



Committee Report

Planning Committee - 14 January 2020

Application no DC/19/3313/FUL

Location

Wren Business Centre
Priory Road
Wrentham
Suffolk
NR34 7LR

Expiry date 16 October 2019
Application type Full Application
Applicant Benacre Properties Company

Parish Wrentham

Proposal Full Planning Application (part retrospective) for the permanent retention of 10 no. caravans for seasonal agricultural workers in their existing location and siting of an additional 4 no. caravans for seasonal agricultural workers at Wren Business Centre

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1. Summary

- 1.1. The application is before planning committee as it is a departure from the East Suffolk Council (Waveney) Local Plan.
- 1.2. The application seeks planning permission for the permanent retention of 10 no. caravans for seasonal agricultural workers in their existing location, and retrospective permission for the siting of an additional 4no. caravans for seasonal agricultural workers at Wren Business Centre, Wrentham. Temporary planning permission (time limited) has previously been granted for caravans on the site since 2006. However, this application seeks planning permission for the permanent retention of caravans to accommodate seasonal workers.

- 1.3. There is considered to be a need to provide accommodation for seasonal workers on site, and the impact on the wider landscape is considered minimal. As such it is recommended on balance that planning permission should be granted.

2. Site description

- 2.1. The site is located through the Wren Business Centre, on an area of land to the north of Priory Road. The application site currently comprises of 14 caravans used in connection with temporary workers on the site. The application site is located approximately 65m north of Priory Road, 145m west of the A12. The site is bounded by agricultural land to the north and west, and farmyard to the east and south.
- 2.2. The relevant planning history for the site is as follows:

DC/06/0017/FUL (temporary planning permission): Provision of 8 static caravans and portaloos to provide workers' accommodation between April – October.

DC/06/1315/FUL (temporary planning permission): Provision of 8 static caravans and portaloos to provide workers' accommodation between April - October

DC/15/0553/FUL (temporary planning permission): Retain 10 No. Caravans for seasonal agricultural workers in their existing location.

3. Proposal

- 3.1. Planning permission is sought for:
- the permanent retention of 10 no. caravans for seasonal agricultural workers (which have previous temporary consent)
 - the siting of 4 additional caravans for seasonal agricultural workers next to the existing caravans (retrospective).

4. Consultations/comments

- 4.1. No third party letters of representation have been received.

Consultees

Parish Council

Consultee	Date consulted	Date reply received
Wrentham Parish Council	29 August 2019	No response
Summary of comments: No comments received.		

Statutory consultees

Consultee	Date consulted	Date reply received
Suffolk County - Highways Department	29 August 2019	20 September 2019
Summary of comments: No objection to the application if temporary time limited permission is granted, however, would object to the granting of any permanent permission unless conditions were included to provide car parking and sustainable transport facilities be improved.		

Non statutory consultees

Consultee	Date consulted	Date reply received
Environmental Protection (Internal)	29 August 2019	14 October 2019
Summary of comments: No objection subject to the implementation of standard contamination conditions.		

5. Publicity

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

Category Departure	Published 29 November 2019	Expiry 20 December 2019	Publication Lowestoft Journal
Category Departure	Published 29 November 2019	Expiry 20 December 2019	Publication Beccles and Bungay Journal
Category Conservation Area	Published 6 September 2019	Expiry 27 September 2019	Publication Lowestoft Journal
Category Conservation Area	Published 6 September 2019	Expiry 27 September 2019	Publication Beccles and Bungay Journal

Site notices

General Site Notice	Reason for site notice: Contrary to Development Plan Date posted: 21 November 2019 Expiry date: 12 December 2019
General Site Notice	Reason for site notice: Conservation Area Date posted: 5 September 2019 Expiry date: 26 September 2019

6. Planning policy

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that determination is made in accordance with the Development Plan unless material considerations indicate otherwise. The relevant policies of the Development Plan are:

WLP8.7 - Small Scale Residential Development in the Countryside (East Suffolk Council - Waveney Local Plan (March 2019)

WLP8.8 - Rural Workers Dwellings in the Countryside (East Suffolk Council - Waveney Local Plan (March 2019)

WLP8.21 – Sustainable Transport (East Suffolk Council - Waveney Local Plan (March 2019)

WLP8.29 - Design (East Suffolk Council - Waveney Local Plan (March 2019)

WLP8.34 - Biodiversity and Geodiversity (East Suffolk Council - Waveney Local Plan (March 2019)

National Planning Policy Framework

7. Planning considerations

Principle of development

- 7.1. The site is located outside of the defined settlement boundary for Wrentham, and as such the proposal is considered as development in the countryside. The siting of caravans is not considered to meet the allowances of policy WLP8.7 (Small Scale Residential Development in the Countryside), given that the proposal is for caravans (not permanent dwellings) and is over the 5 units/dwellings permissible by this policy.
- 7.2. Policy WLP8.8 (Rural Workers Dwellings in the Countryside) allows for permanent dwellings in the Countryside for rural workers where they are to support an existing and viable rural business and:
 - There is a clearly established functional need and this could not be fulfilled by another existing dwelling or accommodation in the area which is suitable and available for the occupied workers or could be converted to do so;
 - The need relates to a full-time worker, or one who is primarily employed in the rural sector, and does not relate to a part time requirement;
 - The unit and the rural activity concerned has been established for at least three years, has been profitable for at least one of them and is financially sound and has a clear prospect of remaining so; and
 - The proposed dwelling is sensitively designed, landscaped and located to fit in with its surroundings.
- 7.3. However, it is considered that whilst the proposal adheres to parts of this policy, the policy is not entirely geared towards the provision of caravans for seasonal rural workers and there is no specific policy in the Local Plan for seasonal workers. Therefore, consideration

needs to be given to the essential need for the accommodation and the potential harm (if any) that would arise if permanent permission were granted.

7.4. The agent has provided some evidence in regard to the established functional need for the accommodation on site, stating the following:

- The availability of an on-site, centrally located, available and reliable workforce during the season is of paramount importance to the productivity, efficiency and sustainability of the farming operation.
- The Farm grows asparagus which is an extremely sensitive crop and requires harvesting every day during the main growing season. This does however depend upon weather conditions, should the temperatures be higher than average. The asparagus needs to be harvested twice per day to avoid the crop going over and becoming unviable. Given the volatility of the crop and the potential for sudden changes in weather conditions, it is critical that the operation is served by a responsive and available workforce.
- Workers are available to be deployed at short notice in a range of situations, for instance during adverse weather conditions if there is an immediate need for the crops to be tended and to fulfil orders received at short notice from suppliers, including supermarkets, which ordinarily will arrive 24 hours before the produce is required in store. Orders from suppliers such as supermarkets are entirely dictated by consumer demands and, as such, once an order is received, crops must be picked and packed, ready for distribution in less than 24 hours. It is therefore fundamental to fulfilling these orders that a flexible workforce is available on site.
- should workers not be available on site, the Farm would be dependent upon the availability of workers via an agency which is not reliable. Furthermore, the business prides itself on ensuring that workers are paid above the minimum wage and are able to ensure this by employing workers directly and not agency which is not reliable. This approach is supported by the supermarkets and thereby by the consumer generally.
- Location of the accommodation on site ensures that workers are geographically central to the farming operations in the surrounding fields and can therefore be transported efficiently, thereby improving the sustainability of the operation.

7.5. In addition, the farm is considered to be a viable business and, given the relative ease at which caravans can be removed, it is considered that the risk associated with granting consent is low compared to a more permanent dwelling. Consideration should also be given to the planning history, where officers have granted temporary consent for caravans on the site since 2006, under three separate applications.

7.6. Paragraph 14 of the Planning Practice Guidance 'Use of Planning Conditions' sets out that *"It will rarely be justifiable to grant a second temporary permission (except in cases where changing circumstances provide a clear rationale, such as temporary classrooms and other school facilities). Further permissions can normally be granted permanently or refused if there is clear justification for doing so."* Therefore, given the previous history of temporary permissions; the non-permanent nature of caravans; and the need to accommodate seasonal workers for the business, it is considered that the principle of development is acceptable as a departure from policy.

7.7. Consideration should also be given to what is permitted development without the need for planning permission. In this instance, paragraph 7 of the Caravan Sites and Control of Development Act 1960, sets out that a site license is not required *"for the use as a caravan*

site of agricultural land for the accommodation during a particular season of a person or persons employed in farming operations on land in the same occupation.” Part 5 of the General Permitted Development Order 2015 (as amended) sets out that planning permission is not required for this, as long as the caravans are removed when no longer required. This is commonly considered to mean that at the end of every season when the seasonal workers are no longer required to work the site. Therefore, in this instance, the permitted development fallback position would mean that the caravans could be placed on the site as long as they are removed at the end of every season. Therefore, consideration needs to be given to whether the placement of the caravans on the application site year-round would have additional adverse impact on the landscape character or amenity of the area so as to justify a refusal of permanent planning permission.

Design and Landscape Impact

- 7.8. Policy WLP8.29 sets out that proposed development should not result in any adverse impact on the character and appearance of the surrounding area. The application site is largely bounded by an existing fence around the site, which mostly screens the caravans from wider views within the public realm. In addition, given the low scale of caravans; existing surrounding development; and the more secluded site area, it is considered that the proposed number of caravans on the site does not result in an adverse impact within the wider landscape. However, in order to avoid any potential long-term impacts on the landscape from the caravans, the applicant has agreed to a condition that they be removed when no longer required for use by seasonal workers of the farm. The proposal accords with WLP8.29.

Amenity

- 7.9. Policy WLP8.29 sets out that development should not result in adverse impact to the amenity of neighbouring residents. It is considered that the caravans are located a sufficient distance from neighbouring residential properties that they would not result in any adverse impact in terms of loss of light or privacy. In addition, given the nature of the use and the distance to neighbouring residential properties, it is considered unlikely that it would result in any adverse noise impacts. It also does not appear from the history of the site that there have been any concerns raised in the previous 13 years of use as seasonal workers accommodation. The proposal accords with WLP8.29.

Highways

- 7.10. SCC Highways Authority have raised an objection to the permanent retention of caravans on the site due to the lack of vehicle parking and cycle storage. The agent has confirmed that if the workers are required to work further afield then transport is laid on for them, and that seasonal workers would not generally bring their personal vehicles when they come to work in the area. Additionally, if workers own a bike then they would generally lock it to their respective caravans. The site is also located within walking distance of the centre of Wrentham which has services, and transport links to the wider District. Therefore, in this instance, it is not considered parking to the standard requirements of the County Council is required, and it is unlikely that the use would generate any significant impact on highways safety. The proposal accords with the sustainable transport objectives of policy WLP8.21.

Ecology

- 7.11. The site is located within 13km of the nearest European Protected Habitat Site, and therefore consideration needs to be given to the potential in-combination impact of increased visitor numbers to these protected sites. Given the form and level of development it is not considered that any on-site mitigation measures are required, but a per-unit contribution to the Recreational Avoidance Mitigation Strategy is required. The applicant has agreed to pay this, and therefore the recommendation is subject to the payment of the contribution as mitigation. With mitigation, the proposal accords with WLP8.34 (Biodiversity and Geodiversity).

Other Matters

- 7.12. The access for the site is partially located flood zone 2, however, the majority of the site including the accommodation area is situated within flood zone 1, and as such the proposal is not considered to be at risk from flooding.
- 7.13. The Environmental Protection Team has raised concerns in regard to the potential impact from contamination on the occupants of the caravans. The applicant has agreed to the contamination conditions to provide a phase 1 survey prior to the occupation of the caravans.

8. Conclusion

- 8.1. In conclusion, whilst the proposal is a departure from the local plan, it is considered that sound reasoning has been provided setting out the need for the accommodation. Additionally, consideration is given to the temporary nature of caravans, the planning history of temporary consents, and potential permitted development fallback. It is therefore considered that, on balance, and given the limited impact arising on the landscape and amenity of surrounding area, that planning permission should be granted.

9. Recommendation

- 9.1. Authority to Approve subject to the RAMS contribution being received, and the following conditions:

Conditions:

1. The development hereby permitted shall be completed in all respects strictly in accordance with the following plans and documents:
 - Location plan, received 22/08/2019
 - Block Plan, received 22/08/2019for 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.

2. Within 6 months of the caravans hereby permitted no longer being required in connection with the operation of the farm on which they are sited, the use of the land for caravans shall cease, and the caravans shall be removed and the land shall be returned to its original state.

Reason: Having regard to the non-permanent nature of the caravans and the special circumstances put forward by the applicant.

3. The occupation of the caravans hereby approved shall be limited to a person solely or mainly employed in the locality in agriculture as defined in Section 336(1) of the Town and Country Planning Act 1990.

Reason: the site is in an area where dwellings would not normally be permitted unless special circumstances have been demonstrated which would justify an exception to policy.

4. The caravans hereby permitted shall only be occupied between the months of March and October inclusive, and not at any other time during the year.

Reason: the caravans do not have the thermal efficiency levels required for a dwelling and therefore they are suitable for temporary accommodation only and not for year round occupation.

5. Prior to the next occupation of the caravans or any further ground works, hereby approved, a site investigation consisting of the following components should be submitted to, and approved in writing by, the local planning authority:

1) A desk study and site reconnaissance, including:

- a detailed appraisal of the history of the site;
- an inspection and assessment of current site conditions;
- an assessment of the potential types, quantities and locations of hazardous materials and contaminants considered to potentially exist on site;
- a conceptual site model indicating sources, pathways and receptors; and
- a preliminary assessment of the risks posed from contamination at the site to relevant receptors, including: human health, ground waters, surface waters, ecological systems and property (both existing and proposed).

2) Where deemed necessary following the desk study and site reconnaissance an intrusive investigation(s), including:

- the locations and nature of sampling points (including logs with descriptions of the materials encountered) and justification for the sampling strategy;
- explanation and justification for the analytical strategy;
- a revised conceptual site model; and
- a revised assessment of the risks posed from contamination at the site to relevant receptors, including: human health, ground waters, surface waters, ecological systems and property (both existing and proposed).

All site investigations must be undertaken by a competent person and conform to current guidance and best practice, including BS8485:2015+A1:2019, BS10175:2011+A2:2017 and CLR11.

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.

6. No occupation of the caravans, approved by this planning permission, shall take place until a detailed remediation method statement (RMS) has been submitted to, and approved in writing by, the LPA. The RMS must include, but is not limited to:
- details of all works to be undertaken including proposed methodologies, drawings and plans, materials, specifications and site management procedures;
 - an explanation, including justification, for the selection of the proposed remediation methodology(ies);
 - proposed remediation objectives and remediation criteria; and
 - proposals for validating the remediation and, where appropriate, for future maintenance and monitoring.

The RMS must be prepared by a competent person and conform to current guidance and best practice, including BS8485:2015+A1:2019 and CLR11.

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. Prior to any occupation or use of the approved development the RMS approved under condition 6 must be completed in its entirety. The LPA must be given two weeks written notification prior to the commencement of the remedial works.

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.

8. A validation report must be submitted to and approved in writing by the LPA prior to any occupation or use of the approved development. The validation report must include, but is not limited to:
- results of sampling and monitoring carried out to demonstrate that the site remediation criteria have been met;
 - evidence that the RMS approved under condition 6 has been carried out competently, effectively and in its entirety; and
 - evidence that remediation has been effective and that, as a minimum, the site will not qualify as contaminated land as defined by Part 2A of the Environmental Protection Act 1990.

The validation report must be prepared by a competent person and conform to current guidance and best practice, including BS8485:2015+A1:2019, CIRIA C735 and CLR11.

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.

9. 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 BS8485:2015+A1:2019, BS 10175:2011+A2:2017 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.

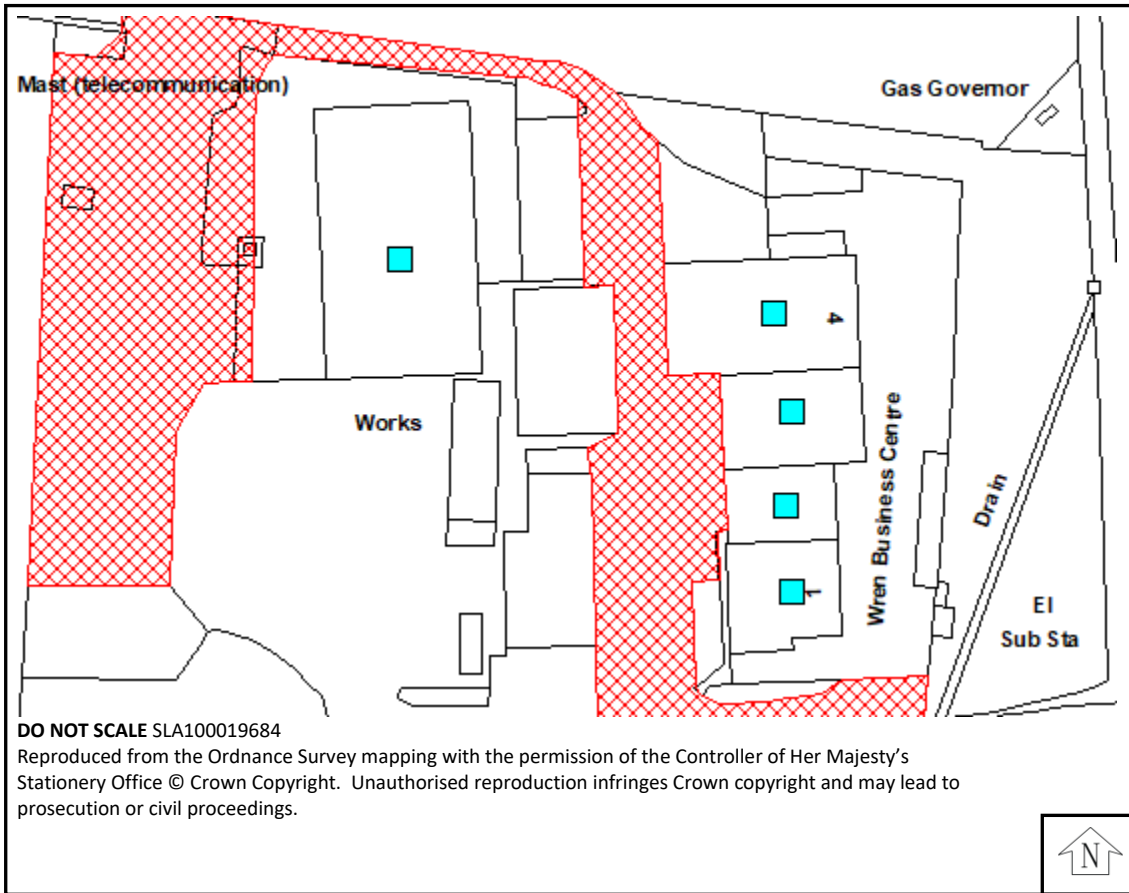
Where remediation is necessary a detailed remediation method statement (RMS) must be prepared, and is subject to the approval in writing of the Local Planning Authority. The RMS must include detailed methodologies for all works to be undertaken, site management procedures, proposed remediation objectives 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.

Background information

See application reference DC/19/3313/FUL at <https://publicaccess.eastsuffolk.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=PWMLVUQXM1V00>

Map



Key



Notified, no comments received



Objection



Representation



Support