

## **Development Control Committee 4 September 2019**

### **Planning Application DC/18/1712/FUL – Bridgelands Farm, Newmarket Road, Cowlinge**

<b>Date Registered:</b>	29.08.2018	<b>Expiry Date:</b>	28.11.2018 (E.o.T:17.08.2019)
<b>Case Officer:</b>	Ed Fosker	<b>Recommendation:</b>	Approve Application
<b>Parish:</b>	Cowlinge	<b>Ward:</b>	Withersfield
<b>Proposal:</b>	Planning Application - (i) Conversion of two existing barns into holiday accommodation, (ii) a new-build timber framed treehouse venue space (iii) associated low impact 'no-dig' vehicle access and car parking and (iv) associated landscaping.		
<b>Site:</b>	Bridgelands Farm, Newmarket Road, Cowlinge		
<b>Applicant:</b>	Mrs Gemma Bailey		

**Synopsis:**

Application under the Town and Country Planning Act 1990 and the (Listed Building and Conservation Areas) Act 1990 and Associated matters.

**Recommendation:**

It is recommended that the Committee determine the attached application and associated matters.

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## **Background:**

**This application was called to the Development Control Committee by the previous (St Edmundsbury Borough Council) Ward Member, Councillor Jane Midwood, and is also presented in light of the objection received from Cowlinge Parish Council.**

**The matter has not been considered by the Delegation Panel as this is a 'major' application which falls outside of the Delegation Panel regime and instead is presented directly to the Development Control Committee.**

**A site visit is scheduled to take place on Monday 2 September 2019.**

## **Proposal:**

1. The proposals relate to the construction of a tree lodge building which will be a multi-use venue and ceremony buildings to create a sustainable wedding and event business at the farm along with wider enhancements to the parkland, woodland and wider biodiversity on the site.
2. The new multi-use venue and ceremony building will be located on the edge of the woodland, with visitor accommodation to be provided through the conversion of the barns to the north, within the farm complex. The existing ponds will be restored and the pump house will be converted to a guest reception building.
3. The buildings will be used primarily for weddings and other events which will largely be restricted to weekends, and the accommodation is indicated to be restricted to minimum two night stays as an operation criteria of the owners and will be used integrally with the uses that are undertaken in the venue building. It is intended that the venue will also be used for other events, including educational events, workshops and demonstrations, art and craft exhibitions, cookery and local produce events, corporate employee events, fundraising events, dinners and 'pop-up' food events. With a maximum of two per week (Sunday to Monday inclusive).

## **Application Supporting Material:**

4. Application Form  
Site Plan  
Existing and Proposed Plans  
Elevations  
Sections  
Site masterplan plan  
Planning/Design and Access Statement  
Landscaping Details  
Land Contamination Assessment  
Ecological Assessment  
Biodiversity Survey and Report  
Tree Survey/Arboricultural Impact Assessment  
Transport Statement  
Noise Impact Assessment  
Flood Risk Assessment/Report

## Site Details:

- The site is an active farm that currently undertakes arable and game farming. The site is accessed from Newmarket Road to the north via a long driveway that leads to a farmyard with a number of buildings and large areas of hardstanding. The buildings to the north are in active agricultural use but the buildings to the south now stand empty following relocation of a scaffolding firm that occupied three of the buildings and an open storage yard to the south where the yard adjoins the wider farmland. The farmhouse lies to the east of the yard. To the south of this main yard is open agricultural land with areas of woodland further to the south which areas of more formal parkland lying to the south west, which extend southwards to the former Branches Park estate, a landscape which is understood to be a Capability Brown designed landscape. Within the woodland, lies a pond, a pumping station building and a well, features that survive from the former Branches Park estate. These areas are undermanaged and currently are in poor condition.

## Planning History:

6.

<b>Reference</b>	<b>Proposal</b>	<b>Status</b>	<b>Decision Date</b>
DC/14/0282/AG1	Determination in Respect of Permitted Agricultural Development - Erection of agricultural building for storage of grain	Not Required	11.03.2014
DC/14/0727/HPA	Householder Prior Approval - Single storey rear extension which extends beyond the rear wall of the original house by 8 metres with a maximum height of 4 metres and a height of 2.24 metres at the eaves.	Not Required	09.06.2014
DC/17/0646/PA	Prior Approval Application under Part 3 of the Town and Country Planning (General Permitted Development) (Amendment and Consequential Provisions) (England) Order 2015 - Change of use from storage building (Class B8) to create 2no. dwellings (Class C3)	Application Granted	02.06.2017
DC/17/0647/PA	Prior Approval Application under Part 3 of the Town and Country Planning	Application Granted	02.06.2017

	(General Permitted Development) (Amendment and Consequential Provisions) (England) Order 2015 - Change of use from storage building (Class B8) to create 2no. dwellings (Class C3)		
DC/18/1712/FUL	Planning Application -(i) Conversion of two existing barns into holiday accommodation, (ii) a new-build timber framed treehouse venue space (iii) associated low impact 'no-dig' vehicle access and car parking and (iv) associated landscaping	Pending Decision	
E/98/2978/P	Planning Application - Construction of concrete pad and provision of car parking for use in association with existing B1 (Business) Use and cattle handling facilities	Application Granted	11.12.1998
E/91/3063/P	Change of use of redundant farm building to Class B1 (Business) use and provision of car parking	Application Granted	31.01.1992
E/90/2878/P	Change of Use of two redundant farm buildings to Class B1 (Business Use)	Application Granted	31.10.1990
E/76/3116/P	GENERAL PURPOSE BUILDING FOR AGRICULTURAL USE	Application Granted	11.01.1977
E/75/2233/P	AGRICULTURAL STORAGE BARN	Application Granted	29.08.1975

### Consultations:

- Highway Authority: satisfied that the proposed development would not have a severe cumulative impact on highway safety and that the level of use of the access from the C666 would be commensurate with existing and previous levels of use. The recorded accident data history for the five years between 2013 and 2017 does not indicate that there are existing highway safety issues which should be addressed or mitigated by this application.

8. Planning Policy: The principle of the proposals are broadly in accordance with both national and local planning policy in respect of farm diversification and economic growth and expansion in the countryside.
9. Public Health & Housing: *It is understood that the applicant intends to use the treehouse venue space to hold up to 30 weddings a year but it will be available periodically for other events. Its use will be largely restricted to weekends and the proposed accommodation, which will be used integrally with the uses that are undertaken in the venue building, will be restricted to minimum 2 night stays.*

*With regard to site lighting, it is understood that flood lighting is currently installed within the farm yard and that local low level wall lighting is proposed to entrance doorways to the new and converted buildings in addition to low level PIR bollard lighting to pathways. Whilst the application site is in a rural location, there is an existing residential dwelling to the East of the farmyard at Bridgelands Farm. The proposed venue space is within approximately 600m of residential dwellings to the South West at Branches Farm with further residential dwellings to the North East and South of the application site.*

*It is likely that it will be available for use until late into the evening, as wedding venues are usually available until midnight. It is assumed that amplified live or recorded music and speech will be played within the venue and possibly on the open terraces, which is likely to give rise to noise disturbance to the residential occupiers in the vicinity of the site, particularly in the evening when the background noise levels will be low if unrestricted.*

*The design of the building will need to incorporate effective noise mitigation measures, including the effective attenuation of low frequency noise (bass), which can be audible over a considerable distance.*

*Details will need to be submitted of all external plant and equipment, including all air handling plant or extract ventilation systems and a noise assessment will need to be carried out to assess the impact of the proposed plant and equipment on the nearest noise sensitive premises and the need for any mitigation measures.*

*With regard to the proposed visitor accommodation, it is recommended that a condition is included in any consent granted so as to ensure that the two converted barns are only used for short term holiday accommodation or occupied in conjunction with the use of the venue building.*

*Public Health and Housing would not wish to object, in principle, to this application and raised no objection with regard to these findings subject to a condition which will require the submission and approval of full details of a scheme of sound attenuation prior to the commencement of the use.*

10. Economic Development: Strongly support the proposal.
11. Environment Team: the report submitted under DC/17/0646/PA is acceptable in planning terms, then from a technical point of view I would be able to accept this report in relation to DC/18/1712/FUL.

12. Tree Officer: The details set out in the Arboricultural Method Statement (AIA) demonstrate the complexity of the proposed development in relation to the trees on site. I am satisfied that any granted consent would not result in a significant degree of harm from an arboricultural perspective, this is subject to the recommendations of the AIA being complied with in full. If planning permission is to be granted, this should be accompanied by a condition requiring the submission and written approval of a detailed Arboricultural Method Statement and Tree Protection Plan.
13. Ecology & Landscape Officer (verbal consultation): No objection subject to condition to require the proposed development to take place in strict accordance with the details, conclusions and recommendations contained within the Practical Ecology Preliminary Ecological Appraisal Report (V2, July 2018).

### **Representations:**

15. Cowlinge Parish Council: *The Council heard from a number of other members of the public that were concerned over the likely substantial increase in traffic and highway safety on the C666 and through the village generated by this application. There were also concerns over possible noise from the venue site which might be difficult to mitigate given the nature/design of the construction together with issues regarding lighting over the dark evenings. Those living at Branches Park were particularly concerned about the site being too close to their properties which were in a quiet secluded location. After considerable discussion it was decided that the Parish Council would object to this application. The grounds being highway safety with substantial increased traffic, possible noise generation, lighting in the countryside at night and close siting to other residences.*

### **Neighbours:**

16. Sixteen letters of support were received from:
  - The Duchess of Rutland, Belvoir Castle
  - Paula Radcliffe MBE
  - Crown Catering Ltd, 1 Stetchworth Road, Dullingham
  - Mrs Brown, 71 Starfield Road, London
  - Mrs Spilsbury, 49 King Street, Peterborough
  - Mr Brownlow, Deanburn, Hawick
  - Mrs Aston, 1 Waterhall Cottage, Newmarket Rd, Cowlinge
  - Mr Humphreys, 197 The Street, Kirtling
  - Mrs Rosie Gedge-Gibson, GG Bloodstock and Racing, Parsonage Farm, The Street, Kirtling
  - Mr Cardwell, 2 Waterhall Cottage, Cowlinge
  - Miss Lyssa Whitehead, 5 Spring Barns, Thurlow Rd, Great Bradley
  - Mr Sikon, Kingdom Forge, Manor Barns, Brundish
  - Richard Max & Co Solicitors, 87 Chancery Lane, London
17. Raising the following points:
  - Venue would provide an ideal location to host high profile guests for charitable organisations including Children with Cancer, The Willow Foundation and Born Free Foundation.
  - Extremely high quality design of 'tree house'

- It would be a huge asset to the local area providing economic benefit by way of local caterers, food/drinks suppliers, waiters/waitresses/bar staff and locally sourced produce.
- Interest in cooking, nature conservation classes.
- Interest from International and national arts programs with the venue seen as an ideal location for emerging practising artists to exhibit works, host events and workshops.
- The Art Director at Halcyon Gallery, Mayfair, London would like to work with the management of this unique new site to help bring compelling arts initiatives to Suffolk and work in collaboration with the local community to help local businesses and attract something educational and enriching to this unique location.
- Diversification will allow the farm to survive.
- Other venues are in the area but choice and competition is good.
- Advice taken on how to sympathetically protect and rejuvenate the existing landscape from the author of Capability Brown & Belvoir – Discovering a lost landscape (The Duchess of Rutland).
- Opportunities for the landscape institute to host events for local school children.
- Opportunity for local artists, sculptors, craftsmen and women to exhibit their works and teach skills.
- Opposition appears to be driven by those who seek to protect their own wedding venues and do not want any competition.
- Excellent platform to promote health, wellbeing and country life, sports education classes where children can learn to appreciate nature, wildlife and the countryside, a truly unique opportunity in today's climate and growing obesity crisis.
- The countryside should be enjoyed and used by more people, not just the privileged few who seek to keep it for themselves.
- Guest accommodation is traditional and in keeping with the countryside.
- New venue is highly unlikely to create the vehicular movements that the original farm and more recently scaffolding business did.
- Venue will bring much needed high-end business which will add to the local economy and create job, business opportunities across the region.
- Anderson Acoustics have confirmed that given the distances to the nearest noise sensitive property (480m) the level of sound insulation required to be achieved is not onerous and all necessary mitigation can be provided through acoustic double glazing, fully sealed doors and adequate mass and insulation incorporated into the external walls and roof.
- The courts have held that when considering whether to grant planning permission for a development, it is lawful and relevant to take into account the possibility of an alternative use or "fall back" position where there is a realistic possibility of the land being put to that alternative use.
- The conclusions of the transport assessment remain robust have been accepted by the Highways Authority.

18. Thirty six letters of objection were received from:

- Mrs Patton, Bloomfields Farm, Newmarket Road, Cowlinge
- Mr & Mrs Lewis, Erratts Farm, Newmarket Road, Cowlinge
- Mr Hanbury, Green Man House, Newmarket Road, Cowlinge
- Mr Fella, The Old School House, Main street, Westley Waterless

- Mr Rochford, Kinvarra, Bradley Rd, Kirtling
- Mr Moss, Parsonage Farm, Cowlinge
- Dr P J Hyde, Cater's Farm, Cowlinge
- Mrs Turner, Garden Cottage, Branches Park, Cowlinge
- Miss Crowther, Bonnetts, The Belt, Lidgate
- Mr & Mrs Smith, Coach House, Branches Park, Cowlinge
- Mr & Mrs Laing, Park House, Cowlinge
- Mr & Mrs Wilson, The Old Vicarage, Queen Street, Cowlinge
- Mr Osborn, Glendale, East Green, Great Bradley
- Mrs Lee, Kespar, The Belt Lidgate
- Mr Davison, High Elms Farm, Cowlinge
- Mr & Mrs Ramsden, Pear Tree House, Bradley Road, Kirtling
- Mr Frisby, Rosalie Farm, Bradley Road, Cowlinge
- Mr & Mrs Rees, Dowels Farm, Cowlinge
- Karrie and Emma Jerman, North Lodge, Branches Park
- Mr Clifton-Brown, Little Bradley Hall, Haverhill
- Mr Bredin, 133 Station Road, Dullingham
- Mr & Mrs Ascroft, Bridges Farm Barn, New England Lane, Cowlinge
- Branches Park Fisheries
- Mr Greenwood, Syde House, 37 The Street
- The Planning Law Practice, 8 Marquis Close, Bishops Stortford
- Mr & Mrs P Cole, Old College House, Queen Street, Cowlinge
- Mr & Mrs Walker, 2, Seven Elms Close, Queen Street, Cowlinge
- The Fairhaven Estate, Place Farm, Kirtling
- Ms. J Newton & Mr P Faircloth, 13 Tillbrook Hill, Cowlinge
- Mrs Woolf, 1 Saxon Street Road, Cheveley,
- Mrs Moyes, Brookside, Queen Street, Cowlinge
- Mr & Mrs Overman, Beaufort House, Queen Street, Cowlinge
- Mr Torpey & Miss Lovick, 12 Tillbrooks Hill, Cowlinge
- Mrs Hegarty, Top Cottage, Queen Street, Cowlinge
- Mr & Mrs Evans, Ivy Cottage
- Mrs Midwood, Butlers Hall, Wickhambrook

19. Between them, these raise concern, in summary, with regard to:

- Adverse impact on residential amenity
- Noise pollution
- Light pollution
- Traffic/Highway safety
- Increased traffic will impact horse riders using the road
- Access
- Impact on Wildlife
- Already enough wedding venues in the surrounding area
- Decrease in value of property
- 'Tree House' is too large and dominant in the landscape
- 'Tree House' is out of keeping with the surrounding area
- Unsuitable position
- Hours of operation
- Negative impact on local area
- Security of nearby trout lake/trespass
- Sustainability
- Water pollution
- Previous scaffolding business cannot be compared to this proposal
- Highways Authorities response cannot be relied on
- Events are often accompanied by fireworks



Full details of all representations received can be viewed on the Council's website.

**Policy:**

20. On 1 April 2019 Forest Heath District Council and St Edmundsbury Borough Council were replaced by a single Authority, West Suffolk Council. The development plans for the previous local planning authorities were carried forward to the new Council by Regulation. The Development Plans remain in place for the new West Suffolk Council and, with the exception of the Joint Development Management Policies document (which had been adopted by both Councils), set out policies for defined geographical areas within the new authority. It is therefore necessary to determine this application with reference to policies set out in the plans produced by the now dissolved St Edmundsbury Borough Council.
21. The following policies of the Joint Development Management Policies Document and the [Forest Heath Core Strategy 2010] [St Edmundsbury Core Strategy 2010 & Vision 2031] have been taken into account in the consideration of this application:
  - Policy DM1 Presumption in Favour of Sustainable Development
  - Policy DM2 Creating Places Development Principles and Local Distinctiveness
  - Policy DM5 Development in the Countryside
  - Policy DM11 Protected Species
  - Policy DM12 Mitigation, Enhancement, Management and Monitoring of Biodiversity
  - Policy DM13 Landscape Features
  - Policy DM31 Farm Diversification
  - Policy DM33 Re-Use or Replacement of Buildings in the Countryside
  - Policy DM34 Tourism Development
  - Policy DM46 Parking Standards
  - Core Strategy Policy CS3 - Design and Local Distinctiveness
  - Rural Vision 2031
  - RV1: Presumption in Favour of Sustainable Development

**Other Planning Policy:**

22. National Planning Policy Framework (2019)

The NPPF was revised in February 2019 and is a material consideration in decision making from the day of its publication. Paragraph 213 is clear however, that existing policies should not be considered out-of-date simply

because they were adopted or made prior to the publication of the revised NPPD. Due weight should be given to them according to their degree of consistency with the Framework; the closer the policies in the plan to the policies in the Framework; the greater weight that may be given. The policies set out within the Joint Development Management Policies have been assessed in detail and are considered sufficiently aligned with the provision of the 2019 NPPF that full weight can be attached to them in the decision making process.

### **Officer Comment:**

23. The issues to be considered in the determination of the application are:

- Principle of Development
- Residential Amenity
- Visual Amenity and Landscaping
- Impact on Highway Safety
- Biodiversity
- Other Matters

### **Principle of Development**

24. Paragraph 83 of the NPPF is supportive of '*a) the sustainable growth and expansion of all types of business in rural areas both through conversion of existing buildings and well-designed new buildings; b) the development and diversification of agricultural and other land-based rural businesses; c) sustainable rural tourism and leisure developments which respect the character of the countryside*'

25. Paragraph 84 goes on to state that '*Planning policies and decisions should recognise that sites to meet local business and community needs in rural areas may have to be found adjacent to or beyond existing settlements, and in locations that are not well served by public transport. In these circumstances it will be important to ensure that development is sensitive to its surroundings, does not have an unacceptable impact on local roads and exploits any opportunities to make a location more sustainable (for example by improving the scope for access on foot, by cycling or by public transport). The use of previously developed land, and sites that are physically well-related to existing settlements, should be encouraged where suitable opportunities exist.*'

26. Paragraph 118 states that planning decisions should '*encourage multiple benefits from both urban and rural land, including through mixed use schemes and taking opportunities to achieve net environmental gains – such as developments that would enable new habitat creation or improve public access to the countryside;*'

27. It is considered that the proposals broadly accord with these parts of the NPPF, given that they are for part brownfield development, are partly for the conversion of existing buildings, and that they also comprise of proposals for agricultural diversification.

28. Policy DM5 'Development in the Countryside' of the Joint Development Management Policies document (2015), states that proposals for all types of business and enterprise in the countryside should recognise 'the intrinsic character and beauty of the countryside,' as well as meet certain criteria in

relation to loss of best and most versatile agricultural land; historic environment, character and visual amenity of the landscape or nature conservation and biodiversity interests; and have no significant adverse impact on the local highway network.

29. The proposal is partly on grade two agricultural land, however the main areas of development involve conversion of the barn on brownfield land, the construction of the tree house on the edge of woodland and the area of car parking within an existing spruce plantation, neither of which could be considered to presently be useable agricultural land and, in any event, the extent of loss is small and therefore only weighs modestly against the scheme in the balance of considerations.
30. The proposals are considered to be broadly in accordance with Policy DM31: Farm Diversification, in that the proposal remains subsidiary to the main farm enterprise and will provide new full and part time employment opportunities.
31. Policy DM33 Re-Use or Replacement of Buildings in the Countryside provides that the re-use, conversion and alteration or extension of buildings in the countryside for the following uses will be permitted where proposals comply with other policies in this and other adopted Local Plans: employment (defined for the purposes of this policy as uses within Classes B1 and, where appropriate, B2 general industrial, and limited small scale or ancillary storage), where it can be demonstrated that such uses would not create significant levels of traffic, particularly lorries, on rural roads; tourist accommodation; recreational uses including riding stables, livery, and sports pavilions; community facilities.
32. In addition to other policies in the Plan, proposals such as this for the re-use, conversion and alteration or extension of buildings must be structurally sound and capable of conversion without the need for significant extension or alteration or reconstruction; any proposed alterations to the building, its proposed use, its associated operational area, the provision of any services, and/or any amenity space or outbuildings, would not harm its appearance or adversely affect the setting of the building in the rural locality, in the case of tourist accommodation there is no creation or installation of private curtilages and domestic paraphernalia which would have a harmful effect on the character of the site or the surrounding area; it will not lead to unacceptable levels or types of traffic or problems of road safety or amenity and will not require highway improvements which will harm the character of rural roads in the area.
33. It should be noted that one barn currently has an extant consent to be converted to two residential dwellings and the other barn has an extant consent for the use as a scaffolding business. Noting this, and noting the considerations in the previous paragraph, it is considered that support for this proposal, insofar as it relates to the conversion of the existing agricultural building, can be drawn from Policy DM33.
34. The principle of the proposals are therefore broadly in accordance with both national and local planning policy in respect of farm diversification, re-use of buildings in the countryside and economic growth and expansion in the countryside, such that officers consider, as a matter of balance, that the principle can be supported.

## Residential Amenity

35. With regard to residential amenity it is proposed to hold no more than one wedding per week (Sunday to Monday) but never on consecutive days, up to a maximum of thirty per year. The proposal is also to hold no more than two additional events per week, which could include workshops and demonstrations, educational events, arts and craft exhibitions, cookery and local produce events, corporate employee events, fundraising events, dinners and 'pop-up' food events. Hours of operation would be restricted to Monday to Friday – 9am until 12 midnight, Saturday – 10am until 12 midnight, Sunday and Bank Holidays – 10am until 8pm. This would be controlled by condition and will require the applicant to keep a record of events which could be made available for inspection by the Local Authority if required.
36. Working on a worst case scenario the proposed use of the site will arguably generate a lower level of vehicular movements than the previous use on part of the site as a scaffolding business, which it is noted could still be brought back into operation.
37. With regard to noise the closest neighbouring properties are Coach House Cottage and The Garden Cottage at 460m to the south west, Erratts Farm is 0.53 miles to the south east and Waterhall Cottages are 0.48 miles to the north. A baseline noise survey was undertaken in October 2018 by Anderson Acoustics Ltd and this has been used to establish plant noise emission limits at the nearest noise-sensitive receptors (16 dB LAeq). In addition, octave band measurements were used to establish noise limits for amplified music and speech from the multi event building. The assessment showed that the nearest residential property, The Hall at Branches Park, is not predicted to be adversely affected by noise from the fixed plant installation at Bridgelands Farm multi event building, providing the kitchen extract system is limited to 46 dB LAeq at 10 m distance from a louvre or a ducting termination point.
38. With regard to entertainment noise, The overall entertainment noise (EN) level from the multi event building is predicted to be 15 dB below the established background noise levels at the nearest residential property, The Hall at Branches Park, meeting the adopted criteria (LAeq EN should not exceed LA90 WEN). However, the assessment showed that Branches Park could be adversely affected by noise in the 63 Hz octave band from amplified music or speech at the Bridgelands Farm multi event building. It is proposed that either one of the following mitigation measures is put in place:
  - A sound limiting system to be installed, limiting sound levels for the 63 Hz octave band to 80 dB after 23:00 hrs.
  - External building fabric design to be modified to provide higher RW sound reduction performance at low frequencies.
38. Acoustic commissioning testing of the venue's operations is recommended in order to confirm the above, as the actual in-situ sound reduction performance of the structure and/or the internal noise levels in the venue can differ slightly from the estimated.

39. Public Health and Housing have raised no objection with regard to these findings subject to a condition which will require the submission and approval of full details of a scheme of sound attenuation prior to the commencement of the use.
40. Subject to this and subject to the controlling of the hours of operation by condition given the site's context and the degree of separation between the tree house venue and the off-site dwellings, the proposal is not judged to give rise to such severe amenity impacts that it should be refused. This is not to say that the guests of the events venue will never be audible – such a postulation would be remiss given the low background noise levels of the locality – but in order for the LPA to recommend refusal of the application, the use itself would need to give rise to activities and noise which generate unrelenting, unacceptable levels of harm to the area's amenity, and it is not considered that there would be such a level of adverse impact on any neighbouring properties by reason or noise of excessive vehicular movements to justify anything other than the approval in compliance with policy DM2 and the provisions of the NPPF 2019 .

### **Visual Amenity and Landscaping**

41. Policy DM2: Creating Places - Development Principles and Local Distinctiveness provides that all development proposals should maintain or create a sense of place and/or character by employing designs that are specific to the scheme, and which respond intelligently, basing design on an analysis of existing buildings, landscape or topography, and fully exploiting the opportunities that these present, utilising the characteristics of the locality to create buildings and spaces that have a strong sense of place and distinctiveness, using an appropriate innovative design approach that is appropriate for the location, creating or contributing to a coherent and legible place that is structured and articulated so that it is visually interesting and welcoming and creating and supporting continuity of built form.
42. The appearance of the barns has been carefully considered to ensure the local agricultural building vernacular is retained with the design maintaining the existing positions of door and window openings. Additional openings and timber clad extensions to the barns use the same proportions and materials as the rest of the barn to ensure architectural continuity. The proposal respects the existing material palette of the farm and the nearby agricultural outhouses in the surrounding area of Cowlinge. Materials including stained timber cladding, brick and corrugated metal are incorporated into the design. The holiday accommodation will support this venue and help provide the required guest facilities needed in a rural location.
43. The treehouse venue is made up of a number of interconnected circles and the plan form is very efficient while keeping a relatively small footprint. On a raised structure, the curved façades help reduce any visual impact while creating a natural form. Clad in natural timber, with timber shingles on the roof, and timber balustrade details, the treehouse will blend in with the woodland setting. It will provide space for 125-150 people and create a unique destination for special events. It is therefore considered that the barns and tree house venue accord with policy DM2 and the provisions of the NPPF 2019.

44. The proposal is designed to restore and enhance the 'lost' Capability Brown landscape through new parkland and landscaping which will include new individual oak planting and improvements to grassland. The other elements of the scheme offer the opportunity to enhance the wider landscape through new landscaping, sensitive treatment of parking and paths and other enhancements such as restoration of woodland habitat.
45. New landscaping will take place across the site, including new tree planting to the parkland and creation of a new parkland area to the north of the woodland, bordering the farmyard and new planting to the entrance avenue. The existing areas of woodland and copses will be subject to new management (which is required by condition 14) and the grassland to the parkland will be restored to its original design in order to maximise biodiversity and landscape benefits.
46. The details set out in the Arboricultural Method Statement (AIA) demonstrate the complexity of the proposed development in relation to the trees on site. However it is not considered that the proposal would result in a significant degree of harm from an arboricultural perspective with the local authority's tree officer raising no objection. , This is subject to the recommendations of the AIA being complied with in full, a condition will be attached requiring the submission and written approval of a detailed Arboricultural Method Statement and Tree Protection Plan in compliance with policy DM13 and the provisions of the NPPF 2019.

### **Impact of Highway Safety**

47. Paragraph 109 of the NPPF provides that: "Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety or the residual cumulative impacts on the road network would be severe".
48. The existing entrance from Newmarket Road will remain the primary access point for vehicles. Parking to the farm house will not change, along with the existing access to the agricultural barns. A new dedicated parking area for 12 cars and bicycles, adjacent to the holiday accommodation, will be provided for guests. A larger 'no-dig' foundation car park for 55 cars will be provided in the old spruce tree plantation for visitors of the treehouse venue. A 'no-dig' foundation service road will allow deliveries to and from the treehouse.
49. It is accepted that the scheme would replace a substantial scaffolding firm which has since vacated the site but which occupied three buildings and an open yard and generated a significant number of trips and represented a large scale enterprise. The courts have held that when considering whether to grant planning permission for a development, it is lawful and relevant to take into account the possibility of an alternative use or "fall back" position where there is a realistic possibility of the land being put to that alternative use.
50. The agent has provided an updated transport statement working on a worst case scenario of two secondary events occurring each week thereby potentially generating no more than 212 vehicle movements per seven days. When such a figure is combined with the potential wedding event trips a total of 392 vehicle movements per seven days is possible. As detailed

and accepted by SCCH Plan B scaffolding generated 240 trips per day and over the course of six days equating to 1,440 vehicle trips. Therefore it can be seen that the proposed use will generate significantly fewer trips than the site's most recent use, and, critically, these will be during off-peak periods. Therefore the traffic implications of the proposed development will represent a significant improvement when compared to the site's previous use, which could be reinstated. Whilst the Highways Authority have not specifically requested a travel plan in this instance they have welcomed the applicants willingness to provide one and this will be controlled by condition.

51. The proposed use will arguably generate a lower level of movements than the previous use on the site which will impact positively on the surrounding rural road network, however the times of the movements will vary to those by the former use on the site. It is considered however that the development would not have a severe cumulative impact on highway safety and that the level of use of the access from the C666 would be commensurate with existing and previous levels of use. The recorded accident data history for the five years between 2013 and 2017 does not indicate that there are existing highway safety issues which should be addressed or mitigated by this application with the Highways Authority raising no objection in compliance with policy DM46 and the provisions of the NPPF 2019.

## **Biodiversity**

52. With regard to biodiversity the Preliminary Ecological Assessment dated July 2018 by Practical Ecology Ltd recommends measures required to achieve biodiversity gain should include:
- Tree planting should take place throughout the semi-improved grassland field and the parkland habitats on the site to convert the semi-improved grassland into parkland and to improve the condition of the existing parkland. Oak trees should be planted in preference to any other species.
  - Tree planting should also occur within the conifer plantation on the site. It is recommended that in order to offset the impacts from tree felling and the construction of a new car park, broadleaved trees should be planted throughout this plantation woodland to convert it from conifer plantation to mixed woodland. Conifer plantation has low ecological value, whereas mixed woodland has a higher biodiversity value and is more beneficial for a number of species.
  - Management plan to be produced for the parkland BAP habitats to improve the conditions from 'poor' and 'moderate' to 'good'. This will include details of tree planting and management regimes such as twice annual hay cuts. Retention of standing deadwood.
  - Management plan to be produced for semi-natural woodland to improve the condition of the semi-natural woodland from 'moderate' to 'good'. This will include the removal of common snowberry and common rhododendron and the retention of standing deadwood.
  - Management plan to be produced for the mixed woodland. To include details of tree planting and retention of standing deadwood where possible.
  - Management plan to be produced for Ponds 1 and 2 to improve their condition from 'moderate' to 'good'. This will include removal of duckweed and pollution prevention measures.
53. These measures which require the relevant management plans to be submitted too and approved by the local planning authority along with other enhancement and mitigation measures will be required by condition, with

the local authority's Senior Ecology & Landscape Officer raising no objection in compliance with policies DM11, DM12 and the provisions of the NPPF 2019.

### **Economic Benefit**

54. Economic Development colleagues have commented generally that tourism is worth approximately £510m to the local economy and generates around 10.6m trips. It is one of the key sectors that the Local Authority's Economic Development department choose to promote and focus on.
55. The aim is to increase the value of tourism to the economy and do this by increasing overnight stays and increasing the duration of trips (among other work). This proposal would add to the increasing number of bed spaces in West Suffolk and thereby assist in increasing overnight stays. In addition the proposal is for something different to that already on offer in Suffolk and this would attract people who otherwise would not be visiting.
56. As this proposal is different, it is likely to receive national interest which will help to put West Suffolk "on the map". Media coverage of one asset often leads to benefits to other tourism providers.
57. This proposal would be an important asset to the local area - providing economic benefit by way of local caterers, food/drinks suppliers, waiters/waitresses/bar staff and locally sourced produce.
58. The venue will result in the provision of a business which will create jobs, result in the safeguarding of existing jobs (seasonal workers to permanent staff) and open up higher paid opportunities for local people in marketing; events planning etc.
59. The proposal will provide opportunities for the landscape institute (an educational charity that promotes the art and science of landscape practice) to host events for local school children and opportunities for local artists, sculptors, craftsmen and women to exhibit their works and teach skills.
60. The diversification offered by this proposal will provide additional income to the estate which will assist with the viability of the farm operation. This is the kind of proposal that farmers are encouraged to undertake to enable the cross subsidy of traditional farming.
61. It will also generate additional spend in local community assets and facilities which will help sustain and enhance the vitality of the rural area and surrounding villages. The NPPF states that significant weight should be placed on the need for to support economic growth through the planning system and paragraphs 83-84 state that planning should support economic growth in rural areas including that of tourism and leisure uses and that there should be a positive approach to sustainable new development.

### **Other Matters**

62. Paragraph 105 of the NPPF states that 'local parking standards for residential and non-residential development, policies should take into account... e) the need to ensure an adequate provision of spaces for charging plug-in and other ultralow emission vehicles.' Paragraph 110 of the NPPF



states that 'applications for development should be designed to enable charging of plug-in and other ultralow emission vehicles in safe, accessible and convenient locations.'

63. St Edmundsbury Core Strategy Policy CS2, Sustainable Development, requires the conserving and, wherever possible, enhancing of natural resources including, air quality. Policy DM14 of the Joint Development Management Policies Document states that proposals for all new developments should minimise all emissions and ensure no deterioration to either air or water quality. Section 3.4.2 of the Suffolk Parking Standards states that "Access to charging points should be made available in every residential dwelling."
64. Therefore a condition requesting electric vehicle charge points is recommended, to enhance the local air quality through the enabling and encouraging of zero emission vehicles.
65. Other than the already addressed above concerns were raised with regard to decrease in value of property, security of nearby trout lake/trespass and the fact that some events are often accompanied by fireworks.
66. Decrease or increase of property value and risk of trespass are not material planning considerations, with regard to fireworks it should be noted that events can be held on land for up to 28 days a year without requiring planning permission.

#### **Conclusion:**

67. In conclusion, the principle and detail of the development is considered to be acceptable and in compliance with relevant development plan policies and the National Planning Policy Framework.

#### **Recommendation:**

38. It is recommended that planning permission be **APPROVED** subject to the following conditions:
  1. The development hereby permitted shall be begun not later than 3 years from the date of this permission.  
  
Reason: In accordance with Section 91 of the Town and Country Planning Act 1990.
  2. The development hereby permitted shall not be carried out except in complete accordance with the details shown on the following approved plans and documents:  
  
Reason: To define the scope and extent of this permission.
  3. The development hereby permitted shall be constructed entirely of the materials detailed within the application hereby approved.  
  
Reason: To safeguard the character and appearance of the area, in accordance with policy DM2 of the West Suffolk Joint Development Management Policies Document 2015, Chapter 12 of the National Planning

Policy Framework and all relevant Core Strategy Policies.

4. The use of the site and venue space for events shall be limited to the following:
  - Weddings / wedding receptions (maximum 1 per week (Sunday to Monday inclusive, but never on consecutive days), and up to a maximum of 30 per year, Monday to Friday - 9am until 12 midnight, Saturday – 10am until 12 midnight, Sunday and Bank Holidays – 10am until 8pm;
  - Other Events (to be a maximum of two 'other events' per week in total - Sunday to Monday inclusive).
    - Educational events;
    - Workshops and demonstrations;
    - Art and craft exhibitions;
    - Cookery and local produce events
    - Corporate employee events (team building etc);
    - Fundraising events; and
    - Dinners and 'pop-up' food events.

On commencement of the use hereby permitted, the owners/operators of the venue shall keep at all times an up-to-date Register of all events which shall include the name and address of the person, organisation or party occupying the venue during each individual booking. The Register shall be made available for inspection on demand by the Local Planning Authority.

Reason: To safeguard the residential amenity of neighbouring properties, and in the interests of highway safety, in accordance with policy DM2 of the West Suffolk Joint Development Management Policies Document 2015, the provisions of the National Planning Policy Framework and all relevant Core Strategy Policies.

5. No above ground development shall take place until details of the areas to be provided for the loading, unloading, manoeuvring, parking of vehicles, including secure cycle storage and refuse storage, have been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be carried out in its entirety before the development is brought into use and shall be retained thereafter and used for no other purpose.

Reason: To ensure that sufficient space for the on-site parking of vehicles is provided, in accordance with policy DM2 and DM46 of the West Suffolk Joint Development Management Policies Document 2015, Chapters 9 and 12 of the National Planning Policy Framework and all relevant Core Strategy Policies.

6. Before the first operation of the development hereby approved, a Travel Plan, shall be submitted to and approved by the Local Planning Authority. The approved Travel Plan shall detail incentives for encouraging access to the site by modes other than the car and shall be implemented in all respects following the commencement of the operation of the use hereby approved.

Reason: To encourage the use of sustainable forms of transport and reduce dependence on the private motor vehicle, in accordance with policy DM2 and DM45 of the West Suffolk Joint Development Management Policies Document 2015, Chapter 9 of the National Planning Policy Framework and all relevant Core Strategy Policies.

7. Prior to first operational use of the site, at least 5% of car parking spaces for the events venue and one car parking space associated with each barn for holiday let shall be equipped with working electric vehicle charge points, which shall be provided for staff and/or visitor use at locations reasonably accessible from car parking spaces. The Electric Vehicle Charge Points shall be retained thereafter and maintained in an operational condition.

Reason: To promote and facilitate the uptake of electric vehicles on the site in order to minimise emissions and ensure no deterioration to the local air quality, in accordance with Policy DM14 of the Joint Development Management Policies Document, paragraphs 105 and 110 of the National Planning Policy Framework (NPPF) paragraphs 105 and 110 and the Suffolk Parking Standards.

8. Prior to commencement of development an arboricultural method statement and scheme for the protection during construction of the trees on the site, in accordance with BS 5837:2012 - Trees in relation to construction - Recommendations, shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall show the extent of root protection areas and details of ground protection measures and fencing to be erected around the trees, including the type and position of these. The protective measures contained with the scheme shall be implemented prior to commencement of any development, site works or clearance in accordance with the approved details, and shall be maintained and retained until the development is completed. Within the root protection areas the existing ground level shall be neither raised nor lowered and no materials, temporary buildings, plant, machinery or surplus soil shall be placed or stored thereon. If any trenches for services are required within the fenced areas they shall be excavated and backfilled by hand and any tree roots encountered with a diameter of 25mm or more shall be left unsevered.

Reason: To ensure that the trees on site are adequately protected, to safeguard the character and appearance of the area, in accordance with policy DM12 and DM13 of the West Suffolk Joint Development Management Policies Document 2015, Chapter 15 of the National Planning Policy Framework and all relevant Core Strategy Policies. This condition requires matters to be agreed prior to commencement of development to ensure that existing trees are adequately protected prior to any ground disturbance.

9. The use of the site as a wedding/events shall not commence until full details of a scheme of sound attenuation has been submitted to and approved in writing by the Local Planning Authority. The scheme shall take into account noise from the playing of any amplified live or recorded music and speech and all external plant or equipment including all heating installations, air conditioning or handling plant and extract ventilation systems. Thereafter, the approved works shall be carried out in their entirety and retained and maintained to the satisfaction of the Local Planning Authority.

Reason: To safeguard the residential amenity of neighbouring properties, in accordance with policy DM2 of the West Suffolk Joint Development Management Policies Document 2015, the provisions of the National Planning Policy Framework and all relevant Core Strategy Policies.

10. No live or amplified recorded music shall be played outside of the Tree house venue building, in the garden areas or in any externally sited marques after

8pm.

Reason: To safeguard the residential amenity of neighbouring properties, in accordance with policy DM2 of the West Suffolk Joint Development Management Policies Document 2015, the provisions of the National Planning Policy Framework and all relevant Core Strategy Policies.

11. No development above ground level shall take place until details of a hard landscaping scheme for the site have been submitted to and approved in writing by the Local Planning Authority. These details shall include proposed finished levels and contours showing earthworks and mounding; surfacing materials; means of enclosure; car parking layouts; other vehicle and pedestrian access and circulations areas; hard surfacing materials; minor artefacts and structures (for example furniture, play equipment, refuse and/or other storage units, signs, lighting and similar features); proposed and existing functional services above and below ground (for example drainage, power, communications cables and pipelines, indicating lines, manholes, supports and other technical features); retained historic landscape features and proposals for restoration where relevant. The scheme shall be implemented prior to the occupation of any part of the development (or within such extended period as may first be agreed in writing with the Local Planning Authority).

Reason: To assimilate the development into its surroundings and protect the character and appearance of the area, in accordance with policies DM2 and DM13 of the West Suffolk Joint Development Management Policies Document 2015, Chapters 12 and 15 of the National Planning Policy Framework and all relevant Core Strategy Policies.

12. No development above ground level shall take place until a scheme of soft landscaping for the site drawn to a scale of not less than 1:200 has been submitted to and approved in writing by the Local Planning Authority. The soft landscaping details shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants noting species, plant sizes and proposed numbers/ densities. The approved scheme of soft landscaping works shall be implemented not later than the first planting season following commencement of the development (or within such extended period as may first be agreed in writing with the Local Planning Authority). Any planting removed, dying or becoming seriously damaged or diseased within five years of planting shall be replaced within the first available planting season thereafter with planting of similar size and species unless the Local Planning Authority gives written consent for any variation.

Reason: To assimilate the development into its surroundings and protect the character and appearance of the area, in accordance with policies DM2, DM12 and DM13 of the West Suffolk Joint Development Management Policies Document 2015, Chapters 12 and 15 of the National Planning Policy Framework and all relevant Core Strategy Policies.

13. The holiday let units hereby permitted shall be occupied only as holiday letting accommodation and for no other purpose (including any other purpose in Class C3 of the Schedule to the Town and Country Planning Use Classes Order 1987 as amended or in any provision equivalent to that class in any statutory instrument revoking and re-enacting that Order). Pond Barn

and Long Barn shall not be occupied as a person's sole or main place of residence. Each letting as holiday accommodation shall not exceed a period of 3 weeks nor shall the unit be let or occupied to any one individual or party for a period exceeding 4 weeks in total within any 12 month period. On commencement of the holiday let use hereby permitted, the owners/operators of the holiday let unit shall keep at all times an up-to-date Register of all lettings which shall include the name and address of the person or party occupying the accommodation during each individual letting. The Register shall be made available for inspection on demand by the Local Planning Authority.

Reason: To safeguard the character and appearance of the area, in accordance with policy DM34 of the West Suffolk Joint Development Management Policies Document 2015, Chapter 6 of the National Planning Policy Framework and all relevant Core Strategy Policies.

14. The development shall take place in strict accordance with the details, conclusions and recommendations contained within the Practical Ecology Preliminary Ecological Appraisal Report (V2, July 2018), including, where set out below, submitting to and agreeing in writing with the Local Planning Authority, the following matters:
  - A) A site clearance method statement as recommended shall be submitted to and approved by the Local Planning Authority.
  - B) An Edna newt test is to be carried out as soon as possible on Ponds 1, 2 and 4 to determine the presence/absence of this species on the site and to inform an appropriate mitigation strategy if required details of which shall be submitted to the Local Planning Authority.
  - C) 3 swallow nest cups to be installed on either the newly converted barns or the existing farm buildings. Installation be on the northern aspect of the building, at a height of at least 5m details of which shall be submitted to and approved by the Local Planning Authority pursuant to the recommendations of section 3.8.4.4
  - D) For every 2 trees felled on the site, 1 small passerine bird box must be placed on a retained tree in the broadleaf woodland or in the parkland details of which shall be submitted to and approved by the Local Planning Authority pursuant to the recommendations of section 3.7.4.
  - E) 1 x kestrel box to be installed on a retained mature tree in the parkland habitat; and 1 x barn owl box to be installed on the margin of the woodland details of which shall be submitted to and approved by the Local Planning Authority pursuant to the recommendations of section 3.7.4.
  - F) A Woodland management plan shall be submitted to and approved by the Local Planning Authority pursuant to the recommendations of section 4.1.1.1 and plan no. PEL-TH-Q2-0319.
  - G) A pond enhancement plan for ponds one and two shall be submitted to and approved by the Local Planning Authority pursuant to the recommendations of section 4.1.1.1 and plan no. PEL-TH-Q2-0319.
  - H) A mixed woodland management plan to include details of tree planting and retention of standing deadwood shall be submitted to and approved by the Local Planning Authority pursuant to the recommendations of section 4.1.1.1 and plan no. PEL-TH-Q2-0319.
  - I) A semi-natural woodland to improve the condition of the semi-natural woodland from 'moderate' to 'good'. This will include the removal of common snowberry and common rhododendron and the retention of standing deadwood and plan no. PEL-TH-Q2-0319.
  - J) A parkland management plan shall be submitted to and approved by

the Local Planning Authority pursuant to the recommendations of section 4.1.1.1 and plan no. PEL-TH-Q2-0319

K) The recommendations with regard to the bat mitigation shall be complied with in full and any details as the result of surveys shall be submitted to the Local Planning Authority pursuant to the recommendations of section 4.1.1.1 3.44

Any matters as agreed and / or required pursuant to this condition shall be implemented during construction (as appropriate) or otherwise installed in accordance with timescales which shall also have been submitted to and agreed in writing by the Local Planning Authority, and shall thereafter be retained as so installed. There shall be no use of the building hereby permitted unless and until details of the biodiversity enhancement measures to be installed have been agreed in writing by the Local Planning Authority and thereafter installed.

Reason: To secure biodiversity protection and enhancement commensurate with the scale of the development, in accordance with policies DM11 and DM12 of the West Suffolk Joint Development Management Policies Document 2015, Chapter 15 of the National Planning Policy Framework and all relevant Core Strategy Policies.

**Documents:**

All background documents including application forms, drawings and other supporting documentation relating to this application can be viewed online [DC/18/1712/FUL](https://www.westsuffolk.gov.uk/DC/18/1712/FUL)