

## **SOUTH PLANNING COMMITTEE – 23 JULY 2019**

**APPLICATION NO** DC/19/1022/FUL

**LOCATION** Bawdsey Manor  
Bawdsey  
IP12 3BH

**EXPIRY DATE** 5 May 2019  
**APPLICATION TYPE** Full Application  
**APPLICANT** PGL Travel Ltd

**PARISH** Bawdsey

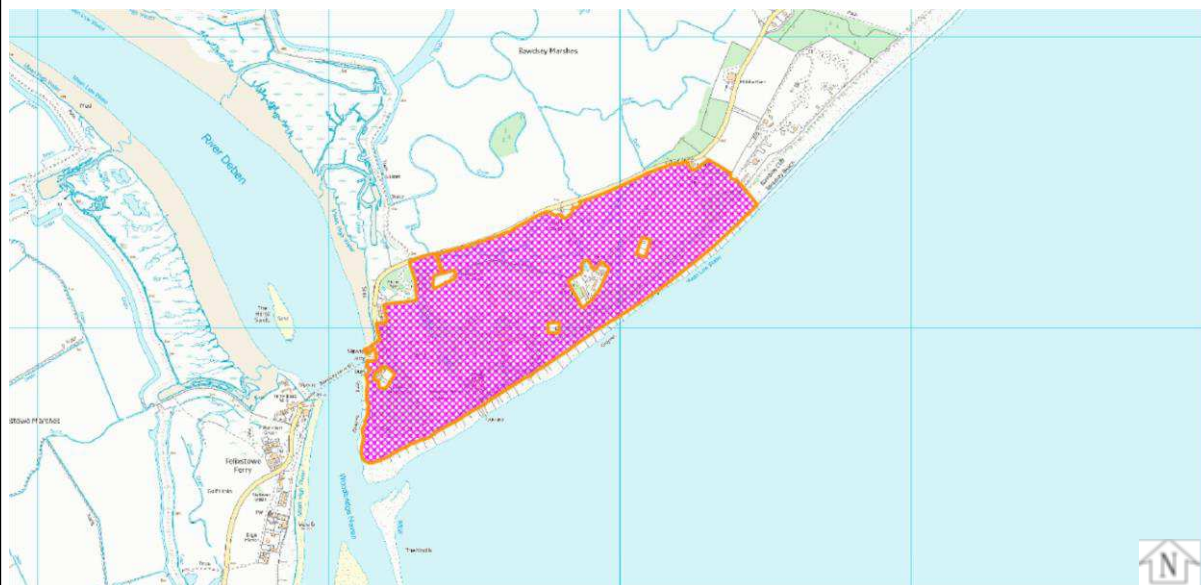
**PROPOSAL** Creation of a lake for recreational activities such as raft building and canoeing, including excavation, the re-use of excavated materials onsite, and the re-organisation of consented Activity Structures within the Bawdsey Manor Estate.

**CASE OFFICER** Michaelle Coupe, Senior Planning & Enforcement Officer  
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### **DC/19/1022/FUL – Bawdsey Manor, Bawdsey Manor Estate, IP12 3BH**

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## **1 EXECUTIVE SUMMARY**

The application seeks planning permission to provide a lake within the grounds of Bawdsey Manor Estate for use by the applicant (PGL) who run a children's outdoor activity/educational centre on the site. The lake would provide opportunities for canoeing and raft building by guests. The material excavated for the lake is proposed be

**re-used on the estate. It is also proposed to re-position activity equipment previously consented within the grounds.**

**The application has been referred to Planning Committee because of the sensitive nature of the site, the finely balanced nature of the recommendation and level of public interest.**

**The recommendation is Authority to Determine with Approval being recommended subject to the satisfactory resolution of ecological impacts, noise impact and ensuring that the heritage benefits that form part of the justification are implemented within a reasonable time frame.**

## **2 SITE DESCRIPTION**

- 2.1 The site forms part of the Bawdsey Manor Estate situated at Bawdsey Quay within the Suffolk Coast & Heaths Area of Outstanding Natural Beauty. The eastern boundary of the Estate borders the coastline and its northern boundary adjoins Ferry Road. To the south and west is the River Deben Estuary designated a Special Protection Area (SPA), Ramsar and Site of Special Scientific Interest (SSSI). A section of the coastline is also an SSSI (Bawdsey Cliff SSSI) designated for its geological interest.
- 2.2 The Bawdsey Manor Estate comprises a late Victorian/Edwardian country estate overlaid with military structures from the mid twentieth century which are of particular significance because of the role Bawdsey played in the development of radar technology. At the heart of the estate is a grand mansion dramatically positioned close to the cliff. It is a Grade II\* listed building and built in an eclectic style with Jacobethan and French chateau references. Its varied use of materials and turrets and other embellishments given it a lively decorative character.
- 2.3 Within the Estate are a number of ancillary estate buildings and structures and buildings associated with the sites previous occupation by the RAF, some of which are listed in their own right. These include the transmitter block (Grade II\*) and receiver block (Grade II) which contribute to the sites international significance in the development of radar technology.
- 2.4 The associated gardens and parkland are a regionally rare example of an ornamental estate landscape entirely developed within the late nineteenth and early twentieth Century. It includes extensive terraces and a series of formal gardens close to the mansion, including an unusual and extensive Pulhamite cliff garden and walk, all set within a wider parkland of open-grown specimen trees and clumps enclosed by a series of perimeter tree belts. The landscape is included in the Register of Parks and Gardens of Historic Interest at Grade II. It is also on Historic England's Heritage at Risk Register, with The Lemonary (Grade II) and radar receiver block being on the Councils at risk register.
- 2.5 Historic England funded a Conservation Management Plan (CMP) which was completed in 2009. This sets out the history of the site and its significance and has a set of guiding

principles to ensure the sympathetic restoration of the estate that retains important cultural features from every period of the sites development, identifies intrusive and detrimental features, allows for future sympathetic development and seeks to establish an economically viable estate in the future.

- 2.6 There are two access points into the estate, off Ferry Road, one to the south-west from Bawdsey Quay and one to the north. Two sweeping driveways pass through the park up to the Manor House. The principal entrance is from the Quay where the driveway crosses the lawns in front of the Manor and the bridge over the River Jordan. The northern drive runs south west through the park and also provides access to the Transmitter block and a number of dwellings (former estate buildings known collectively as the Manor Dairy complex) that are now in separate ownership. These dwellings are curtilage listed buildings.
- 2.7 The estate is currently in use as an outdoor educational activity centre. Prior to that it was an international school which set up in the mid 1990's when the site was no longer required by the Ministry of Defence.
- 2.8 To meet the needs of the current occupiers various consents have been granted for
- activity structures/equipment (such as climbing walls, abseil towers zip wires),
  - the re-instatement of part of the River Jordan,
  - the provision of 53 tents and associated abulation block in the former squash courts,
  - alterations and extensions to the stable block to form the catering facilities for guests,
  - alterations to various building to improve accommodation facilities for guests,
  - new sewage treatment plant and
  - additional fuel tanks.
- 2.9 A planning application for a lake submitted last year, was withdrawn following a number of concerns raised by officers and consultees (reference DC/18/3160/FUL). These concerns included the lack of justification for the lake; lack of information on the potential for other options; impact on the landscape particularly as a result of creating screening bunds to reduce visual impact from nearby residents; the failure to address impacts on curtilage listed buildings, notably the Manor Dairy complex; the removal of ex RAF structures in the East park (where spoil was proposed to be deposited), failure to address ecological issues and potential noise disturbance.

### **3 PROPOSAL**

- 3.1 This application is a revised scheme for the creation of a lake, following the withdrawal of the application submitted last year, and seeks to address the shortcomings and concerns raised. The lake is required by the applicant to be able to offer canoeing and raft building activities to guests. Three ponds are also proposed immediately to the west of the lake, and associated shelters for storage, and children/staff not participating in the activities.

- 3.2 The applicant has explained, in their letter of 8 March 2019, that these activities are attractive and expected by guests and are an essential element if PGL is to remain competitive in the market.
- 3.3 This letter also explains why the option of using the River Deben, and/or other off site facilities for water based activities is inappropriate, due to the risks. The Deben is classified 'Hazardous', under the Health and Safety Executive (HSE) definitions, "*due to the potential effect of the wind and tide and the lack of immediate access to land or rescue.*" and therefore a licence would be required for the applicants to operate activities on the river
- 3.4 The applicants have explained that a license was sought from the HSE and subsequently withdrawn, following advice from the PGL Technical Team, advising that due to the risks they were unable to recommend a PGL operation on the river or sea. The applicants have also explained that the HSE Lead Inspector commented that "*it was always a challenging venue given the tidal flow and numerous other users.*"
- 3.5 Within the same letter, the applicants acknowledge that Felixstowe Ferry Sailing Club, Alexander School (the previous operators of the site) and others have operated in the River Deben for many years. However, they also explain that their operating model and guest profile are different from PGL, as:

*"they are primarily looking to develop and advance their own personal skills over a period of time involving numerous visits often to a National Governing Body Standard and for the purpose of becoming Instructors, the advanced nature of the river is ideal for this",*

and in contrast

*"The majority of PGL guests are primary school age" with "learning outcomes", and "Essential this is often the first time our guests have been on water in a vessel. They are therefore notice and require safe and controlled water conditions."*

- 3.6 A copy of this letter is viewable alongside the other documents of the application and representations, via the public access system on the council's website (<http://www.eastsuffolk.gov.uk/planning/planning-applications/publicaccess/> ).
- 3.7 The applicants have explained they consider the proposed lake as the only safe option to provide canoeing and raft building activities to guests. The proposed siting of the lake is on grazing marsh in the north western part of the parkland. It would lie between Ferry Road and properties that adjoin the northern drive, which currently have a rear outlook over the grazing marsh. These properties, known as the Manor Dairy complex, were formally ancillary estate building and cottages, comprising a Dairy, Byre, Laundry and Stables. They were rsold off from the estate by the previous owners and are now in residential use independent from the Bawdsey Manor Estate. A pair of cottages on Ferry Road (Marsh Cottages) adjoin the north west corner of the site. Woodland tree belts separate the lake site from the more formal gardens around the Manor.

- 3.8 The proposed development requires the excavation of material to lower the ground level to form a lake basin. The lower parts of the basin would be below the ground water level and therefore would flood to form a lake. The proposed lake would have an area of 1.5ha with a maximum water depth of 1.5m and a water level of -0.1 AOD. The design of the lake includes the provision of wet grassland and reed beds on the periphery of the lake, to compensate for the loss of grazing marsh and ditches. Three new interconnects ponds are also to be created to the west of the lake, to attract wildlife. Activity stations would be provided around the lake for the launching of canoes and rafts and for storage of equipment. Two small timber shelters are proposed at positions around the lake. Additional tree planting is proposed to help to screen these areas from neighbouring residents. A new 2m wide path is to be provided around the lake and to provide links to the rest of the site.
- 3.9 The material excavated would be re-used on site, either as part of the lake construction or deposited on the east side of the parkland to enhance the grassland in this area and replace dis-used car parks which the Conservation Management Plan (CMP) identifies as having a negative impact. It is contended that replacing the car parks with the excavated material would meet one of the objectives of the CMP to enhance this area and establish an appropriate grazing regime to link with the existing grazing land. It is suggested details of how the material will be distributed and managed across the site would be addressed in a Materials Management Plan to be agreed by planning condition.
- 3.10 In terms of usage of the lake it is stated there would be a maximum of 80 participants (8 groups of 10) on the lake at any one time. There would be a maximum of four sessions a day during peak times (Tuesday to Friday lunchtime) which last 90 minutes. The activities would start at 9am and finish at 5pm with lunch being between midday and 2pm. There would be reduced usage at weekends with three sessions on Saturdays and two sessions on Sundays. During construction a temporary access would be created off Ferry Road. This should avoid conflict with the existing access to the estate and other properties within it. On completion of the work the access would be made good and the roadside verges and planting re-instated.
- 3.11 The applicants have explained that the sessions are proposed to be operated with a focus on acquiring basic skills, confidence and team work, with the instructors on the water with the children, rather than standing on the banks shouting instructions, and the time spent on the water being approximately:
- Canoes; 45 minutes of every 90 minutes session
  - Raft Building; 15 minutes of every 90 minutes session
- 3.12 Half the raft building activity would be on the River Jordan, in an attempt to reduce the amount of activity on the lake. However, as the River Jordan is only 8m wide with a shallow gradient it is considered unsuitable for canoeing.
- 3.13 The excavated material is proposed to be re-used on site. The topsoil will be used for the reedbed areas within the lake and lake margins, and to form screen/noise attenuation mounds adjacent to residential properties (if required). The material beneath the top-soil will be redeposited in locations to the south of the lake to create a gentle gradient to

enable ease of accessibility for users, and to the east of the site to create grassland diversification, including on the area of the northern disused car park (further details within section 4 of the planning statement on the website).

- 3.14 Other sites for a lake were considered, and formed part of pre-application discussions with the Council and Historic England. These included the lawns in front of the Manor but were excluded due to the sensitivity of historical views to and from the house. There is no historical precedence for a large expanse of water on the lawns. It would have fundamentally changed the character of the views. The eastern area of grazing marsh (east of Marsh Cottages) was ruled out because of distance from the core site and other activity areas. No other suitable areas exist within the grounds for a lake of the size required due to lack of level ground and natural water supply. Early mapping (1926) indicates there was a lake on what is now the local authority car park, which lies to the south-west beyond the current estate boundary. The map shows the lake was screened from the house by trees.
- 3.15 The application site was indicated as being a more suitable option because it was outside the core of the historic designed landscape, its natural character contrasting with the ornamental grounds closer to the house and was visually and physically separated from it by a belt of trees.
- 3.16 This application is also seeking amendments to the layout of some of the activity structures, previously consented but not yet been installed. To address some concerns raised by neighbouring residents at the close proximity of these structures to their boundaries, it is proposed to re-position some of those structures increasing the distance from adjacent properties. The application is also seeking retrospective consent for the zip wire that was installed in the opposite direction to that consented. This has resulted in the decent being angled further from a neighbouring property.
- 3.17 The application is supported by a number of documents including the following:-
- Flood Risk Assessment (FRA)
  - Design Access and heritage Statement
  - Ecological impact assessment
  - Landscape and visual assessment
  - Land quality report
  - Arboricultural report
  - Noise impact assessment
  - Archaeological written scheme of investigation.
  - Various visualisations and 3D modelling
- 3.18 Revised plans have been received (after the consultation period) showing a reduction in the size of the lake and to create more islands within further breaking up the mass of water. The lake will cover 14,700 square metres, consisting of 10,670 square metres of open water; 1,060 square metres of islands and 2,970 square metres of reed bed. This reduction in size has resulted in the lake being further from Marsh Cottages and Ferry Road.

## 4 CONSULTATIONS/COMMENTS

### 4.1 Bawdsey Parish Council comment as follows:

*"The council was pleased to receive the amended planning application and has carefully considered it at a planning meeting on 2nd April. At that meeting five councillors listened once again to the views of residents whose homes are on the Bawdsey Manor Estate before revisiting the core issues and reviewing our original decision in the light of the amended plans.*

*Although councillors welcomed the reorganisation of consented Activity Structure within Bawdsey Manor Estate as a means of tackling the noise issue for residents whose homes share a boundary with PGL, they were not convinced of the case for a recreational lake at the proposed site as put forward in the covering letter.*

*Therefore the council wishes to OBJECT on the following grounds, some of which have already been expressed in our original consideration.*

- i. Overall effect on the landscape of the North Park area (within an AONB)*
- ii. Noise and Loss of Amenity for residents*
- iii. Flood risk and concerns over the drainage*

*Detailed comments on each section follow.*

- i. Overall effect on the landscape of the North Park area (within an AONB)*

*Following PGL's pre-application meeting with Historic England and the Local Planning Authority, it is apparent that there is a clear preference on the part of these authorities for the lake to be built on the marshland north of the parkland rather than on the alternative site in front of Bawdsey Manor which councillors deem would cause less lasting harm. The council strongly feels it would be most useful to revisit the alternative site. We appreciate that Heritage England's view is based on preserving the setting of the Manor but there are good reasons for using the lawn site.*

- The lawn is not a major habitat and is not visible from Bawdsey Quay*
- Unlike the marsh site, the lawn could easily be reinstated in years to come. Planners may not know that there used to be a small swimming pool in front to the Manor in the 1930s right up to the 1980s.*
- It keeps the lake away from public view and is therefore less harmful to the AONB and general tranquillity*
- It keeps another source of noise away from the private properties in a much more contained area*
- It is adjacent to the River Jordan which will also be used for rafting activities*
- It preserves the existing grazing meadow*
- It would allow for improvement of the meadow environmentally and could offer somewhere for PGL to promote environmental studies for 'guests' who possibly don't go to the countryside (which should be a quiet activity!)*
- It would possibly avoid a change of use application for the meadow*

*As previously stated, the proposed development will permanently change the character and appearance of part of the parkland with its open views across remnants of estuary grassland which will be transformed into an entirely different, activity-driven area.*

*Although the council welcomes the removal of the screening bunds which would have looked out of place in the landscape, and notes PGL's intention to paint canoes in green to blend in with the natural environment, the proposed timber shed areas, stored boat areas and boardwalks mentioned in the application will alter the character of the area significantly.*

*It will have a significant impact on this part of the Heritage Coast, a significant and sensitive area at the mouth of the Deben Estuary, historically a quiet and tranquil spot within the AONB. The proposed application would certainly not enhance this 'natural' and undeveloped part of the estuary landscape.*

*Regarding the arguments made against claims of loss of bird species, the benefits claimed for the proposed Wetland habitat would be outweighed by the noise and disruption caused by prolonged human activity throughout the daylight hours during spring and summer nesting periods.*

*In any case, a change of use application will probably need to be submitted to alter the status of this piece of grazing marsh.*

*ii. Noise and Loss of Amenity for residents*

*The council appreciates PGL's recognition that noise is a major factor in the opposition to this planning application. Its noise-monitoring protocol and prevention data is particularly welcome although definitions of "time on the water" might be more flexible in practice than is stated.*

*The East Suffolk Council Environmental Health Officer has already posted her consultation response on the website objecting to the application on the basis that it will create a statutory noise nuisance from day one of use. This will lead to considerable loss of amenity on behalf of the residents in addition to the loss of their open views across marshland as a result of the proposal to plant trees around the lake.*

*It should be stressed this is a unique site quite different from other PGL sites in having private freeholds within the site rather than outside where residents are naturally more distant from the source of noise. The activities of PGL have already had a major impact on residents' lives because of the contrast before the arrival of PGL and planners may not have appreciated the full extent of the disruption. Noise factors have led to lower house valuations for residents as well as serious health implications.*

*There is no doubt that this development will cause an incremental spread of noise over the whole area, causing a loss of wider amenity for private residents. Raft building and canoeing are inherently noisy activities due to interactions between children and between children and their instructors.*

*As stated in our original submission, the issue of loss of amenity has featured in all of the letters from residents objecting to this proposal. We refer planners to NPPF, DM 123 which requires that planning policies and decisions should identify areas of tranquillity which have remained undisturbed by noise and are prized for their amenity value for this very reason. Both the elements of tranquillity and the uninterrupted views across the marshes to the estuary and beyond are the elements which residents have identified as being most precious to them, not to mention the natural habitat of the marshland.*

*iii. Flood risk and concerns over drainage: Major concerns surround the drainage system. The council notes that the Internal Drainage Board has not been notified of this*



*application, particularly relevant since a licence has to be procured from them to allow discharges into their ditches.*

*Within the drainage/overflow proposals, there is no evidence provided to show that culvert/pipes and ditches (also carrying discharged effluent) are adequate to deal with extreme weather conditions. The new installed sewage system will have increased output as will have the newly dredged River Jordan.*

*It is not clear what arrangements will be put in place to deal with surface water flooding on site and whether it will have an impact on any adjacent property. Marsh Cottage is particularly susceptible and if the water table rises, the garden will flood.*

*This is an area which calls not only for advice from professionals and statutory bodies but also for input from long- standing residents of Bawdsey Manor Estate who have experienced problems of flooding and use of septic tanks; moreover they know where the fresh water spring lies and its extent – vital information since this will be the means, apart from rainwater, of replenishing the proposed lake. It appears from the correspondence of long-time resident Mr James White that there is only one functioning channel to drain the grazing meadows as a whole. These fears must be addressed.*

*Conclusion: This application is a step change which it could be argued is not necessary to secure the sustainable future of the estate and PGL business. The council notes that Mr Sander's covering letter is full of promises and asserts the lake is necessary for PGL's long-term economic future but BPC would like to see the economic case made more strongly. The council hopes that East Suffolk will ask the local planning authority to request as a matter of urgency an economic assessment of the case for the lake and the provision of a clear timetable of improvements for the estate as a whole. This would undoubtedly assist the council in making a fully informed decision.*

*It is imperative that this application goes to full Planning Committee rather than go through on Officer's decision given the significance and long-term consequences of this development.*

*Finally Bawdsey Parish Council would like to draw attention to recent NPPF policy regarding the status and importance of the AONB in which Bawdsey Manor Estate stands.*

*"Great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to these issues. The conservation and enhancement of wildlife and cultural heritage are also important considerations in these areas, and should be given great weight in National Parks and the Broads. The scale and extent of development within these designated areas should be limited."*

4.2 Suffolk County Council Highways Authority recommend conditions relating to the temporary access and the submission of a deliveries management plan.

4.3 Environment Agency has no objections providing the local authority is satisfied it passes the Sequential Test and subject to conditions controlling finished water level of lake and the prevention of excavated material not required for works around the lake itself to be deposited outside Flood Zones 2 and 3 to ensure the proposal does not decrease flood storage capacity in the area. With regard to the submitted FRA it is noted that the Tidal Flood Zones have changed and that this will need to be taken into account in complying

with the recommended conditions. The Agency confirm that the site does benefit from flood defences but that site is at risk from flooding in the (1 in 200) annual probability of defended flood level including climate change. It is noted an Emergency Plan has been submitted such that no objection is raised on flood risk access safety grounds. It is also noted the scheme will result in an increase in flood storage capacity.

4.4 East Suffolk Council Head of Environmental Health are not convinced from the information submitted that the lake will not be a source of significant disturbance to neighbours given the extent of activity proposed (up to 80 participants) and the inevitable noise that children will make when enjoying the water based activities. There is insufficient detail in the submitted Noise Management Plan to how the noise from the lake will be controlled. Whilst acknowledging the permitted use of the site is a school so there is an expectation that a reasonable amount of noise will be produced, the area in which the lake is sited has not historically been used by the previous school. It is noted that there has been significant co-operation from the site manager since the centre has been open, to make concessions in respect of noise and to fine tune the management of noise on site to ensure it stays within the bounds of what is reasonable. Noise complaints have been received but these have not been substantiated to date.

4.5 Historic England note the Registered Park & Garden is included in the Heritage at Risk Register along with some other structures/buildings within the Estate, including the Lemonary, Radar Receiver Block, and tin chapel. Commenting on the application they confirm they remain supportive of the applicant's strategy for developing a sustainable future for the Bawdsey Manor Estate, particularly where this is combined with sustaining and enhancing the significance of various heritage assets on site and putting them to viable uses consistent with their conservation. It is considered that the proposal will permanently change the character and appearance of parts of the registered park and garden by introducing a major new landscape feature in the form of a large lake and associated infrastructure. This will represent some degree of harm to the significance of the registered park and garden, and therefore needs to be justified. In the supporting information the lake is presented as an important part of the applicants overall strategy to provide a sustainable use for the whole estate and to substantially improve the historic buildings and landscape, essentially by ensuring a solid business model that allows continued investment in the management of the site and restoration of its key features. Whilst this provides some further justification for the harm and the detailed designs reduce adverse impacts to views and the settings of designated heritage assets, there are some areas where further clarification and safeguards are need.

These include the following:-

- The removal the canoes and raft building equipment out of season (Oct-Feb);

- A reduction in the number of shelters on the periphery of the lake;

- Clarification that the proposed development includes the re-instatement of the orchard to the west of the Dairy complex; and

- The submission of an appropriate Landscape Strategy for the site (as required to discharge conditions on previous consents given). Such a Strategy is an essential part of the justification and needs to clearly identify an action plan or programme for the delivery of the various restoration/maintenance works of the estates heritage assets and when the applicant's commercial operation of the site will result in their implementation. The strategy that has been submitted to date is not sufficiently

detailed. It lacks information critical for ensuring the conservation and enhancement of numerous garden features and addressing heritage at risk status of the park and gardens.

These issues and safeguards need to be addressed in order for the application to meet the requirements of paragraphs 194 and 196 of the NPPF.

4.6 Natural England no comments received.

4.7 County Council Archaeological Unit no comments received

4.8 Suffolk Wildlife Trust object for the following reasons:

- Given the location of the site adjacent to the Deben Estuary Ramsar and SPA and SSSI designated for their international nature conservation importance, the development should be subject to Habitats Regulations Assessment (HRA) prior to determination, and would recommend Natural England be consulted for their advice on this matter
- The development results in uncompensated loss of Priority Habitats – Coastal and Flood Plain Grazing Marsh and Traditional Orchard
- The reptile survey is likely to have been underestimated given timing and conditions of survey
- No survey been done to assess if water voles will be impacted
- Insufficient invertebrate survey's done
- Insufficient survey work done to assess for nesting birds

4.9 The Gardens Trust comment that they cannot see any heritage statement or EIA which describes the affect on the Grade II registered Park and Garden. (They were subsequently advised where to find this documentation and no further comments have been received).

4.10 RSPB object on the grounds no breeding or over-wintering bird survey information as it prevents informed decision on the importance of the site. Given the close proximity to the Deben Estuary SPA, Ramsar and SSSI a HRA should be undertaken.

4.11 Suffolk Preservation Society welcome the removal of the screening bunds. There is a lack of information on the structures to be built around the lake which are key to the successful assimilation of the lake into the AONB landscape. There is concern that the location of the lake introduces an unwelcome level of activity in the currently tranquil marsh area.

4.12 Suffolk Coast and Heaths AONB Team no comments received.

4.13 Third Party Representations – 15 letters of objection have been received and are summarised as follows:

- Principle:
  - The applicants claims that this site is a C2 use is incorrect as this part of the estate has always been in agriculture use (was under an agricultural tenancy). No change of use application has been made. The proposal cannot be seen as

enhancing character of area or providing public benefit to community as it will form part of PGL's profit enterprise.

- The need for the lake is questioned given not all PGL sites have them.
  - The claims that the River Deben is not safe to use is questioned given Felixstowe sailing school use it for sailing courses and it was used by students attending the previous school on the site.
  - No commercial projections submitted to support claims that the lake is required to enable flood defences and restoration works at the manor to be undertaken.
- Noise and Disturbance:
    - Cause intolerable noise nuisance from guests and instructors shouting, particularly at weekends when most residents will be in their properties all day, causing severe loss of amenity. Noise from the existing occupation of the site (hysterical screaming and chanting) has caused health problems to some residents.
    - The path to the lake is at the bottom of adjacent properties gardens.
    - More of the existing equipment should be removed to avoid overlooking and loss of privacy to neighbours. The zip wire was not installed in accordance with the approved drawings
    - The submitted noise assessment is flawed and the Noise Management Plan useless.
    - If noise nuisance claims are made and private nuisance claims against PGL will inevitably follow the costs to PGL could be significant and "eat up quite a bit of heritage asset restoration funding."
  - Visual Amenity and Outlook from Residential Properties:
    - Unacceptable visual impact from on adjacent property adversely affecting their outlook.
    - The claims that the property 'The Old Stables' is inward looking ignores the fact that the garden looks out over the marsh and part of the house.
  - Ecology/Biodiversity and Landscape Impact:
    - The loss of grazing marsh to recreational lake will be a irreversible change to the landscape and make loss of biodiversity of grazing marsh permanent.
    - Inadequate/incomplete wildlife survey's. The marsh is a feeding ground for barn owls.
    - Fail to see how the lake will create a new habitat given the noise that would be generated by the activities on it.
    - The NPPF suggests alternative sites should be considered where there is significant harm on AONB's. The lake should be re-positioned on the lawn in front of the Manor.
    - Very little has changed in terms of the lake design to the scheme withdrawn yet the Council's landscape officer has now raised no objection despite his previous concerns to the harmful impact in the landscape.
    - The additional tree planting now proposed around the lake did not form part of the CMP.
    - The submitted photo's are out of date and have been computer enhanced to make it appear as if there is more vegetation than there actually is.

- Flood Risk:
  - There is the potential for increased flooding to adjacent properties given the lake has unregulated outfalls into the adjacent drainage ditches.
  - Failed to provide a proper and detailed examination of flood risk.
- Contamination:
  - Concerns at the potential contamination risks given the site is ex MOD. Further method statements should be done on dealing with the potential contamination in the interests of protecting the health of children, employees, residents and the public.
- Transport/Highways considerations:
  - No details have been submitted of what equipment and routes will be used to transport the excavated material.
- Other/general issues:
  - The additional tree planting will block broadband signal for one resident who works from home.
  - The lake should be sited elsewhere on the estate away from residential properties. If PGL's commercial venture ceased a beautiful area of marshland will have been destroyed forever with no hope of recreating it. If the lake was on the front lawns it could easily be filled in and lawn recreated without destruction of wildlife, AONB and outlook of nearby properties. The area to the front of the manor would not be seen by the public, provide better security, have less impact on the AONB and not a priority habitat.
  - Results in a reduction in property values.
  - The piecemeal approach to development is unacceptable, there is a need to understand the full picture.
  - The area of the lake should be preserved as marsh grazing land and perhaps rare bread cattle could be introduced and offer a different educational experience.
  - Security is likely to be a problem and could encourage trespassing.
  - Potential effect on electricity cables on the edge of the site.
  - A planning obligation should be entered into to ensure the restoration and maintenance of identified heritage assets. The documents promised as part of planning conditions should be provided before determination of the application.

## 5 PUBLICITY:

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

Category	Published	Expiry	Publication
Affects setting of listed building	28.03.2019	18.04.2019	East Anglian Daily Times
May affect archaeological site			
Public right of way affected			

## **6 SITE NOTICES**

The following site notices have been displayed:

Affects setting of listed building	Date posted 29.03.2019
May affect archaeological site	Expiry date 23.04.2019
Public right of way affected	

## **7 PLANNING POLICY**

- 7.1 Section S38(6) of the Planning and Compulsory Purchase Act 2004 states that the planning application is to be determined in accordance with the development plan unless material consideration indicates otherwise.
- 7.2 National Planning Policy Framework (2019).
- 7.3 East Suffolk Council- Suffolk Coastal District Local Plan - Core Strategy and Development Management Development Plan Document (adopted July 2013) policies:
- SP1 Sustainable Development
  - SP1A Presumption in Favour of Sustainable Development
  - SP6 Regeneration
  - SP7 Economic Development in the Rural Areas
  - SP8 Tourism
  - SP14 Biodiversity and Geodiversity
  - SP15 Landscape and Townscape
  - SP29 The Countryside
  - DM21 Design: Aesthetics
  - DM23 Residential Amenity
  - DM27 Biodiversity and Geodiversity
  - DM28 Flood Risk
- 7.4 Site Allocations and Area Specific Policies (adopted January 2017) Policies:
- SSP37 Parks and gardens of Historic or landscape Interest
- 7.5 Supplementary Planning Guidance:
- 6 Historic Parks and Gardens
- 7.6 The new Local Plan (covering the former Suffolk Coastal area) was submitted to the Planning Inspectorate (PINS) for examination on Friday 29th March 2019, and the hearings are to take place in August 2019. Full details of the submission to PINS can be found through this link: [www.eastsuffolk.gov.uk/localplanexamination](http://www.eastsuffolk.gov.uk/localplanexamination) . At this stage in the plan making process, the policies that received little objection (or no representations) can be given more weight in decision making if required, as outlined under Paragraph 48 of the National Planning Policy Framework (2018). Certain policies are now considered to have some weight in determining applications; these have been referenced where applicable. The relevant policies are:
- SCLP4.5: Economic Development in Rural Areas,
  - SCLP6.1: Tourism

SCLP6.2: Tourism Destinations  
 SCLP6.3: Tourism within the AONB and Heritage Coast  
 SCLP9.5: Flood Risk  
 SCLP9.6: Sustainable Drainage Systems  
 SCLP10.1: Biodiversity and Geodiversity  
 SCLP10.2: Visitor Management of European Sites  
 SCLP10.3: Environmental Quality  
 SCLP10.4: Landscape Quality  
 SCLP11.1: Design Quality  
 SCLP11.2: Residential Amenity  
 SCLP11.3: Historic Environment  
 SCLP11.4: :Listed Buildings  
 SCLP11.7: Archaeology  
 SCLP11.8: Parks and Gardens of Historic or Landscape Interest  
 SCLP12.34: Strategy for the Rural Areas

## **8 PLANNING CONSIDERATIONS**

### Principle

- 8.1 Both the Area of Outstanding Natural Beauty (AONB) Management Plan, the existing planning policy (SP8) and emerging planning policies (SCLP4.5, SCLP6.1, SCLP6.2, SCLP6.3 and SCLP12.34) seek to enable tourism development in the form of improvements and small scale new developments within the countryside of the AONB, provided it is inclusive, sustainable and supports the conservation of the area., and complies with other requirements of the development plan, including those relating to biodiversity, noise and/or air pollution, landscape impacts and other environmental protection policies.
- 8.2 Therefore subject to the consideration of the other relevant planning policies within the existing and emerging local plan documents, and the associated material planning considerations, the principle of the creation of additional facilities associated with the existing outdoor educational activity centre use, would accord with existing planning policy SP8 and emerging planning policies SCLP4.5, SCLP6.1, SCLP6.2, SCLP6.3 and SCLP12.34.
- 8.3 When the previous school closed in 2016 and the Estate was put on the market there was a concern by the Council and Historic England that the estate would be divided up and elements sold separately, because to do so would have significantly harmed the character and setting of the designated heritage assets which are of national and international importance. At that time claims were also being made that new housing in the grounds (contrary to policy) was essential to ensure the upkeep and preservation of the listed buildings and the grounds and to undertake essential coastal defence work. The Council did not support this argument and sought to ensure appropriate marketing took place that retained the estate in tact, to ascertain if there was a demand for the re-use of this estate in a manner that sought to preserve its long term future.
- 8.4 The purchase of the estate by the applicant is considered beneficial in many ways not least because it means the estate is retained in one ownership. (Under the previous ownership some of the buildings that formed part of the estate were regrettably sold off, which has eroded its completeness). So far the use of the site as a children's activity/educational centre

(which did not require a change of use application for the part of the estate currently in use) has utilised a considerable number of the existing buildings and structures on the site in a manner consistent with their preservation. For example the walled garden is in use for archery and shooting activities, the stables and clock tower are in use as kitchen/dining facilities, and the Manor itself as well as former RAF buildings are used for guest accommodation. The grounds are also well used for various activities including a camping area and the various structures such as zip wires, climbing walls etc. Whilst these structures are not particularly conducive to a historic parkland they do not have the appearance of being permanent and by their very nature are removable interventions, and thus not considered to cause significant harm.

- 8.5 The applicants have also delivered and are in the process of delivering some estate enhancements. These include the reinstatement of the River Jordan, to the front of The Manor, a key objective of the Conservation Management Plan (CMP). Work is in progress on restoring the lemonary which is on the Council's building at risk register as well as repairing the walls and gates to the walled garden. A new sewerage treatment plant has had to be installed which also serves the public toilets nearby. Management of trees and woodland to enhance the setting of the buildings and provide new planting has been undertaken. A landscape strategy is also being formalised providing details of the maintenance and management of the formal garden areas such as the Italian garden, the sunken garden the terraces. The applicants have shown a willingness to implement the CMP.
- 8.6 Other significant work is required to maintain and protect the Estate include urgent repairs to the coastal defences, including the replacement of corroded sheet piling, the restoration of the Pulhamite cliffs (Grade II listed structure), replacement of a water supply pipe and replacement of outdated electrical supply.
- 8.7 All these works are at a substantial cost to the applicant, particularly the works required to prevent the estate being destroyed by coastal erosion. It is recognised that the lake is an important component to deliver its business objectives by providing water based activities to guests allowing the business to remain competitive in the market. The ability to provide water based activities by other means and elsewhere on the estate has been ruled out for a number of reasons as stated elsewhere the report and in the applicants letter appended to the report. These reasons are not considered unreasonable. Retaining a viable use for the Estate is imperative to securing its use and long term preservation of the designated heritage assets. This is one of a number of material considerations that needs to be weighed in the balance having regard to other issues raised below.

#### Impact on heritage assets including the historic parkland

- 8.8 As explained in 'Site Description' section of this report, this site lies within the historic parkland, and within the wider vicinity of a number of Listed Buildings. Therefore there is potential for direct and indirect impacts upon a number of heritage assets and their settings.
- 8.9 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, requires that in the determination of planning applications affecting Listed Buildings and/or their setting,



that the local planning authority *“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.”*

- 8.10 The key policies for the consideration of the impacts of this scheme upon the heritage assets are the NPPF, the existing adopted planning policies DM21, SSP37) and those within the emerging Local Plan (policies SCLP11.3, SCLP11.4 , SCLP11.7 and SCLP11.8), and the existing Supplementary Planning Guidance 6. These allow for development, whilst seeking to ensure that heritage assets, including Listed Historic Parklands and buildings, are conserved and enhanced, and where possible development makes a positive contribution to the historic environment.
- 8.11 The proposed lake and associated infrastructure of paths, shelters, planting and earthworks, does represent a new permanent landscape feature within the Estates Northern Park currently comprising agricultural grazing marsh. As such Historic England consider it will result in some degree of harm to the significance of the registered park and garden. National Planning Policy Guidance set out in the NPPF requires any harm to designated heritage assets to be justified (paragraph 194) and should be weighed against the public benefits (which can include heritage benefits) of the proposal (paragraphs 195 & 196).
- 8.12 Whilst Historic England note that the submitted supporting information has provided some further justification for the lake as part of an overall strategy to provide a sustainable use for the whole estate and describes how ensuring a solid business model allows continued investment in the management of the site and restoration of key features, but they consider that the justification put forward has failed to adequately address how this will be done.
- 8.13 The applicants confirm how the lake will form part of an overall strategy for the whole estate, will be set out within the Landscape Strategy that has been submitted under the discharge of conditions for the activity structures. However, the Strategy so far submitted does not sufficiently set out a clear action plan of what will be done and when. This needs to be done before issuing any planning consent for the lake is issued, so that planning conditions can be added requiring key restoration work to be done within a certain time frame. Whilst it has been raised by some objectors, such work should be secured by a S106 agreement, officers are satisfied conditions would be appropriate given the applicants have already commenced restoration of the Lemonary and walled garden and given that the restoration of the River Jordan, one of the objectives of the CMP, has been done.
- 8.14 Therefore in the absence of an agreed Landscape Strategy demonstrating how the activities lake will contribute to the implementation of the CMP and future investment in restoring, sustaining and/or enhancing the significance of the various heritage assets across the site the proposal would not meet paragraphs 194 and 196 of the NPPF. The applicants are currently in the process of amending the Landscape Strategy to reflect the requirements of Historic England and members will be updated on this matter. To address some of the other issues raised by Historic England the applicant has confirmed that only two shelters will be provided on the lakes edge, that all the equipment will be removed off site during the closed season (November to February) and that it is the intention to restore the orchard.

- 8.15 The Council's Landscape and Arboricultural Officer and the Principle Design and Conservation Officer concur with these views. The setting of the Manor itself would not be affected by the new lake given its position, visually and physically separated by a substantial tree belt. The lake would have a closer relationship to the Dairy Manor Complex, which are curtilage listed buildings, and whilst the change in ownership has diluted the direct functional relationship there is still a visual relationship. However given the design of the lake with planted promontories and inlets, perimeter planting and reed beds to break up the expanse of water it would help reduce adverse impacts to views, and given the lower level of the lake to the Dairy Manor Complex, it will not change the distant open views towards Ferry Road. It is thus considered the setting of these curtilage listed buildings will not be adversely affected by the lake.
- 8.16 The proposals to re-organise previously consented activity structures will have no greater adverse impact on the character or setting of the heritage assets than the scheme approved.
- 8.17 Thus in the event that an appropriate soft and hard Landscape Strategy can be agreed and its implementation controlled by condition, it is considered the harm caused to the historic parkland by the lake would be outweighed by the public benefits of securing the preservation of heritage assets, in accordance with the NPPF. The proposals would also accord with Development Plan policy SSP37 and supplementary planning guidance relating to Historic Parklands. It would also fulfil the requirements of the Act, in that it would form part of an ongoing program of works, which seek to preserve and enhance the heritage assets within the wider site.

#### Impact on the landscape and designated AONB and Heritage Coast

- 8.18 The site lies within the Suffolk Coast and Heaths Area of Outstanding Natural Beauty (AONB) and the Suffolk Heritage Coast where the NPPF, the existing Local Plan Policy SP15 and emerging Planning Policy SCLP10.4, seek to protect and enhance the scenic beauty and landscape character of these designated areas.
- 8.19 The application is supported by a Landscape and Visual Impact Assessment (LVIA), which considers impacts on landscape character and visual impacts.
- 8.20 The lake is proposed to be 1.5ha in area and would be situated on the part of the grazing meadow closest to the woodland belt that separates it from the Manor and its formal landscaped gardens. The prominence of the lake outside the parkland would be limited given the screening effects of woodland and trees on the edge of the parkland and within it. Only glimpses of the lake would be seen from Ferry Road given the lake's low lying nature and the existing roadside vegetation.
- 8.21 The most prominent views are from within the estate along the northern driveway and from the properties along its route, albeit there are some intervening trees that provide filtered views.
- 8.22 The shape of the lake with its irregular outline and partial sub-division across the centre together with reed bed planting helps to reduce the visual impact of the open body of water

and the activities taking place on it. It has a natural appearance with the activity areas being screened by additional tree planting. The amount of shelters (comprising small timber open fronted structures, 1.5m high) around the lake has been kept to a minimum, at two, to reduce visual impact. It is also the intention to remove the canoes and raft building equipment during the period the lake is not used which will be beneficial over the winter months when the screening by trees will be less effective.

- 8.23 The Council's Landscape and Arboricultural Manager having reviewed the context of the site within the AONB and within the context of the various prevailing landscape character assessments considers the creation of the lake will not be of a significantly adverse impact on landscape character. He considers that with the right marginal planting there will be no significant adverse visual impacts arising. The revised plans reducing the size of the lake and adding islands will further reduce the visual expanse of open water and provide further marginal planting areas.
- 8.24 The spreading of the spoil from the excavation of the lake onto those parts of the estate which are of low ecological value and subsequently managed as flowering meadow is both a positive landscape and visual gain.
- 8.25 It is not considered the proposals will adversely affect the tranquillity of the AONB landscape given that various studies, such as the Deben Estuary Plan, do not show the area around Bawdsey Manor as being of a high level of tranquillity. The Bawdsey Quay area is recognised to be very popular with visitors with many making use of the ferry to Felixstowe and the Deben Estuary Plan effectively encourages visitors to this area to lessen the disturbance to other more sensitive sites.
- 8.26 The proposals are thus not considered to cause harm the special qualities of the AONB and Heritage Coast both in terms of its scenic beauty and tranquillity.

#### Ecological/biodiversity impacts

- 8.27 The NPPF, adopted Local Plan policies SP14 and DM27, and emerging Local Planning Policies SCLP10.1 and SCLP10.2, seek to protect the biodiversity and geodiversity value of land and buildings and maximise the opportunities for enhancement. They also seek to avoid development that would cause a direct or indirect adverse effect to the integrity of European Protected sites and priority habitats, unless appropriate mitigation/compensation measures are provided.
- 8.28 The site is close to the River Deben Estuary SPA, Ramsar and SSSI and the Suffolk Wildlife Trust (SWT) have concerns that a Habitat Regulations Assessment (HRA) has not been undertaken and suggest the views of Natural England (NE) be sought. No response has been received from NE.
- 8.29 The applicants recognise in their ecological assessments that the proposals will result in some loss of habitats used by foraging bats, common lizard, invertebrates, harvest mice,

badgers and breeding birds and that it will result in the loss of 2.6 ha of grazing marsh and 256m of ditches. The reports state the quality of the grassland is poor, through lack of grazing and increased drying out. The ditches do not have significant standing water or flows. It is however stated that the habitat to be created by the lake proposals has the potential to be high resulting in an overall net ecological gain. Positive ecological/biodiversity benefits of the scheme include the creation of reedbeds, wet grassland on the water's edge, and the creation of three ponds to attract a wide variety of wildlife. The lake itself has potential for use by over-wintering birds when the lake will not be in use.

- 8.30 The applicant has undertaken more survey's to address the short comings raised by SWT and RSPB and prepared a shadow HRA, notwithstanding NE's lack of confirmation one is required. Further water vole survey's have found them to be present and a licence will be required from NE to re-locate them. A method statement is to be submitted detailing how this is to be done and the mitigation measures that will be undertaken. These reports are being assessed by the Council's ecologist in consultation with NE and SWT and the conclusions given in the Members update sheet.
- 8.31 Subject to the receipt of an appropriate method statement, specifying the required mitigation measures, and appropriate conditions to ensure that these measures are secured alongside the other ecological enhancements, this scheme would accord with the aims of the NPPF, adopted Local Planning Policies SP14 and DM27, and emerging planning policies SCLP10.1 and SCLP10.2.

#### Impact on residential amenity

- 8.32 Paragraph 127, adopted Local Plan Policy DM23 and emerging Planning Policy SCLP11.2, seek to ensure all new development does not result in significant harm to the amenity of residents living nearby.
- 8.33 There have been a considerable number of objections raised from those living in and around the estate. A key concern raised is the potential noise and disturbance from the activities on the lake and the change in character of this part of the estate, which has always been in agricultural use, and never been used by the former school use.
- 8.34 There are also concerns from Environmental Services on the issue of noise in that insufficient information has been submitted to be confident that nuisance to neighbouring residents would not occur. Last year there was some complaints made by nearby residents to the noise generated by the guests on site and when using the activity equipment. None of these complaints were substantiated and there has been significant cooperation from the site manager to fine tune the management of noise.
- 8.35 The applicant is collating more information on this aspect which will be submitted for review by Environmental Services, the outcome of which will be confirmed on the Members update sheet.
- 8.36 At the closest point, the boundary of the curtilages of residential properties closest to the lake would be approximately 13-15m away. Therefore there would be potential for noise generated by activities on the lake to be heard within the gardens of nearby residential properties. However, in determining this application, the Local Planning Authority must

consider whether the potential levels of noise and disturbance would be of significant to cause sufficient material harm or otherwise.

- 8.37 The applicants in an attempt to address potential noise problems have sought to limit the number of participants on the lake to 80 at any one time, and to limit this by half on Sundays and 75% on Saturdays. Use of the lake will be restricted to daytime (9am to 5pm) and there would be a maximum of four sessions a day. The morning sessions are between 9am and midday and the afternoon sessions are between 2pm and 5pm. The number of sessions will drop outside peak periods, which total 13 weeks of the year. Access to the lake will be restricted to prevent use beyond the periods specified. Furthermore around half of the raft building sessions will take place on the River Jordan to reduce the amount of activity taking place on the lake.
- 8.38 The applicant has submitted details of a noise management plan setting out how noise on the site will be managed and monitored by staff. When the lake is being used staff will be on the lake with the guests so will not be shouting instructions from the banks of the lake. Access to the lake from the rest of the site will be routed away from the residential properties and singing restricted. Staff will make participants aware of noise sensitive zones.
- 8.39 As explained in the applicant's letter of 8 March 2019, , given the need for a certain amount of instruction on canoeing, teaching the technique of paddling and basics of canoeing as well as the safety aspects, to be given by instructors on the water rather than the banks, the potential for noise is not as great as some of the other activities on offer. With raft building a significant proportion of the time on the activity is spent constructing the rafts on land, with only 15minutes spent on the water.
- 8.40 Whilst acknowledging that this proposal will no doubt cause some noise intrusion the level of disturbance can hopefully be further assessed on receipt of the additional information, and having regard to the level of usage and the nature and timing of the noise. The applicants intentions to re-position some of the activity structures already consented, but not yet installed, further from residents properties is to try and distance potential noise disturbance to neighbouring residents. They will also mean the structures are less visible to neighbours.
- 8.41 In terms of residential amenity issues such as outlook and visual impact, it is considered the proposed lake, given it is low lying nature, will not cause harm to residents amenity, as it will not block any outlook currently experienced, some of which are already filtered by existing trees.
- 8.42 Therefore, subject to the additional noise information being considered acceptable by the Head of Environmental Services, and the inclusion of appropriate conditions to control the use of the lake, the scheme would accord with the NPPF, adopted and emerging planning policy in terms of residential amenity.

#### Impact on highway safety

- 8.43 The adopted and emerging planning policies relating to achieving sustainable development and specifically to this type of development, seek to ensure that developments would not adversely affect highway safety.
- 8.44 The Highway Authority has not raised any concerns to the position of the temporary access onto Ferry Road subject to conditions requiring the details of the temporary access and the submission of a Deliveries Management Plan to monitor HGV movements during construction.
- 8.45 The spoil is proposed to be in part deposited on a car park towards the northern end of the site. However, this car park is disused, and therefore parking provision on site is not considered to be detrimentally affected.
- 8.46 The use of the proposed lake is to be associated with and ancillary to the existing use of the site as an activity centre, and would be used by 'guests' of the site rather than being open to the wider public. Therefore in the view of officers there would be no significant increase in demand for parking.
- 8.47 Therefore, subject to appropriate conditions relating to the temporary access and Deliveries Management Plan, the scheme is acceptable in terms of parking provision and highway safety.

#### Flood risks/surface water drainage

- 8.48 The NPPF, adopted Local Planning Policy DM28 and emerging Planning Policies SCLP9.5 and SCLP9.6 relate to the consideration of Flood Risk, and seek to ensure sustainable methods to deal with surface water are achieved.
- 8.49 The Environment Agency has raised no objections, to the scheme which is supported by a Flood Risk Assessment (FRA). It is considered the proposal satisfies the requirements of the NPPF regarding passing a Sequential Test. Given the lake is specific to applicants operation it is impractical to consider sites beyond their ownership. No other site is available at a lower of risk flooding which could accommodate the development.
- 8.50 The FRA considers flood risk from all sources and concludes the development is appropriate and provided the measures in the FRA are applied should be sustainable and safe in flood risk terms. As the water level of the lake will be lower than the current site level there will be an increase in flood storage capacity.
- 8.51 The conditions recommended by the Environmental Agency will be applied to any consent granted. There is already a Flood Evacuation Plan in place for the site. The potential flood risks can thus be managed and therefore accord with the NPPF, adopted Local Plan policy DM28 and emerging Local Planning Policies SCLP9.5 and SCLP9.6

### Contamination impacts

- 8.52 The NPPF, adopted Local Planning Policy DM32, and Emerging Local Plan Policy SCLP10.3 require the consideration of impacts upon environmental quality from potential sources of pollution and contamination, including noise, water quality and land based contamination.
- 8.53 The potential issues arising in terms of noise have been considered in the residential amenity section of this report.
- 8.54 A report has been submitted that found no significant potential sources of land based contamination, that there is low/moderate risk in relation to contamination and no further assessment is recommended. The Council's Environmental Protection team have not raised any objections regarding contamination. Material excavated would be re-used in accordance with the appropriate regulations.
- 8.55 Therefore the scheme would accord with planning policy in this respect.

### Other Matters

- 8.56 Whilst the eastern side of the Bawdsey Manor Estate lies within the Coastal Management Change Area 30m buffer, the site of the proposed lake and associated features lie outside the zone. Therefore there are no direct
- 8.57 Several objectors and the Parish Council requested the lake be sited on the West lawns in front of the Manor. Historic England sets out below why this is not considered an appropriate option:-

*"Historic England has provided advice on the previous [withdrawn] application for the new lake in letters dated 02/09/2018 and 13/11/2018, and for the current application in a letter dated 09/04/2019. Prior to this we gave pre application advice to inform the proposal, letter dated 23/10/2017. We understand the proposal has raised concerns locally and in this context there has been suggestion that the option for siting a lake on the West Lawn is revisited. We hope the following is helpful in clarifying our advice on this in terms of the historic environment issues.*

*As our earlier letters state, Historic England have had a long standing engagement with Bawdsey Manor Estate. It is one of our long-running 'Heritage at Risk' (HAR) cases - the Grade II registered park and garden has been included in Historic England's HAR Register for the East of England since 2009. We have advised on a number of proposals made by PGL since its acquisition of the site in 2017, covering both the HAR aspects of the site and their proposals for development of their outdoor education operations.*

*At the pre application stage we considered PGL's plans to create two new lakes: one within the West Lawn and another within the grazing marsh north east of the Manor House between Ferry Road and the Manor Dairy complex. At the time, we expressed concerns about introducing such major new elements within an historic designed landscape which never included any water bodies of great size: likely due to the proximity and views of the River Deben and the North Sea, the internal water bodies were modest, comprising the*

*River Jordan and small lake (now filled in and lost underneath the car park at Bawdsey Quay). We advised that PGL would need to provide a clear and convincing justification for the likely harm as required by the National Planning Policy Framework (NPPF).*

*Of the two locations, we conveyed that the site within the marsh may provide greater scope for accommodating a new, sensitively designed lake given its separate character and the visual and physical separation from the core of the designed landscape afforded by topography and existing vegetation.*

*We expressed serious concern about how the proposed location in the West Lawn would fundamentally change the character of the landscape here which was designed as open lawn leading up to the manor. The West Lawn is at the core of the historic estate and is a fundamental element in views to and from the Manor House, surrounding terraces and the tree-lined west drive, the main approach to the house. The introduction of the lake would also detract from the key historic water feature in this area of the landscape which has recently been restored, the River Jordan. The introduction of not just the lake itself, but the associated facilities and activity would cause a high level of harm to the significance of the registered park and garden as well as the setting of the Manor House. The NPPF requires great weight to be given to the conservation of heritage assets (paragraph 193) and any harm requires clear and convincing justification (paragraph 194), including consideration of alternative options that either avoid or minimise such harm. Thus, if a planning application were to come forward for a lake on the West Lawn, then we anticipate that we would object on heritage grounds given that the location north east of the Manor House (as proposed within this application) has less impact on the historic environment."*

8.58 In addition to the above comments, the relationship with residential properties is also a consideration. Part of the west lawns (west of the drive) is in fact just as close to other residential property as the current proposals.

8.59 Therefore the currently proposed location is considered to be the most appropriate in terms of potential impacts upon heritage and residential amenity.

## **9 CONCLUSION**

9.1 The purchase of the Bawdsey Manor Estate by the applicant has protected it from piecemeal disposal. The fact that the owner is putting most of the buildings to a beneficial use is fundamentally positive. The application provides the context for PGL's ongoing investment and justification for the lake proposals. Providing the benefits accruing from the commercial success of the business is linked to actual restoration projects and implementation of the CMP set out in an agreed Landscape Strategy it is considered the heritage benefits would outweigh the harm that would be caused by the lake.

9.2 It is important to ensure that the proposals will not cause a direct or indirect affect on the integrity of European sites and priority habitat. Clarification of this is still outstanding until further assessment is made of the additional ecological reports and shadow HRA.



- 9.3 The impact on the amenity of neighbours is also an important consideration. Further noise assessments have been submitted and are currently under review. Planning conditions controlling the numbers using the lake and timing will also help to address amenity issues.

## 10 RECOMMENDATION

**AUTHORITY TO APPROVE** subject to the resolution of outstanding matters relating to a Landscape Strategy, ecological effects and noise being satisfactorily resolved and subject to the following controlling conditions, and any additional conditions identified through the assessment of the outstanding documents:-

- 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 *(list of documents to be inserted here, final documents yet to be agreed)* received *(dates of receipt to be inserted)*, 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 Not more than 80 participants shall use the lake at any one time.

Reason: In the interests of protecting the amenity of nearby residents

- 4 The lake shall not be used between 14th November and 10th February the following year. At all other times of the year the lake shall not be used for activities before 9am and after 5pm.

Reason: In the interests of residential amenity.

- 5 Prior to works commencing on the excavation to create or the construction of the shelters, the lake, detailed construction drawings shall be submitted to and approved by the local planning authority. The details shall include the level changes and grading of land around the lake, details of the activity stations, the exact locations of the timber shelters and their appearance and materials, details of materials for all hard surfaced areas. Only the approved details shall be implemented.

Reason: To ensure the satisfactory appearance of the development in the interests of visual amenity and the preservation of the historic parkland.

- 6 None of the existing woodlands, tree belts, groups of trees and individual trees shown to be retained on the approved drawings shall be uprooted, felled, wilfully damaged or in any other way destroyed or removed without the prior written consent of the local planning authority. Any trees or hedgerow removed, dying, being severely damaged or becoming seriously diseased within five years of the completion of the development shall be replaced during the first available planting season with trees and/or shrubs of a size and species which have previously been agreed by the local planning authority.

Reason: To safeguard the visual amenity provided by the trees and hedgerows and to safeguard the character of the Historic Park and Garden.

- 7 Prior to work commencing on the excavation to create the lake, a materials management plan providing details of how the material excavated will be distributed, deposited and managed across the site shall be submitted to and approved by the local planning authority. The development shall proceed only in accordance with the submitted details.

Reason: In the interests of amenity and the protection of the local environment.

- 8 Within 3 month(s) of commencement of development, satisfactory precise details of a full planting schedule (which shall include species, size and numbers of plants to be planted) shall be submitted to and approved 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 and improving the biodiversity of the site.

- 9 The ecological mitigation and enhancement measures detailed in the hereby approved Ecological Reports (*to be specifically referenced on receipt*) shall be implemented in full.

Reason: To protect and enhance the biodiversity and geodiversity value of the site.

- 10 The works listed in the hereby approved Landscape Strategy shall be implemented in full within the timeframes stated unless otherwise agreed with the local planning authority. (*This condition may make specific reference to particular works once the final Landscape Strategy is agreed*)

Reason: In the interest of securing the maintenance/restoration of designated heritage assets.

- 11 The development hereby permitted shall be carried out in accordance with the submitted Flood Risk Assessment (FRA) and the following mitigation measures detailed within the FRA:  
- Finished water levels for the lake are set no higher than -0.1 metres above Ordnance Datum (AOD)

The mitigation measures shall be fully implemented prior to first use in accordance with timing/phasing arrangements embodied within the scheme, unless otherwise agreed with the local planning authority.

Reason: To reduce the risk of flooding.

- 12 The development shall be carried out in accordance with the submitted Landscape and Visual Appraisal and the following measures detailed within the appraisal:

-The 24,260 cubic metres of excavated substrate must not be deposited within either Flood Zone 3 or Flood Zone 2.

Reason: To reduce the risk of flooding

- 13 Prior to the commencement of the excavation works to create the lake, details of the proposed temporary access (including the position of any gates to be erected and visibility splays provided) have been submitted to and approved by the Local Planning Authority. The approved access shall be laid out and constructed in its entirety prior to construction of the lake commencing. Thereafter the access shall be retained in its approved form until construction is complete, where upon it shall be removed within 1 month, and the highway verge restored in accordance with details previously agreed with the local planning authority .

Reason: To ensure that the access is designed and constructed to an appropriate specification and made available for use at an appropriate time in the interests of highway safety and the highway verge is satisfactorily re-instated.

- 14 All HGV movements to and from the site during construction shall be subject to a Deliveries Management Plan which shall be submitted for approval a minimum of 28 days before any deliveries of materials commence. No HGV movements shall be permitted to and from the site other than in accordance with the routes defined in the plan. The Plan shall include measures to deal with complaints.

Reason: To reduce the effect of HGV movements in the interests of residential amenity and the protection of the local environment.

- 15 All landscape works shall be carried out in accordance with the approved details, on completion of the lake or in accordance with a programme agreed with the Local Planning Authority; and any trees or plants which, within a period of five years from completion of the development, die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species unless the Local Planning Authority gives written consent to any variation; all works shall be carried out in accordance with the relevant provisions of appropriate British Standards or other recognised Codes of Good Practice.

Reason: In the interest of securing the maintenance/restoration of designated heritage assets, visual amenity and the protection of the local environment.

- 16 In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken

and where remediation is necessary a remediation scheme must be prepared, which is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval of the Local Planning Authority.

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.

- 17 The development shall take place in compliance with the implementation of a programme of archaeological investigation, as described in the approved Written Scheme of Investigation which has been submitted as part of the application to the Local Planning Authority.

Reason: To safeguard archaeological assets within the approved development boundary from impacts relating to any groundworks associated with the development scheme and to ensure the proper and timely investigation, recording, reporting and presentation of archaeological assets affected by this development, in accordance with Strategic Policies SP1 and SP 15 of Suffolk Coastal District Council Core Strategy Development Plan Document (2013) and the National Planning Policy Framework (2012).

**BACKGROUND INFORMATION:**

See application ref: DC/19/1022/FUL  
at [www.eastsuffolk.gov.uk/public-access](http://www.eastsuffolk.gov.uk/public-access)