



## Committee Report

**Planning Committee North - 8 December 2020**

**Application no DC/20/2993/FUL**

**Location**

The Alders  
Potters Street  
Theberton  
Suffolk  
IP16 4RL

**Expiry date** 1 October 2020

**Application type** Full Application

**Applicant** Mr & Mrs Adam & Esther Hurrell

**Parish** Theberton

**Proposal** Use of land for the standing of 3 x No. camping pods and provision of 4 x No. parking spaces

**Case Officer** Steve Milligan  
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### 1. Summary

- 1.1 This is a full planning application for the use of land for the standing of 3 x No. camping pods and provision of 4 x No. parking spaces at the property The Alders, Potters Street, Theberton, IP16 4RL.
- 1.2 The site lies within the countryside outside the physical limits of Theberton and falls within the Yox Valley Landscape Character Area. The land is located some 760m south east of Theberton (1.5km by road).
- 1.3 The site forms part of a larger meadow which is some 4.5ha in area. Public footpath E-515/009 runs across the southern part of the field.
- 1.4 4 Potters Street lies on the south side of the meadow some 80m from the application site. The site of the camping pods lies within EA Flood Zone 1, however the land to the west and access to the site lies within flood zone 2.

- 1.5 The key policies within the Local Plan are SCLP6.4 Tourism Development Outside of the AONB and SCLP6.5 New Tourist Accommodation.
- 1.6 The scale of the development is modest and is considered to have a not unreasonable relationship to the settlements of Theberton and Eastbridge.
- 1.7 From public views from footpath No 9 and Potter Street, the three pods will be seen against the backdrop of existing house and garden curtilage. They will have a low visual impact and will not have a significant additional adverse impact upon the landscape.
- 1.8 The access will have improved visibility splays and the Highway Authority do not raise objection on grounds of highway safety. The limited scale of the development should not significantly increase traffic within Potters Street.
- 1.9 Whilst the precise design of the pods has not be finalised, details can be required through the imposition of a condition in the event of the grant of planning permission. The proposal is considered to comply with policies SCLP6.4 and SCLP6.5.
- 1.10 The separation to the nearest neighbour and close relationship to The Alders should limit likelihood of noise generated from the site and there will not be conflict with policy SCLP11.2.
- 1.11 The proposed pods will be sited wholly within an area identified as Flood Zone 1 and are not at risk from flooding. The access lies within an area liable to flooding (Flood zone 2) however there is a safe and dry means of escape across the meadow to the public footpath and there will be significant warning of any forthcoming flood event to ensure that occupiers of the camping pods can be safely evacuated.
- 1.12 There will be limited ecological impact, and mitigation and enhancement will be made a condition of any planning permission granted.
- 1.13 The site is within the Suffolk Coast RAMS Zone of Influence and as the units are self-contained units of holiday accommodation, a financial contribution to the scheme (or equivalent mitigation identified via a Habitats Regulations Assessment (HRA)) is required. The Agent has confirmed that the RAMS payment will be made.
- 1.14 The application is presented to Planning Committee (North) because the applicant is a close relative of Cllr Cooper.

## **2. Site description**

- 2.1 The application relates to the property The Alders, Potters Street, Theberton. The site lies within the countryside outside the physical limits of Theberton and falls within the Yox Valley Landscape Character Area as defined in the Suffolk Coastal Landscape Character Assessment.
- 2.2 The land is located some 760m south east of Theberton (1.5km by road) and lies off Potters Street, a narrow single-track road. The site is some 550m from the B1122.

- 2.3 The site is an irregularly shaped area of land that forms part of a larger meadow which is in the ownership of the applicant on the southern side of the residential curtilage of The Alders; with the access and car park area of the development lying within the curtilage of The Alders. The field/meadow is some 4.5ha in area and is rough grassland with hedge along Potters Street. Public footpath E-515/009 runs across the southern part of the field some 60m from the application site.
- 2.4 The nearest neighbour is the residential property, 4 Potters Street, which lies on the south side of the meadow some 80m from the application site.
- 2.5 The site of the camping pods lies within EA Flood Zone 1, however the land to the west and access to the site lies within flood zone 2.

### **3. Proposal**

- 3.1 This is a full planning application for the use of land for the standing of 3 x No. camping pods and provision of 4 x No. parking spaces.
- 3.2 The camping pods are located on an east west alignment on the southern side of the curtilage of The Alders. Parking for four cars is proposed on the north-eastern side of the current house with pedestrian access on the eastern side of the property, within the existing curtilage.
- 3.3 The proposed camping pods meet the definition of a caravan and can be moved if required. Each pod has an overall length of approximately 5 metres and an approximate width of 3 metres. The maximum height of each pod is approximately 2.7 metres. There is a small covered deck at the entrance end. There is a bed/living area, very small kitchenette and WC. The pods are of timber frame construction and are generally covered in Decra Oberon tiles that have the appearance of timber shingles. The applicants have not yet decided on the precise pod design to be used and wish to establish the principle of installing 3 x prefabricated pods and are happy to accept a condition of planning permission that require the precise design to be agreed with the local planning authority.
- 3.4 It is proposed to plant hedging around the site of the pods.

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

- 4.1 One representation has been received from the owner of 3 and 4 Potters Street which expresses concern over the proposed development and its impact:
  - Concerned at impact upon tranquillity of area;
  - Road is narrow and concern at suitability for level of increased use;
  - Original plan was for six pods and concern at future intentions;
  - Plan for pods not finalised. There would be strong concern at change to caravans or mobile homes;
  - Concern if additional camping was proposed on or adjacent to site;
  - Important to provide screen planting.

## 5. Consultees

### Parish/Town Council

Consultee	Date consulted	Date reply received
Theberton Parish Council	10 August 2020	1 September 2020
<p>Summary of comments:</p> <p><i>"Theberton and Eastbridge Parish Council has no objections to this planning application however it would like to raise the following points:</i></p> <ol style="list-style-type: none"><li><i>1. The Parish Council was made aware that the owners/occupants of adjacent properties were not notified, nor consulted, about this application. The Parish Council assumes this is due to COVID-19 restrictions but it is very concerned about this. On this occasion, the Parish Council made the residents aware by word of mouth but it asks the District Council to find a solution to this either by asking the Parish Council to disseminate the notices or sending them by post to the residents.</i></li><li><i>2. There are some species including bats and great crested newts which are using, or are in, close proximity to the site therefore lighting may be an issue.</i></li><li><i>3. It would appear there will be some additional erosion of landscape involving loss of hedging and therefore screening and character to Potters Street. Since a change of ownership of the property, substantial clearance of the site has taken place giving a far more open aspect to the lane which in general is out of character.</i></li><li><i>4. If this application is approved, the existing access to The Alders would be used. Given that this is a very narrow lane with poor visibility, the existing access may require improvement and if so the Parish Council is concerned about the compounded effect this will have to the character of the lane.</i></li><li><i>5. In a recent application for a similar proposal (DC/20/1150/FUL) a requirement was made for a traffic survey and subsequent improved splays were part of the conditions for approval. The Parish Council asks that this application is treated similarly."</i></li></ol>		

### Statutory consultees

Consultee	Date consulted	Date reply received
Suffolk County - Highways Department	19 October 2020	9 November 2020
<p>Summary of comments:</p> <p>Recommends that any permission includes conditions regarding parking and manoeuvring; visibility; access surfacing; means to prevent surface water on the highway and refuse/recycling.</p>		

Consultee	Date consulted	Date reply received
Suffolk County - Highways Department	10 August 2020	28 August 2020
Summary of comments: Initial concerns at level of visibility from access point. Recommended speed survey of public highway.		

### Non statutory consultees

Consultee	Date consulted	Date reply received
Ecology (Internal)	N/A	2 September 2020
Summary of comments: Internal - included in report		

Consultee	Date consulted	Date reply received
Landscape Team (Internal)	13 August 2020	28 August 2020
Summary of comments: Internal - comments incorporated into report.		

Consultee	Date consulted	Date reply received
Environmental Protection (Internal)	10 August 2020	28 August 2020
Summary of comments: No objections subject to inclusion of condition regarding unexpected contamination.		

## 6. Planning policy

Policy SCLP6.1 - Tourism (Suffolk Coastal Local Plan, Adopted September 2020)

Policy SCLP3.3 - Settlement Boundaries (Suffolk Coastal Local Plan, Adopted September 2020)

Policy SCLP6.4 - Tourism Development outside of the AONB (Suffolk Coastal Local Plan, Adopted September 2020)

Policy SCLP6.5 - New Tourist Accommodation (Suffolk Coastal Local Plan, Adopted September 2020)

Policy SCLP7.2 - Parking Proposals and Standards (Suffolk Coastal Local Plan, Adopted September 2020)

Policy SCLP9.5 - Flood Risk (Suffolk Coastal Local Plan, Adopted September 2020)

Policy SCLP10.1 - Biodiversity and Geodiversity (Suffolk Coastal Local Plan, Adopted September 2020)

Policy SCLP10.3 - Environmental Quality (Suffolk Coastal Local Plan, Adopted September 2020)

Policy SCLP10.4 - Landscape Character (Suffolk Coastal Local Plan, Adopted September 2020)

Policy SCLP11.2 - Residential Amenity (Suffolk Coastal Local Plan, Adopted September 2020)

## **7. Planning considerations**

- 7.1 Section 38(6) of the Planning and Compulsory Purchase Act (2004) sets out that "If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise." This is reflected in paragraph 12 of the NPPF which affirms the statutory status of the development plan as the starting point for decision-taking.
- 7.2 The development plan comprises the East Suffolk Council - Suffolk Coastal Local Plan ("The Local Plan") and any adopted Neighbourhood Plans. The relevant policies of the Local Plan are listed in the section above and will be considered in the assessment to follow. It is important to also note that NPPF paragraph 11 requires that planning decisions apply a presumption in favour of sustainable development and that means, for decision-taking, approving development proposals that accord with an up-to-date development plan without delay.
- 7.3 The key policies within the Local Plan for the development of tourist accommodation on this site are SCLP6.4 Tourism Development Outside of the AONB and SCLP6.5 New Tourist Accommodation.
- 7.4 The scale of the development is modest and is considered to have a not unreasonable relationship to the settlement of Theberton and users would be able to cycle to the pub within the village and that at Eastbridge. There is a route to both villages by public footpaths and single track roads, avoiding the B1122 at a distance of some 1.7km. The nearest shops lie within Leiston and users of the site would be likely to use their cars for travel to services and tourist attractions within the wider area and the site is reasonably well related to the B1122. This is not unexpected for tourist accommodation and the site does allow access to the local area by foot and cycle. Provision is made for the secure storage of visitors cycles within an outbuilding at the site.
- 7.5 Given the limited size of the development, it is considered that there is likely to be sufficient need/demand for the accommodation and as required by policy SCLP6.5, the development includes the management of the wider meadow as rough pasture for ecological gain and the planting of hedgerows for landscape enhancement.
- 7.6 A landscape strategy is submitted with this application, the key principle of which is the retention/reinforcement of the existing boundary hedges and the long-term management of the rough grazing pasture immediately to the south.

- 7.7 The limited size of the development, its location adjacent to the southern boundary of The Alders, and proposed hedge planting, will limit visual impact upon the landscape. Long term there should be landscape enhancement from the meadow management regime and hedge planting.
- 7.8 From public views from footpath No 9 and Potter Street, the three pods will be seen against the backdrop of existing house and garden curtilage. They will have a low visual impact and will have an effect similar to an increase in domestic curtilage. Given the presence of the existing house, garden buildings and play equipment, the change will not have a significant additional adverse impact upon the landscape. The proposal is considered in compliance with Policy SCLP10.4: Landscape Character.
- 7.9 The access will have improved visibility splays and the Highway Authority do not raise objection on grounds of highway safety. The limited scale of the development should not significantly increase traffic within Potters Street. Secure cycle storage will be available within an existing outbuilding and the car parking area will include an electric car charging point with future provision dependent upon need. The proposal is in compliance with policy SCLP7.2: Parking Proposals and Standards.
- 7.10 Whilst the precise design of the pods has not be finalised, the illustrated designs indicate structures of limited size and palette of materials appropriate to a sensitive rural setting. Details can be required through the imposition of a condition in the event of the grant of planning permission.
- 7.11 The proposal is considered to comply with policies SCLP6.4 Tourism Development Outside of the AONB and SCLP6.5 New Tourist Accommodation.
- 7.12 The separation to the nearest neighbour and close relationship to The Alders should limit likelihood of noise generated from the site and there will not be conflict with policy SCLP11.2: Residential Amenity.
- 7.13 The western side of the meadow and the northern and eastern parts of the curtilage of The Alders lies within EA Flood Zone 2 an area at risk from flooding from the sea from a 1 in 200 year event. The present day flood level is 3.2m AOD, the predicted flood level in 25 years (with climate change) is predicted to be 3.39m AOD. The proposed pods will be sited wholly within an area identified as Flood Zone 1 to the east of the 3.5m contour line and are not therefore at risk from flooding.
- 7.14 The area liable to flooding includes the point of access to The Alders and the site. The submission acknowledges risk and states that there is a safe and dry means of escape across the meadow to the public footpath and its egress on to Potter Street all of which lies well within Flood Zone 1. There will be significant warning of any forthcoming flood event to ensure that occupiers of the camping pods can be safely evacuated. The applicants are happy to accept a condition of planning permission that requires an evacuation plan to be approved by the Council. Subject to such a condition, it is not considered that refusal is justified on grounds of flood risk.
- 7.15 The application is accompanied by an ecological appraisal undertaken by MHE Consulting Ltd. That appraisal concludes that further surveys are not necessary due to the small

footprint of the proposed development. It further concludes that any potential negative impacts will be minor. The appraisal makes a number of recommendations for mitigating any negative impacts and enhancing the biodiversity characteristics of the site. The proposed hedge planting and management of the wider meadow will benefit birds and amphibians and mitigation and enhancement will be made a condition of planning permission if approved.

- 7.16 The site is within the Suffolk Coast RAMS Zone of Influence (Zone B - within 13km of the Minsmere-Walberswick SPA; Minsmere-Walberswick Ramsar Site; Minsmere to Walberswick Heaths and Marshes SAC; the Alde-Ore Estuary SPA; the Alde-Ore Estuary Ramsar Site; the Alde-Ore and Butley Estuaries SAC; the Orfordness-Shingle Street SAC and the Sandlings SPA) and therefore a financial contribution to the scheme (or equivalent mitigation identified via a Habitats Regulations Assessment (HRA)) is required in order to mitigate in-combination recreational disturbance impacts on habitats sites (European designated sites). This must be secured prior to the application being determined.

## **8. Conclusion**

- 8.1 The proposed development is tourist accommodation and the key policies within the Local Plan are SCLP6.4 Tourism Development Outside of the AONB and SCLP6.5 New Tourist Accommodation.
- 8.2 The scale of the development is modest and is considered to have a not unreasonable relationship to the settlements of Theberton and Eastbridge.
- 8.3 There is likely to be sufficient need/demand for the accommodation and the development includes the management of the wider meadow as rough pasture for ecological gain.
- 8.4 From public views, the three pods will be seen against the backdrop of existing house and garden curtilage. They will have a low visual impact and hedge planting will mitigate impact. It is considered that the development complies with the above policies.
- 8.5 The access will have improved visibility splays and the Highway Authority do not raise objection on grounds of highway safety.
- 8.6 Whilst the precise design of the pods has not be finalised, the illustrated designs indicate structures of limited size appropriate to a sensitive rural setting. Details can be required through the imposition of a condition in the event of the grant of planning permission.
- 8.7 The separation to the nearest neighbour and close relationship to The Alders should limit likelihood of noise and there will not be conflict with policy SCLP11.2.
- 8.8 The proposed pods lie within EA Flood Zone 1 outside an area at risk from flooding. Whilst the access does lie within EA Flood Zone 2, the applicants are happy to accept a condition that requires an evacuation plan to be approved by the Council.
- 8.9 Ecological mitigation and enhancement will be made a condition of planning permission. RAMS payments are required. The Agent has confirmed that a payment will be made prior to the application being determined.



## 9. Recommendation

- 9.1 Authority to Approve subject to receipt of RAMS payment and subject to the conditions set out below.

## 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 Drgs Site/location plan; Landscape Strategy received 07.08.2020 and Drgs Cycle Storage and Visibility Splay received 11.11.2020, 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. No more than three camping pods shall be placed on the site. Details of the pods to be installed/sited shall be submitted to the local planning authority for approval in writing. Only approved pods shall be sited. No other camping or caravans shall be placed on the land.

Reason: In the interest of amenity; insufficient detail was provided a application stage.

4. The accommodation herein approved 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 units of holiday accommodation 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 accommodation 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.

5. Foul drainage shall be by way of a sewage treatment plant; full details of the proposed sewage treatment plant, shall be submitted to the Local Planning Authority before installation. Such details shall include the site of the proposed unit, the make, design and projected loading and the final discharge point. Only a scheme approved in writing by the Local Planning Authority shall be implemented at the site and shall be fully operational before the development is first occupied.

Reason: To prevent pollution of the water environment.

6. The use shall not commence until the areas within the site shown on Landscaping Strategy Drawing for the purpose of loading, unloading, manoeuvring and parking of vehicles has been provided. Thereafter the areas shall be retained and used for no other purpose.  
Reason: To ensure that sufficient space for the on site parking of vehicles is provided and where on-street parking and manoeuvring would be detrimental to highway safety to users of the highway.
7. Before the access is first used visibility splays shall be provided as shown on Drawing No. CCF\_000182 (Visibility splays received 11.11.2020) with an X dimension of 2.4 metres and a Y dimension of 24 metres Northwards and 29 metres Southwards and thereafter retained 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: In the interests of highway safety in order to maintain intervisibility between highway users.
8. No development shall commence until satisfactory precise details of a hedge planting scheme (which shall include species, size and numbers of plants to be planted) has been submitted to and approved in writing by the local planning authority.  
Reason: To ensure the submission and implementation of a well-laid out scheme of landscaping in the interest of visual amenity.
9. 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.
10. The meadow to the south of the site, identified on the Landscape Strategy drawing, shall be managed for ecological benefit and used for no other purpose. Details of the management strategy shall be submitted to the Local Planning Authority for approval in writing before the use is commenced and the land shall be managed thereafter in accordance with the approved details.  
Reason: To ensure ecological enhancement.
11. Development must be undertaken in accordance with the ecological avoidance, mitigation, compensation and enhancement measures identified within the Ecological Survey Report (MHE Consulting, December 2018) as submitted with the planning application and agreed in principle with the local planning authority prior to determination.  
Reason: To ensure that ecological receptors are adequately protected and enhanced as part of the development.
12. No external lighting shall be installed on site unless a "lighting design strategy for biodiversity" has been 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.

Any 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.

13. 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. No further development (including any construction, 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 BS 10175:2011+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.

14. Prior to the commencement of the use, a detailed flood evacuation plan for the development shall be submitted to the Local Planning Authority for approval in writing. The use shall commence only after the flood evacuation plan has been approved and it should be followed thereafter.

Reason: To ensure users of the site are safe from flooding risk.

#### **Informatives:**

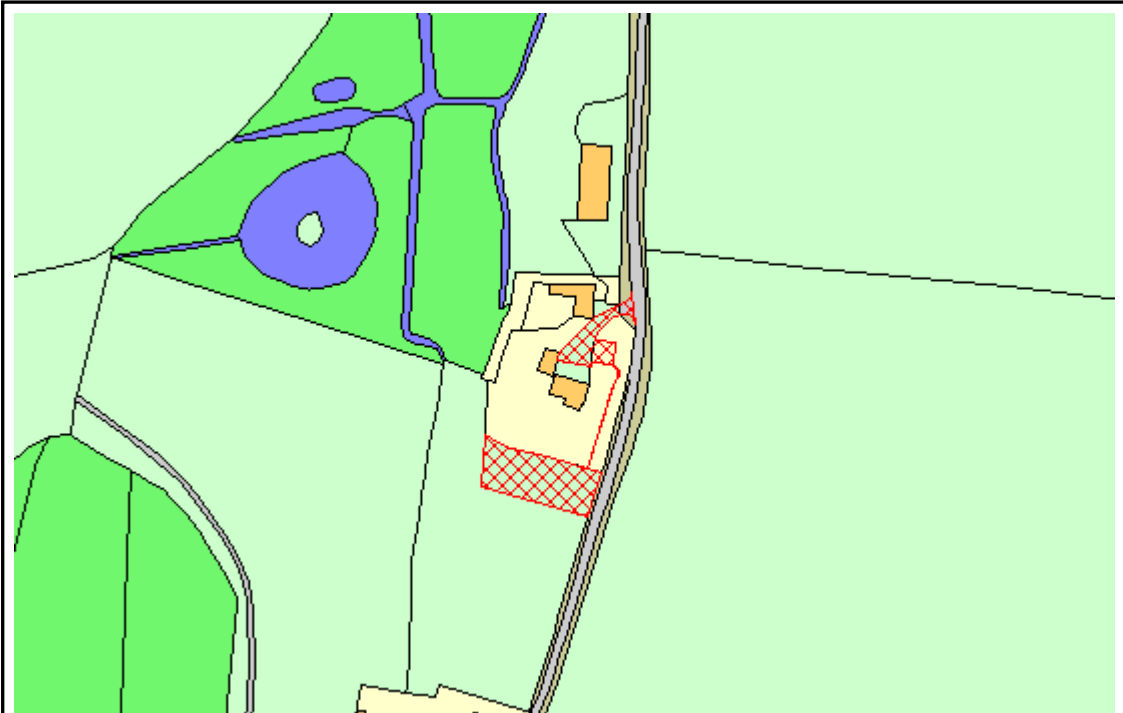
1. The Local Planning Authority has assessed the proposal against all material considerations including planning policies and any comments that may have been received. The planning application has been approved in accordance with the objectives of the National Planning

Policy Framework and local plan to promote the delivery of sustainable development and to approach decision taking in a positive way.

### **Background Papers**

See application reference DC/20/2993/FUL on [Public Access](#)

## Map



**DO NOT SCALE** SLA100019684

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## Key



Notified, no comments received



Objection



Representation



Support