into officer comments.

Consultee	Date consulted	Date reply received
Environmental Protection		

Summary of comments:

Any comments received will be communicated via the update sheet

Consultee	Date consulted	Date reply received
Economic Development		

Summary of comments:

Any comments received will be communicated via the update sheet

Consultee	Date consulted	Date reply received
Communities Team		

Summary of comments:

Any comments received will be communicated via the update sheet

## 5. Publicity

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

<b>Category</b>	<b>Published</b>	<b>Expiry</b>	<b>Publication</b>
Public Right of Way Affected	3 October 2019	24 October 2019	East Anglian Daily Times

## Site notices

General Site Notice	Reason for site notice: In the Vicinity of Public Right of Way Date posted: 30 September 2019 Expiry date: 21 October 2019
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## 6. Planning policy

- 6.1. Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that “where in making any determination under the planning Acts, if regard is to be had to the development plan, the determination shall be made in accordance with the plan unless material considerations indicate otherwise”.
- 6.2. Section 66(1) of The Planning (Listed Buildings and Conservation Areas) Act 1990 states that “In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.”
- 6.3. Planning (Listed Buildings and Conservation Areas) Act 1990. Section 72 states that, with regard to Conservation Areas, “special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area”.
- 6.4. National Planning Policy Framework (NPPF) (2019)
- 6.5. National Planning Policy Guidance (NPPG)
- 6.6. The East Suffolk Council - Waveney Local Plan was adopted on 20 March 2019 and the following policies are considered relevant:
  - WLP1.1 – “Scale and Location of Growth”
  - WLP8.15 – “New Self Catering Tourist Accommodation”
  - WLP8.24 – “Flood Risk”
  - WLP8.29 – “Design”
  - WLP8.34 – “Biodiversity and Geodiversity”
  - WLP8.37 – “Historic Environment”

## **7. Planning considerations**

### **Principle of development**

- 7.1. The site previously operated as a wholesale garden nursery; however, this has not been operational for a number of years. The site will house a number of activities with a portion of the proposed use of the site set aside for the growing of plants, by people with learning difficulties/needs, in order to benefit the wellbeing of users of the site. In addition, the site will provide learning areas.
- 7.2. Section 3 of this report sets out the different zones of the project, with the site providing several educational activities and engagement programmes. The statement submitted with the application sets out that the project “will be a community engagement project, focussing on Environmental awareness, Respite and wellbeing, Building enterprise and employment opportunities.” It goes on to provide further context stating that “Involve is a not for profit organisation that supports young people and adults with special educational needs and disabilities aged 5yrs upwards. We offer activities and engagement programmes which develop life skills, prepares for the world of work and increases social and community engagement. Our projects run throughout the year, term time and after school activities and school holidays, offering respite to families, through the delivery of different workshops, activities and social events.”
- 7.3. The NPPF has a number of key aims including promoting health and safe communities, with paragraph 81 setting out that decisions should aim to achieve healthy, inclusive and safe places which: promote social interaction, including opportunities for meetings between people who might not otherwise come into contact with each, are safe and accessible, and enable and support healthy lifestyles. Furthermore, paragraph 93 sets out the importance of “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.”
- 7.4. Policy WLP8.30 sets out proposals involving the creation of open space should be supported where they demonstrate that the design is inclusive of people of all ages and abilities, and in doing so it should demonstrate a number of design points set out within that policy. In addition, policy WLP8.22 sets out “Proposals for new community services and facilities will be supported if the proposal meets the needs of the local community, is of a proportionate scale, well related to the settlement which it will serve and would not adversely affect existing facilities that are easily accessible and available to the local community.”
- 7.5. The proposal includes up to six camping pitches with one static caravan on the site to allow for disability access camping, giving the proposal a total of seven pitches. Policy WLP8.15 sets out that tourist accommodation of less than 10 pitches will be supported in principle across the whole district. In order to ensure that no more than 7 pitches are created or used at any one time, it is considered necessary to impose a condition to control this number, should permission be granted.
- 7.6. Furthermore, the principle of the other linked activities such as woodland walks, outdoor education, and community activities are not considered unacceptable uses for the site.

Therefore, subject to adhesion to other policies, it is considered that the principle of the proposed development is acceptable and can be supported.

### **Impact on character and appearance of surrounding area**

- 7.7. Policy WLP8.29 sets out that development proposals will be expected to demonstrate a clear understanding of the form and character of the built, historic and natural environment and use this understanding to complement local character and distinctiveness. Furthermore, proposals should take account of any important landscape or topographical features and retain and/or enhance existing landscaping and natural and semi-natural features on sit.
- 7.8. The site is located outside of the Suffolk Coast and Heaths Area of Outstanding Natural Beauty (AONB); however, the boundary of the AONB is to the west and runs along the opposite side of Chapel Road to this application site. Policy WLP8.35 sets out that Development proposals will be expected to demonstrate their location, scale, form, design and materials will protect and where possible enhance.
- 7.9. The surrounding area is relatively flat, and therefore views of the site are available from a number of locations in the wider landscape. The existing site as a whole is largely self-contained within the wider countryside by hedging and planting around the perimeter of the site, meaning that views into the main section of the site are limited, although views of the areas labelled Zones 1 and 2 are more visible in close proximity of the site, due to gaps and limited screening around that section of the perimeter.
- 7.10. The proposal involves the undertaking of additional planting along the boundary of the site, and also inside the site. This will add further screening, in particular around the proposed built development in zone 3, thereby further reducing the visibility in the wider landscape. In addition, the proposed buildings to be erected are of a low profile, with a maximum height of the two cabins being 2.4 metres. Several buildings already exist on the site, and these will be refurbished. The proposal also includes the positioning of six tent pitches within the existing field area at the entrance to the site. The proposal seeks to encourage a wild meadow in this area, with pathways cut into the grass to the six pitches. The tents are non-permanent structures and are likely to be removed when not in use, thereby reducing the visual impact in the landscape. The camping area will be conditioned to ensure that the tents and caravans are not occupied during the months of December, January and February, when screening may be more limited, thereby further reducing the visual impact on the wider landscape.
- 7.11. Finally, it will be conditioned that prior to any lighting being installed on the site, that details be submitted to the LPA for approval. This is mainly to protect biodiversity in the site and wider area, and protect the setting of the nearby church. However, this condition should also ensure that the luminance levels for the site are kept to a minimum which will further protect the character and appearance of the area during darker hours.
- 7.12. Policy WLP8.35 carries on to state that 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. It is considered, given the existing and proposed screening, and the limited forms of development, that the proposed development would have a limited impact on the wider landscape. In addition, it

is proposed that the site be linked to the existing bridleway to allow access into the wider public rights of way network. This has been conditioned to ensure that any new access would have an appropriately limited visual impact on the landscape. Therefore, whilst it is acknowledged that the site will have a marginally more built up appearance than the existing situation, it is not considered that it would adversely impact the character and appearance of the surrounding area to such an extent that planning permission be refused. This is a view shared by the councils Arboricultural and Landscape Manager who raises no objection to the application.

### **Impact on nearby listed building**

- 7.13. Policy WLP8.37 sets out that Proposals for development should seek to conserve or enhance Heritage Assets and their settings. It goes on to set out that all development proposals which have the potential to impact on Heritage Assets or their settings should be supported by a Heritage Impact Assessment prepared, and that the level of detail of a Heritage Impact Assessment should be proportionate to the scheme proposed and the number and significance of heritage assets affected.
- 7.14. NPPF paragraph 193 sets out that “When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.”
- 7.15. NPPF Paragraph 189 sets out that “In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets’ importance and no more than is sufficient to understand the potential impact of the proposal on their significance.” The applicant has submitted a Heritage Impact Assessment, which considered proportionate to allow officers to make a full assessment of the potential impact.
- 7.16. The site is located directly opposite the Grade I Listed St Michaels Church. In land use terms, there are four residential properties in the vicinity but to the north-west and the south-east there is farmland, and directly north of the site the closest of these properties being approximately 15m distance from the site boundary.
- 7.17. The Church has a relatively young deciduous/native hedge with a few young oak trees to its boundary with Chapel Road with a vehicle access into the site at the northern part. This native hedge returns, set back from the edge of the highway, up Rushmere Road for 75m approx. where it creates an inner hedge line with the rather patchy old boundary hedge. After this a thick tall evergreen hedge borders the road for the final 105m (approx.). This returns up the boundary to the north east.
- 7.18. When the leaves of the native species have dropped in the autumn/winter, views into the site from the road are able to be gained in places from the road. The church has a native hedge which is patchy in its character. There are two partially low sill windows on the north elevation of the church which look towards the corner of the site. There is some screening provided by this vegetation but there is potential for inter-visibility between the

sites especially in the autumn and winter months. However, it is recognised that the level of inter-visibility is reduced in the summer.

- 7.19. The more permanent additions to the site, including the caravan and two cabins will largely be located behind the existing taller trees within the site, and the proposed additional planting. This screening will reduce the inter-visibility from between the church and the more permanent building, thereby reducing the potential impact on the setting of the church. Furthermore, whilst the tents will be more visual in relation to the church, the number of tent pitches will be limited in numbers to six, and these tend to be more transient nature than the more permanent building. It will be conditioned that tents not be erected during the months of December to February in order to limit the impact due to potential for less screening. In addition, whilst activity on the site is likely to be more than when the site operated as a nursery, it is likely that this will still be limited, and largely confined to daylight hours.
- 7.20. Therefore, given the above points it is deemed by officers that the proposal would have an impact on the setting of the church, however, this harm is less than substantial as set out by the NPPF. Paragraph 196 of the NPPF sets out that "Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal". The proposal would provide a place for people with learning difficulties to experience and learn new activities, in order to help further integrate into the wider community and learn new skills that can help in gaining experience for future jobs. In addition, the proposal would provide potential respite for carers, this in addition, the previous notes will provide increased wellbeing to people wider community. It is considered that public benefits noted in the previous sentences, are sufficient to outweigh the less than substantial harm that arises to the setting of the Grade I Listed Church.

#### **Impact on residential amenity**

- 7.21. Policy WLP8.29 sets out that proposed development should protect the amenity of the wider environment, neighbouring uses. As set out in paragraph 2.3. of this report, the site is located in relatively close proximity of four dwellings. In addition, it is noted that noise is relatively low in the area due to limited activity in the immediate surrounding area. The existing nursery on the site likely resulted in some noise, but this was unlikely to be substantial.
- 7.22. The proposed use of the site will result in increased activity, which is likely to result in an increase in noise emissions from the site. The applicant has set out that operations in connection with the garden nursery sections of the site would be mainly between the hours of 9am and 6pm, with the tents, caravan and respite meadow being used at variable hours but with a restriction on noise from 9:30pm. In addition, they estimate that there would be between 2 and 6 staff (depend on services on offer at the time) and between 6 and 30 visitors. They also expect, given their current operations, that levels of activity at the site would be less on weekends.
- 7.23. As such, given that the majority of activities are likely to take place during daylight and the relatively low-key nature of the majority of those activities, it is not considered that the impact would adversely impact on the amenity of neighbouring residents. The existing and proposed screening is also likely to reduce the wider spread of noise from the site, and

therefore the impact on the wider area is not considered to be significant. Furthermore, a restriction on the when activities can take place can be conditioned to ensure that potentially noisier activities take place during the day.

- 7.24. As previously noted, the site is largely well screened by existing and the proposal is unlikely to result in any additional overlooking to properties that cannot already be viewed from the public realm. As such the proposal is considered to have minimal impact in terms of overlooking or loss of privacy.
- 7.25. Furthermore, the proposal could be conditioned so that lighting details be submitted prior to their placement on site, if required, and therefore consideration can be given to the potential impact on light spill from the site.
- 7.26. Concerns have been raised regarding potential increases in crime. There is no reason to believe that the proposal as presented would result in a marked increase in crime in the area. As such it is not considered that this is material consideration in the assessment of this application.

### **Highways Implications**

- 7.27. The proposal will use the existing vehicular access onto the site, with a new access drive created leading to the parking area which will be on a grass mesh base to preserve the existing green appearance of the site. Initially the Highways Authority raised concerns in regard to access width, and distance of the gate to the highway. It has subsequently been proven to the Highways Authority that the access track is suitable for two vehicles to pass, and that there is sufficient distance to the gate from the highway for a vehicular to park and not obstruct the highway.
- 7.28. The Highways Authority do not consider that the proposal would have an unacceptable impact on highway safety, or that the residual cumulative impacts on the road network would be severe. Therefore, they are of the view that whilst there would be an increase in use of the access, there is no clear evidence to suggest that there would be an unacceptable impact on highway safety. As such they have removed their holding objection subject to conditions that details of the parking area and access drive materials are submitted, which are included within the recommendation.
- 7.29. The applicant has provided details on the areas to be provided for parking, and as such it is not considered that the condition requiring further details on parking is required. However, details on the access track are conditioned to be provided prior to first use of the site.
- 7.30. The proposal provides an area for parking on the site, it is considered that in this instance there is sufficient space on the site for the proposed level of activity. In addition, SCC Highways Authority have raised no objections to the proposal on parking grounds.
- 7.31. Concerns have been raised in regard to the increased traffic from the site and potential impact on safety. It is noted, however, that the submitted plan details that a number of visitors will be picked up from the existing involve facilities on the South Lowestoft Industrial Estate and be transferred to the application site by minibus. In addition, it will be possible to access the site from a bridleway to the east of the site, which links to Carlton



Colville. This will reduce some of the traffic movements to and from the site. It is considered unlikely that the proposed use would generate significant traffic movements. Furthermore, SCC Highways have raised no objections to the potential increase in traffic movements to and from the site. The proposal does not conflict with the sustainable transport objectives of the NPPF or Local Plan policy WLP8.21 (Sustainable Transport).

### **Ecology**

- 7.32. A preliminary Ecological Report has been submitted and outlined measures that should be taken to protect protected species. The councils Ecologist has reviewed this report, and considered that the findings of this report as satisfactory, subject to conditions that the report be followed in full, and that full details on lighting are submitted to reduce the impact on protected species. The proposal accords with Local Plan policy WLP8.34 (Biodiversity and Geodiversity).

### **Flood Risk**

- 7.33. The application site is located within flood zone 1; however, given that the site area is over 1 hectare, a Flood Risk Assessment is required to be submitted under national legislation. The submitted Flood Risk Assessment concludes that the site would not increase flood risk to the wider area.
- 7.34. The Environment Agency set out that they should not be consulted on application in flood zone 1, and therefore have not provided any comment. In addition, SCC Lead Flood Authority have raised no objections, noting that taking a practical look at things, the work that they are looking to do is minimal in terms of creation of new impermeable surfaces, with many of the areas being left untouched. As such, in terms of flood risk, the risk is minimal and does not present any greater risk than would be present for a minor application of the same nature. The proposal accords with Local Plan policy WLP8.24 (Flood Risk).

### **Economic Benefits**

- 7.35. The proposed scheme will provide several economic benefits to the area, including from increased job creation and by improving employment potential for those who may otherwise face barriers finding jobs. The applicant has advised that the people that the project support have expressed a desire to fulfil their employment aspirations and have identified the lack of job opportunities open to them. The applicant proposes that the scheme would support young people to develop skills needed to explore the world of work and develop life skills for the future. The scheme will also provide placements to individual users to help support and increase workplace experience. It is therefore considered that the proposal would have a wider economic benefit.

### **Social Benefits**

- 7.36. The project has set out within the submitted documentation several programmes that they run, or a part of, that help support people with learning difficulties, those with needs, or those facing barriers in their life. Both the NPPF and Waveney Local Plan identify the need to support community services, and officers acknowledge the importance that projects such as this have. The applicant contends that the proposed schemes countryside location

would help benefit those people in need, and provide them with new skills, whilst also providing respite for people in need. The submitted documentation also identifies that local communities could use the facilities on occasion, which would provide potential benefit to the surrounding area. It is considered that, overall, the proposal would provide significant social benefits to users of the scheme.

### **Other matters**

- 7.37. Concerns have been raised regarding the future ownership of the site, and funding of the project. Several streams of funding are identified in the submitted documentation; however, these are not material planning considerations, and cannot be considered as part of this application.
- 7.38. Concerns have been raised regarding foul drainage. Anglian Water have raised no objections to the application. It is noted on the submitted amended block plan that it is intended that a septic tank be installed for the toilets.
- 7.39. It has been noted that a planning application was refused for a residential caravan on the site in 1993, under reference DC/93/0686/FUL. The proposal was for residential use not linked with agricultural or any other rural activity. Whilst this proposal includes the placement of a static caravan on the site, it will be used for tourist type activities which is considered acceptable under current tourism policies as it is not considered as a permanent structure.
- 7.40. Neighbouring residents have raised concerns in regard to land ownership and leasing of the land by the applicant. Any planning permission granted runs with the land not the applicant, and therefore if another operator wished to run the site then this would be acceptable within the confines of the permission. However, this is not a material planning consideration.

## **8. Conclusion**

- 8.1. In conclusion, it is identified that the proposal will have an impact on the setting of the grade I Listed Church. However, given the transient fixtures in the nearest field visible from the church, and the less intrusive nature of the proposed activities, it is deemed to be less than substantial under the NPPF paragraph 196. It is also identified that the proposal will result in an increased level of activity on the site when compared to its previous uses. This will likely result in increased noise levels in the immediate area; however, it is not considered that this would have a serious demonstrable impact on surrounding properties. It is also acknowledged that the proposal will have a marginally more built up appearance than when the site was previously used as a nursery. However, given the existing screening and proposed additional screening, it is not considered that its impact on the wider landscape would be significant.
- 8.2. The proposal is also not considered to have any adverse impacts to highway safety, increase the risk of flooding, and it would have an acceptable ecological impact. Therefore, in this instance, it is considered that the social and economic benefits arising from the scheme through measures such as improved skills, respite provision, and social interactions would outweigh the impacts identified. It is therefore recommended that planning permission be granted subject to conditions.

- 8.3. The application is supported by an appropriately detailed Heritage Impact Assessment, that has been reviewed by Historic England and officers of the Council. The matter of heritage impact is addressed by local residents and then covered in detail in this report. On a procedural point, the application must also be advertised in the local press (newspapers) as 'affecting the setting of a listed building'. This publicity will be undertaken, with any recommendation to approve being on the basis that in response to that press advert, no representations are received raising new material planning considerations that are not already covered in this report.

## 9. Recommendation

- 9.1 **AUTHORITY TO APPROVE**, subject to no new material planning considerations being raised within the further consultation period.

## 10. 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 completed in all respects strictly in accordance with:
- Site Location Plan, Existing Site Plan, and Proposed Site Plan, 2513.19.2A, received 03/12/2019
  - Site Details, INVOLVE - Project Gold Crest - Rev. A, received 03/12/2019;
- 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. Development must be undertaken in accordance with the ecological avoidance, mitigation, compensation and enhancement measures identified within the Preliminary Ecological Appraisal (PEA) (Greenlight Environmental, November 2019).

Reason: In the interests of nature conservation

4. No removal of hedgerows, trees or shrubs or works to or demolition of buildings or structures that may be used by breeding birds shall take place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check of vegetation for active birds' nests immediately before the vegetation is cleared and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to the local planning authority.

Reason: In the interests of nature conservation

5. Prior to the installation of any lighting on site, a "lighting design strategy for biodiversity" and lighting details to protect the setting of nearby heritage assets, 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, and protects the setting of nearby heritage assets.

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 protect protected species and the setting of nearby heritage assets.

6. The use shall not commence until the area within the site shown on 2513.19.1A for the purposes of manoeuvring and parking of vehicles have been provided and thereafter it shall be retained and used for no other purposes.

Reason: To ensure that sufficient space for the on site parking of vehicles is provided and maintained in order to ensure the provision of adequate on-site space for the parking and manoeuvring of vehicles where on-street parking and manoeuvring would be detrimental to highway safety to users of the highway.

7. The caravans and tents within the application site area shall be occupied for holiday purposes only and shall not be occupied as a person's sole or main place of residence. No unit shall be occupied in the months of December, January and February. The owners/occupiers shall maintain an up-to-date register of all owners/occupiers of individual lodges on the site, and of their main home addresses and shall make this information available at all reasonable times to the local planning authority.

Reason: To reduce the impact on the character of the wider area, and the proposed unit(s) are suitable for holiday accommodation but not suitable for residential use.

8. The holiday accommodation on the site shall be restricted to; one caravan, and up to six tent pitches, at any one time. The caravan hereby approved, shall only be positioned on the area as set out within drawing 2513.19.1A, and shall fit within the definition of a caravan as set out in Caravan Sites Act 1968 (as amended).

Reason: To protect the amenity of area, the setting of the Grade I Listed Church, and the important biodiversity of the area.

9. Prior to the first use of the site development, a scheme of hard and soft landscaping works for the site, which shall include a proposed planting plan, shall be submitted and approved, in writing, by the Local Planning Authority. The details thereby approved, shall be implemented in full within 6 months of first use.

Reason: In the interests of visual amenity and the character and appearance of the area.

10. Prior to first use of the site as hereby approved, details on the bridleway access, including engineering work, surface detailing, and boundary treatments, shall be submitted and approved in writing by the Local Planning Authority. The bridleway access, as detailed on drawing 2513.19.1A, shall then be installed in accordance within the approved detail, within 6 months of first use of the site as approved.

Reason: To ensure that the proposed bridleway does not have an adverse impact on the character and appearance of the surrounding area, and is installed to improve connectivity to the site.

11. Prior to the development hereby permitted being first occupied, the vehicular access onto the highway shall be properly surfaced with a bound material for a minimum distance of 5 metres from the 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.

12. No activities except for those in relation to the camping and/or overnight stays on the site shall take place outside of the hours of 8:30am and 6:30pm Mondays to Sundays (including bank holidays). All activities except for camping and/or overnight stays shall cease between the hours 9:30pm and 7:00am.

Reason: To protect the amenity of the area.

#### **Informatives:**

1. 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.

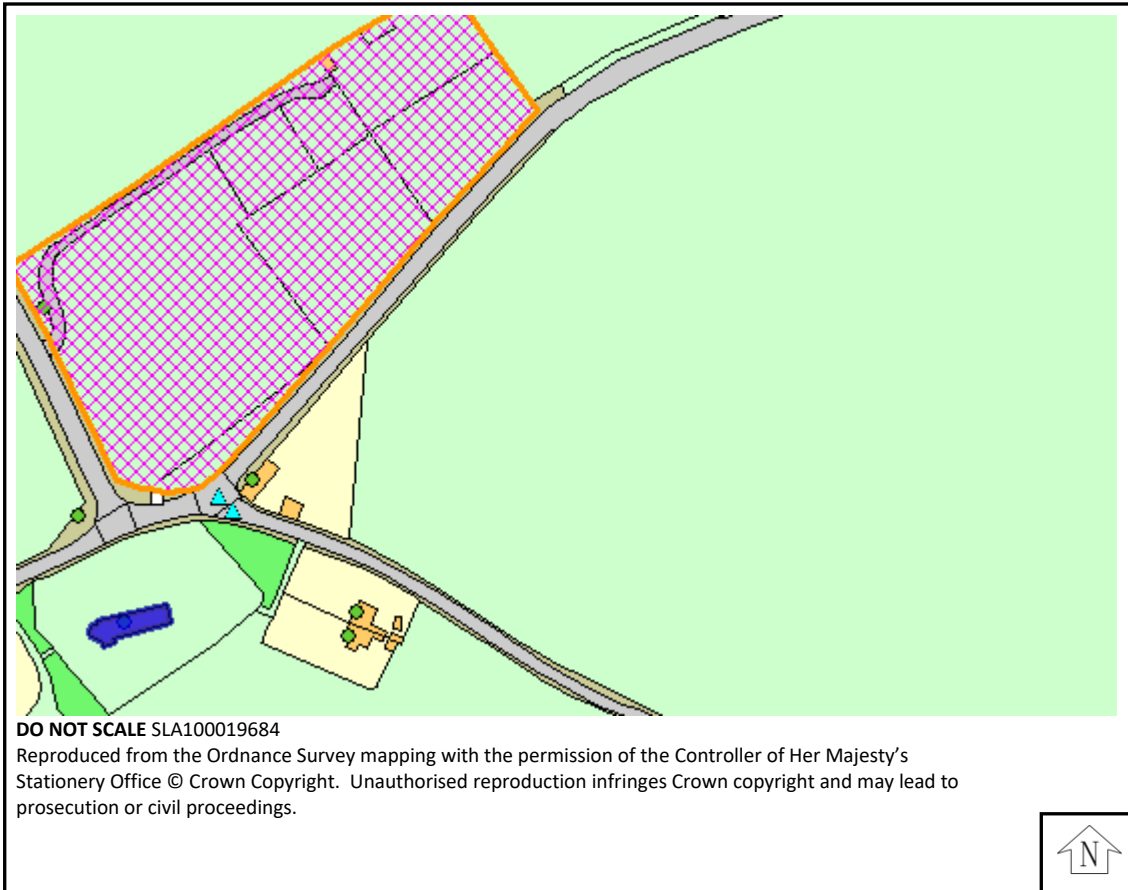
Any conditions which involve work within the limits of the public highway do not give the applicant permission to carry them out. Unless otherwise agreed in writing all works within the public highway shall be carried out by the County Council or its agents at the applicant's expense.

2. 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.





## **Background information**

See application reference DC/19/3746/FUL at <https://publicaccess.eastsuffolk.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=PYBSEOQX06O00>

## Map



## Key

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