



Committee Report

Planning Committee - 14 July 2020

Application no DC/20/1570/FUL

Location

Dairy Farm
Southwold Road
Holton
Halesworth
Suffolk
IP19 9JR

Expiry date 21 June 2020 (Extension of time agreed until 17 July 2020)

Application type Full Application

Applicant Mr & Mrs Roy & Sally Garland

Parish Holton

Proposal Erect a single storey building to be used as a small farm diversification scheme offering holistic well-being day retreats, workshops, tai cafi, meditation, relaxation sessions, reiki sessions. Provide associated parking a contemplation walk and designated seating.

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1. Summary

- 1.1. The application seeks planning permission for the construction of a single storey building to offer holistic well-being day retreats at Dairy Farm, Holton. This would comprise workshops, tai cafi, meditation, relaxation sessions, reiki sessions and a contemplation walk.
- 1.2. Currently farm assured quality beef is produced at Dairy Farm, the proposal is put forward as a small farm diversification scheme to supplement the income from the primary business on the site. The applicant currently delivers similar such treatments in care facilities within the district and would like some stability due to the likely loss of their current premises within Miles Ward Court in Halesworth.

- 1.3. The Local Plan does not support the principle of the proposed building as the site is not within a settlement boundary or an allocated employment site and in countryside locations only supports the re-use of existing buildings for such purposes.
- 1.4. Officers consider that this is reasonably sustainably location; it is close to Holton and could be accessed by various forms of sustainable transport. Furthermore, the applicant is currently located in an employment site not allocated in the Local Plan, which is therefore under threat from redevelopment and it has been demonstrated that this particular use is not suited to a typical 'Industrial estate' setting and could not realistically be delivered on an allocated employment site
- 1.5. The application is before members as a departure from the Local Plan, officers are seeking authority to approve the application.

2. Site description

- 2.1. Dairy farm comprises the main farmhouse, an unlisted building of traditional character. This property is situated side on to the road frontage with Southwold Road and the residential curtilage continues along the roadside edge separated by a tall native species hedge. To the front of the property is a modern single storey brick and pantile building used for ancillary purpose to the residential property.
- 2.2. The main farm buildings are small in scale and modern in appearance situated close to the farmhouse and primarily serve the land on the opposite side of Southwold Road. The house and farm buildings are accessed from a shared access onto Southwold Road.
- 2.3. This site is situated between the villages of Holton and Blyford, approximately 800m from the settlement boundary of Holton. Holton and Blyford benefit from a footpath between the two villages which passes the site and is also served by a bus service.
- 2.4. The site is within a sensitive landscape area, situated within the Blyth Valley.

3. Proposal

- 3.1. The proposal is for the erection of a single storey building to be used as a small farm diversification scheme offering holistic well-being day retreats, workshops, tai cafi, meditation, relaxation sessions, reiki sessions. Provide associated parking a contemplation walk and designated seating.
- 3.2. The building would be situated in a Westerly position in relation to the main farmhouse measuring 9.4 x 4.7 metres in floor area and 5.3 metres in height. It would be constructed in an oak frame with brick infills and clay peg tiles.

4. Consultations/comments

- 4.1. No third-party representation received.

Consultees
Parish/Town Council

Consultee	Date consulted	Date reply received
Holton Parish Council	28 April 2020	No response
Summary of comments: No comments received.		

Statutory consultees

Consultee	Date consulted	Date reply received
Suffolk County - Highways Department	28 April 2020	14 May 2020
Summary of comments: No objection subject to conditions.		

Consultee	Date consulted	Date reply received
Suffolk Fire and Rescue Service	N/A	2 June 2020
Summary of comments: General comments with relation to access, firefighting facilities and water supplies.		

Non statutory consultees

Consultee	Date consulted	Date reply received
Landscape Team (Internal)	1 May 2020	15 May 2020
Summary of comments: Internal - Comments included in body of report.		

Consultee	Date consulted	Date reply received
Environmental Protection (Internal)	28 April 2020	22 May 2020
Summary of comments: No objection subject to unexpected contamination condition.		

Consultee	Date consulted	Date reply received
Disability Forum	28 April 2020	4 May 2020
Summary of comments: Comments - the proposal should comply with Part M of the building regulations in terms of access.		

Consultee	Date consulted	Date reply received
Economic Development (Internal)	14 May 2020	5 June 2020
Summary of comments: In support.		

5. Publicity

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

Category	Published	Expiry	Publication
Departure	26 June 2020	17 July 2020	Beccles and Bungay Journal

Category	Published	Expiry	Publication
Departure	26 June 2020	17 July 2020	Lowestoft Journal

Site notices

General Site Notice	Reason for site notice: General Site Notice
	Date posted: 1 May 2020
	Expiry date: 26 May 2020

6. Planning policy

- 6.1. Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that “*where in making any determination under the planning Acts, if regard is to be had to the development plan, the determination shall be made in accordance with the plan unless material consideration indicates otherwise*”.
- 6.2. National Planning Policy Framework (NPPF) (2019)
- 6.3. National Planning Policy Guidance (NPPG)
- 6.4. The East Suffolk Council - Waveney Local Plan was adopted on 20 March 2019 and the following policies are considered relevant:

- WLP1.1 – “Scale and Location of Growth”
- WLP1.2 – “Settlement Boundaries”
- WLP8.12 – “Existing Employment Areas”
- WLP8.13 – “New Employment Development”
- WLP8.14 – “Conversion and Replacement of Rural Buildings for Employment Use”
- WLP8.21 – “Sustainable Transport”
- WLP8.29 – “Design”
- WLP8.35 – “Landscape Character”

7. Planning considerations

Principle:

- 7.1. Development proposals that create employment growth or provide services and facilities should generally be situated within the settlement boundaries as highlighted on the policies map with WLP1.2 "Settlement boundaries"; such areas are more accessible and provide better opportunities for access by sustainable means such as walking, cycling and public transport as encouraged by policy WLP8.21 "Sustainable transport".
- 7.2. In rural locations priority is given to the re-use of existing buildings in the countryside as highlighted in Policy WLP8.14, "Conversion and Replacement of Rural Buildings for Employment Use" in order to lessen the impact on the surrounding landscape. In this case there is not this opportunity as the buildings on the site are within agricultural use.
- 7.3. Policy WLP8.13 "New Employment Development" supports new development outside of settlement boundaries where it would not have a significant adverse impact on surrounding land uses and where:
 - An additional need for employment development has been demonstrated or;
 - there is no land available within existing employment areas, existing employment allocations or within settlement boundaries to accommodate the proposals.
- 7.4. Whilst the Local plan does not have a policy on farm diversification, Paragraph 83 of the National Planning Policy Framework (NPPF) supports a prosperous rural economy where the development and diversification of agricultural and other land-based rural businesses is proposed.
- 7.5. In this case the applicants business is situated at Miles Ward Court which is centrally located in Halesworth, these premises are not within an employment area as highlighted on the Local Plan policies maps and therefore do not receive the policy protection of that which is afforded to designated employment sites. Therefore, the site is under threat from the potential change of use of the site and the applicant's business is uncertain in that location; this proposal would provide stability for this small-scale business.
- 7.6. Furthermore, given that the ethos of the business is of relaxation and mental wellbeing the setting provided by a typical employment site is not compatible with the proposed use. Given that a strategic priority of the Local plan (No.1) is to improve health, wellbeing and education opportunities for the population, it is considered that the principle of a

departure from the Local Plan in terms of the location of this business outside of an employment area is justified in this instance, subject to compliance with other policies of the Local Plan and material considerations.

Landscape impact/Design:

- 7.7. The site is within a sensitive landscape area, situated within the Blyth Valley character Area: B2 as shown within the Landscape Character assessment (2008).
- 7.8. Policy WLP8.35 "Landscape character" requires that proposals for development are sympathetic to, the distinctive character areas, strategic objectives and considerations identified in the Waveney District Landscape Character Assessment (2008). This policy expects development proposals to demonstrate that their location, scale, form, design and materials will protect and where possible enhance the special qualities and local distinctiveness of the area and include measures to enable a scheme to be well integrated into the landscape.
- 7.9. Due regard has been given to the sensitive river valley setting, the proposed location for the building is within the garden setting of the farmhouse, and is itself well screened to the south and is not prominent in the wider river meadow landscape. The building is well designed and proposed to be constructed in materials that are appropriate to the local vernacular and is of a scale and appearance that is appropriate to its surroundings and would therefore meet the requirements of Policy WLP8.29 "Design". The site is well screened from the road by an existing elm hedge, and views from the south are only relevant for users of the PROW, which is some distance to the south, indeed south of the river near Mells. Therefore, visually the impacts will be negligible, and it is not considered that any adverse landscape effects would arise from its construction.
- 7.10. The proposal would therefore be sympathetic to and will protect the special qualities and local distinctiveness of the area and would comply with the requirements of Policy WLP8.35.

Highways:

- 7.11. It is proposed that the existing access, parking and turning area which is already available and used by the farmhouse would be utilised for this proposal. Although there is an unrestricted speed limit the visibility is very good from this access and there is no objection on highway safety grounds. It is therefore considered that the proposal would comply with the requirements of Paragraph 108 and 109 of the NPPF, which ensures that safe and suitable access to the site can be achieved for all users and that the development does not result in an unacceptable impact on highway safety.

Sustainable transport:

- 7.12. Policy WLP8.21 - "Sustainable Transport" states that development proposals should encourage people to travel using non-car modes and that (inter alia) are proportionate in scale to the existing transport network.
- 7.13. Given the size of the building the impact on the surrounding transport will be minimal. As discussed in the previous section the access is suitable for additional vehicular movements.

In terms of access to the site by non-car modes, this site is served by a footpath, bus service and is in close proximity to National Cycle Route 1. It is therefore considered that this site is accessible by modes of transport other than the private car and the scale of the use is proportionate in scale to the transport network as required by this policy.

Other matters – Contamination:

- 7.14. Given the agricultural use of the site a condition ensuring that any suspected contamination encountered during development is dealt with appropriately is required.

8. Conclusion

- 8.1. The principle of development is contrary to the Local Plan spatial strategy policies WLP1.1 and WLP1.2; along with specific employment policies WLP8.12, WLP8.13 and WLP8.14 - which, in combination, seek to deliver employment growth within existing settlement boundaries; within existing employment areas (or adjacent to those areas); and through conversion of existing rural buildings.
- 8.2. Section 38 (6) of the Planning and Compulsory Purchase Act 2004 states that determination of applications shall be made in accordance with the plan unless material consideration indicates otherwise.
- 8.3. In this case, as explained within the report, the applicant is currently situated within a premises which is under threat from redevelopment, due to the nature of this use it would be impractical to be situated in a designated employment site due to the industrial nature of such sites.
- 8.4. The site is considered to be reasonably well located in terms of accessibility by forms of sustainable transport as required by Policy WLP8.21. The proposal would be a form of farm diversification as encouraged by Paragraph 83 of the NPPF. In this instance it is considered that a departure from the Local Plan is justified which would bring some minor rural economic benefit as well as providing a service in support of health and wellbeing which are strategic objectives of the Local Plan. The benefits of the proposal are therefore considered to outweigh the harm. Thus, planning permission should be granted.

9. Recommendation

- 9.1. **AUTHORITY TO APPROVE**, subject to no new material planning objections being received within the prescribed consultation period, and subject to the following conditions:

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 the Site Plan doc 08, Block Plan doc 09 and drawing no AS1, AS2, AS3, AS4 received on

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

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

4. The premises shall be used only as a holistic well-being day retreat and for no other purpose whatsoever, (including any other purpose in Class D1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987) or in any provision equivalent to that Class in a statutory instrument revoking and re-enacting that Order with or without modification.

Reason: To retain control and enable consideration as to whether other uses in the Use Class would be satisfactory in this area.

5. The use shall not commence until the area(s) within the site shown on Document 9 for the purposes of [LOADING, UNLOADING,] manoeuvring and parking of vehicles has been provided and thereafter that area(s) shall be retained and used for no other purposes.

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

6. In the event that contamination is found or suspected at any time when carrying out the approved development it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be completed in accordance with a scheme to assess the nature and extent of the contamination on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons 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 scheme must be prepared and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation. The approved remediation scheme must be carried out in accordance with its terms. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works. Following completion of measures identified in the approved remediation scheme, a verification report (referred to in PPS23 as a validation report) that

demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority."

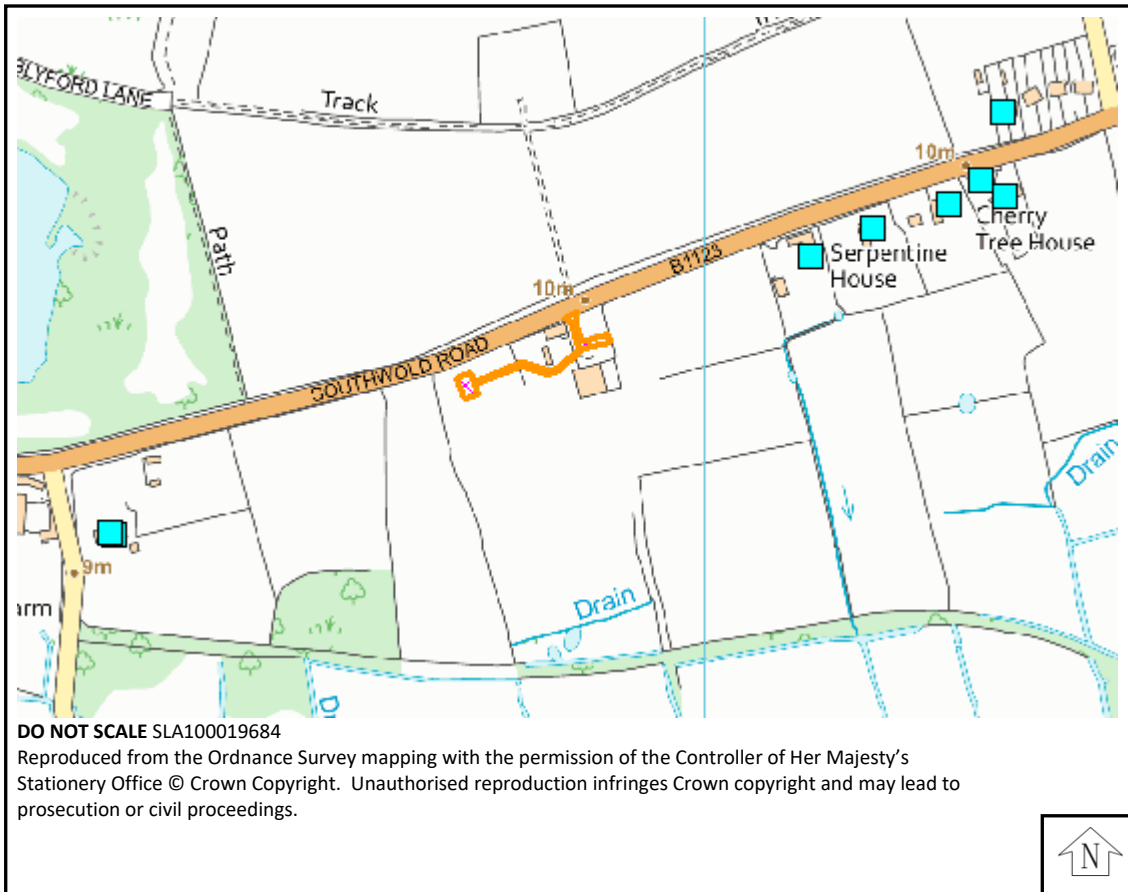
Informatives:

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 information

See application reference DC/20/1570/FUL at <https://publicaccess.eastsuffolk.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=Q9AI44QX06O00>

Map



Key

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