

Development Control Committee 2 February 2022

Planning Application DC/21/1142/FUL - All Saints Hotel, The Street, Fornham St Genevieve

Date registered:	24 May 2021	Expiry date:	23 August 2021 EOT agreed until 07.02.2022
Case officer:	Britta Heidecke	Recommendation:	Approve application
Parish:	Fornham All Saints	Ward:	The Fornhams and Great Barton
Proposal:	Planning application - a. change of use of part of golf course for the siting of 15 caravan lodge holiday homes b. associated infrastructure (as amended)		
Site:	All Saints Hotel, The Street, Fornham St Genevieve		
Applicant:	Mr David Harris		

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,

CONTACT CASE OFFICER:

Britta Heidecke

Email: britta.heidecke@westsuffolk.gov.uk

Telephone: 07812 509938

Background:

1. Planning permission DC/19/1700/FUL for the change of use of land for the stationing of up to 35 holiday let caravans was refused in 2020 and a subsequent appeal dismissed (our ref: AP/20/0025/STAND). This application is a re-submission for a significantly reduced scheme for the siting of 15 holiday let caravans, which seeks to address the previous refusal reasons and the reasons the Inspector dismissed the appeal.
2. The application site and large parts of the golf course fall within the parish of Fornham All Saints. The All Saints Hotel and parts of the golf course fall within the parish of Fornham St. Martin Cum St. Genevieve. Therefore, both Parish Councils have been consulted.
3. The application is before committee following consideration at the Delegation Panel. The Officer recommendation is one of approval. The application was referred to Delegation Panel because Fornham St. Martin Cum St. Genevieve Parish Council and Bury St Edmunds Town Council object, whilst Fornham All Saints Parish Council have no objections to the application. The ward members and the adjoining Tollgate Ward Councillor object to the proposal.

Proposal:

4. The application seeks planning permission for the change of use of part of the golf course for the siting of 15 holiday lodges and associated development including a drop-off area. The proposal would utilise the existing access off the A1101. This is expanded on in the officer comments below.
5. The application also proposes a permissive foot/golf buggy path from the development site to the All Saints Hotel across the golf course and river Lark to provide a link from the proposed caravans to the hotel, also linking into the existing public rights of way.
6. The application has been amended during the life of the application to address officers' and the councils landscape consultants' comments with regards to urbanising effects. Revisions include:
 - a) Re-siting the closest lodges further away from the A1101 to create a minimum of 65m separation between the boundary & nearest structure.
 - b) Restricting vehicular access to a small drop-off area with no access for vehicles onto the lodge site itself.
 - c) Revising the landscaping proposals to create a woodland setting with serpentine grassed tracks providing access for pedestrians & golf buggies.
7. Internal hard surfacing for an access road and parking spaces have been removed from the scheme. Instead, there will only be a drop off parking area at the entrance of the site behind proposed soft landscaping, with car parking at the main hotel and a reinforced gravel track for access by golf buggy, bike and foot. In order to maintain the yardage of the golf course a total of 3 holes would also be altered.

Application supporting material:

8. The application was supported by the following documents:

- Application Form
- Proposed Plans
- Access Plan
- Ecology Survey
- HRA report update
- Golf Course Alteration Report
- Landscape Impact Assessment
- Flood Risk Assessment
- Drainage Strategy
- Golf Course and Footpath Statement (risk mitigation)
- Detailed Soft Landscaping Scheme
- Planting Schedule and Specifications
- Visuals previous and current scheme

Site details:

9. The application site comprises of 1.52ha of approximately 50.6ha of the golf course between Fornham All Saints and Bury St Edmunds. At present the application site is accessed by a recently constructed maintenance access off Mildenhall Road. The area proposed for change use is located between the Mildenhall Road Employment Area and Pigeon Lane / Fornham All Saints, in the countryside in planning policy terms.

10. All Saints Hotel Golf Spa is located on the south side of the B1106 at Fornham All Saints, Bury St Edmunds, some 700 metres north of the application site. It currently provides for various leisure activities, golf, spa and has a hotel and restaurant. The site is bounded by the golf course to the north, the A1101 to the south, industrial development to the east and arable land to the west.

11. The site is outside any settlement boundary and located within the valley meadowlands landscape character typology as defined in the Suffolk Landscape character assessment and has many of the features typical of this landscape character type despite being used, in the main, as a golf course. It contains a large number of trees within the site, is bound by brambles and hedging along the western and southern boundary and a tree line off-site along the eastern boundary with the larger industrial buildings.

12. The conservation area for Fornham All Saints is located opposite Pigeon Lane in close proximity to the site.

Planning history:

13.

Reference	Proposal	Status	Decision date
DC/17/1351/FUL	Planning Application - Creation of access off Mildenhall Road into All Saints Golf and Country Club	Application granted	26 January 2018
DC/19/1700/FUL	Planning Application - (i) Change of use of part of	Application Refused	7 February 2020

	golf course for the siting of 35no. caravan holiday homes (ii) new access from A1101 (iii) construction of access roads, parking spaces and associated infrastructure (as amended by email on 14.01.2019 to omit 2 caravans)	(appeal dismissed)	
DC/20/0682/FUL	Planning Application - (i) Change of use of part of golf course for the siting of 35no. caravan holiday homes (ii) new access from A1101 (iii) construction of access roads, parking spaces and associated infrastructure (previous application DC/19/1700/FUL)	Application Refused	21 July 2020
DC/20/1912/FUL	Planning application - Change of use of part of golf course for the siting of to 22 caravan lodge holiday homes with construction of new access, road, parking spaces and associated infrastructure	Application Withdrawn	19 January 2021

Consultations:

14. The following comprises summaries of the consultation responses received for this planning application. Copies of the full comments can be viewed on the online planning application file published on the Council's [website](#). Consultation responses are split into comments on the original submissions from 15.06.2021 and the re-consultation 27.09.2022

15. Fornham All Saints Parish Council:

(07.07.2021) Object: Unsuitability for a rural village, loss of green corridor and potentially it could be an initial bid in a plan for future expansion of many more additional lodges.

(10.10.2022) Support

16. Fornham St. Martin Cum St. Genevieve:

(27.07.2021) The Parish Council objects to application DC/21/142/FUL, on the grounds that the development would negatively impact on the visual amenity & the character and appearance of the landscape and environment. It would also cause loss of countryside and coalescence with the town (Bury St

Edmunds), thus resulting in a loss of the green corridor, creating urbanisation within the rural environment.

(15.10.2021 – re-consultation response) 'Fornham St Martin cum St Genevieve Parish Council offers OBJECTIONS to application DC/21/1142/FUL.

We support the many well-researched and presented objections which have already been submitted and published on the portal by residents and would ask that objections from local people are afforded more weight over 'supporters' who live remote from the area - who would reap the benefits but would be unaffected by the proposal were it to be approved.

The Parish Council's main concern is the encroachment of Bury St Edmunds into the wonderful open green space of the countryside, situated in all three Fornham Villages.

Fornham All Saints is not part of the Bury St Edmunds Development Area, and as such the development will breach the rural green space between the village and Bury St Edmunds.

The proposal is not in-keeping with the rural setting and character of the area. The reasons given for refusal of the previous Application for 32 lodges and the comments made in the Dismissal by the Planning Inspectorate apply aptly to this Application.

We also raise the fact that the amount of holiday lodges existing/already approved within the local area is already more than needed, we consider this would be over-development.

We find this proposal contravenes many established Planning Policies.

And ask that it is noted... there is no amelioration of the loss of open countryside.'

17. Bury St Edmunds Town Council:
(24.06.2021) No objection.

(07.10.2021) Bury St Edmunds Town Council objects on the grounds of (i) highways – access, will put more pressure on traffic generation locally due to visitors potentially parking on local estate roads and (ii) nature conservation – lighting on the path to the site from the hotel affecting local wildlife.

18. Ward Councillors:

No comments were received on the original submission. Both ward members objected following the recommendation for approval by the case officer subsequent to submission of the amendments to the scheme.

Cllr Hopfensperger and Broughton's comments to the Delegation Panel on the amended scheme raise the following summarised concerns:

- Revised scheme does still cause urbanisation and coalescence
- concerns that a recognised green area would be developed
- remains non-compliant with Planning Policies DM2, DM5, DM13, DM22, DM27 and CS3; nor does it meet the housing provisions of the NPPF, paragraph 79.

- Proposed parking at hotel will cause need for lighted footpath/buggy path between the hotel/hotel car park
- substantial light pollution from the lodges
- erosion of dark habitat during evenings and at night on the site, affecting residents and local fauna
- there will also be an increase in noise pollution associated with the trekking back and forth.
- visitors to the lodges will park in local residential streets closer to the lodges due to regular flooding on the golf course
- the existing vehicular access was created for maintenance vehicles only

Cllr Hind (Tollgate member which adjoins the Fornhams) objects to the proposals on the grounds of:

- planning history (previous scheme refused and appeal dismissed,
- access, which was granted as maintenance access only,
- loss of green open space / coalescence contrary to Bury Vision 2031 and DM13
- scheme does not overcome reasons for refusal or dismissed appeal
- harmful to visual amenity, intrusive in views from Mildenhall Road and Pigeon Lane
- quoted employment numbers seem exaggerated
- intensification of the access would put further strain in the A1101 and Tollgate junction, when the junction is already suffering from the impact of Marham Park, and The West Suffolk Operational Hub

19.Environment & Transport – Highways:

No objection subject to conditions to the original submission. Note and welcome the amendments to omit parking from the site (subject to original proposed conditions to secure access details).

20.Economic Development: Economic Development were supportive of the previous application proposing new types of accommodation offering a variety to potential visitors, in addition to the diversification of the business. Accommodation demand research and anecdotal demand indicates a continued need for accommodation in and around Bury St Edmunds.

Confirmed that their view on the previous application still stands and new accommodation types are still in demand.

21.Suffolk Preservation Society: No comments received.

22.Conservation Officer: No objection to this reduced scheme.

23.Environment Agency: Have no formal comment to make on this application but offer standing advice on guidance risks to controlled waters from contamination at the site.

24.Anglian Water Services: Advise that Anglian Water has assets close to or crossing this site or there are assets subject to an adoption agreement. Therefore, the site layout should take this into account and accommodate those assets within either prospectively adoptable highways or public open space. If this is not practicable then the sewers will need to be diverted at the developers cost under Section 185 of the Water Industry Act 1991 or, in the case of apparatus under an adoption agreement, liaise with the owners of the

apparatus. It should be noted that the diversion works should normally be completed before development can commence.

Anglian Water confirms that foul drainage from this development is in the catchment of Fornham All Saints Water Recycling Centre that will have available capacity for these flows.

The sewerage system at present has available capacity for these flows via a gravity connection to the public foul sewer.

The preferred method of surface water disposal would be to a sustainable drainage system (SuDS) with connection to sewer seen as the last option. From the details submitted to support the planning application the proposed method of surface water management does not relate to Anglian Water operated assets.

25. Natural England: Notes that the site is within Impact Risk Zones for SSSI's designated for hibernating or breeding bats. It is suggested that the application submission should provide a proportionate set of evidence and conclusions regarding impacts on bats as notified features of the SSSI. The information should allow the LPA to assess whether (and to what extent) certain impacts exist and make an informed decision.

26. Councils Ecology Consultant:
(16.07.2021) Holding objection due to insufficient ecological information on designated sites (Breckland SPA) to enable Habitats Regulations Assessment.

The ecological site assessment and recommendations for mitigation and enhancement are considered acceptable. Agree that a precautionary wildlife sensitive lighting strategy for the development would avoid disturbance of foraging and commuting routes for all bats in the locality, including those species which hibernate in the two SSSIs, and recommend that this could be secured by a suitably worded planning condition of any consent. Consider that there is sufficient information relating to the likely impacts of development on designated sites with bats as notified features, protected & Priority habitats and species and identification of proportionate mitigation which can be secured by conditions of any consent.

(27.08.2021) Following submission of shadow Habitats Regulations Assessment (HRA) report Rev 3 v3 (Huckle Ecology, January 2020) supplied by the applicant and a statement from the agent, holding objection withdrawn. Advise that project level HRA Appropriate Assessment will need to be undertaken by the LPA. Are satisfied that there is sufficient ecological information available for determination of this application. This specifically relates to the likely impacts of development on designated sites and identification of proportionate mitigation. This provides the LPA with certainty of impacts on designated sites and enables it to demonstrate compliance with its statutory duties, including the Conservation of Habitats and Species Regulations 2017 (as amended).

27. Councils Landscape Consultant:
(31.08.2021) Note that the landscape proposal shows a reduction in the number of caravans to 15. The proposal seeks to retain the majority of the existing trees as opposed to previous proposals. Raise concerns about the need for substantial planting which will impact on the existing open character

of the site. The proposed change of use will also impact on the landscape character and the role of the existing open space with regards defining the settlement edge. Development at this location will create an incongruous urbanised feature.

(20.10.2021) Note the amendments with the intention to reduce 'urbanised character' by restricting vehicle activity on site and re-siting lodges further into the site. Welcome the proposal to replace existing G002 with holly, field maple and rowan.

Still have concerns over the impact of this proposal on the open character of the site and the effect on its role with regards defining the settlement edge. Suggested further minor changes to the proposals and soft landscaping if minded to approved.

(25.11.2021) Welcome the changes in surfacing material from tarmac to reinforced gravel. This will help soften the entrance into the development. We welcome the amendments shown in the soft landscape plan. Existing chain link boundary fence along A1101 is to be retained and if replaced, it should match existing height. If minded to approve suggest a condition to secure details of boundary treatment, Landscape management plan and Implantation of landscaping.

28. Oil and Pipeline Agency: No comments reived.

29. Public Health and Housing: Reiterate the comments previously supplied by PH&H on 24th Nov 2020 for application DC/20/1912/FUL:

'Public Health and Housing would have no objection in principle to this development. However, we would advise that the following conditions should be attached to any consent granted in order to protect the amenity of nearby residents:

(1) Prior to the granting of any planning consent. The applicant shall submit proposals for approval which outlines the "site rules" which will be implemented to ensure noise and anti-social behaviour can be controlled.

(2) During the site preparation stage, no construction site machinery or plant shall be operated, noisy works shall be carried out and no construction related deliveries taken at or despatched from the site except between the hours of 0800-1800 Monday to Friday, 0800-1300 Saturday and not at any time on Sundays or Bank or Public Holidays.

(3) Any proposals for external lighting shall be submitted to the planning authority for approval prior to installation.

Informative:

Should planning permission be approved, in accordance with the Caravan Sites and Control of Development Act 1960 the applicant will need to apply for a site licence.

The site would need to be Fire Safety Risk assessed in accordance with the Regulatory Reform (Fire Safety) Order 2005.

30. Environment Team: No objection subject to conditions to secure intrusive contamination investigation and to ensure provision of electric vehicle charge points.

31. Suffolk Wildlife Trust: No comments received.

32. Leisure & Cultural Operational Manager: No comments received.
33. SCC Flood and Water Team: No objection subject to standard conditions.
34. National Grid Plant Protection: No comments received.
35. Sport England: The proposed development does not fall within either their statutory remit (Statutory Instrument 2015/595), or non-statutory remit (National Planning Policy Guidance (PPG) Par. 003 Ref. ID: 37-003-20140306), therefore Sport England has not provided a detailed response in this case. Sport England provided general advice which is viewable online.
36. Historic England: No comments received on this application. (Officer note: HE had no objection to the previous scheme for 35 caravans which would have greater potential to impact on heritage assets)
37. Rights Of Way Support Officer SCC: Do not object to this proposal, however would point out to the applicant again that Pigeon Lane is a Restricted Byway (RB2 Fornham All Saints) and is therefore classed as a public highway rather than just a dead end lane or a track. Provide general points in relation to PROW.
38. Ramblers Association: No comments received.

Representations:

39. 251 third party representations have been received in total. 126 in support and 125 objections, of which the majority (104 objections and 42 support) were submitted in the form of a standard letter/ petition. The representations can be viewed in full on the online file and the points raised are briefly summarised below.
40. The objections raise the following summarised concerns:
- Conflict with planning policy / out site the urban boundary
 - Planning history and appeal decision indicate principle is not acceptable
 - Undermines gap/ buffer between Bury St Edmunds and Fornham All Saints
 - Visual amenity – lodges out of character with the area
 - Residential Amenity – noise from holiday makers and vehicles, potential smell and pollution (Officer note: alleged issues with noise from the existing hotel cannot be considered as part of this application)
 - Wildlife / loss of habitat
 - continued functioning of the golf course
 - traffic and highway safety
 - Traffic on A1101 has already increased significantly from Marham Park
 - Potential illegal parking if no on-site parking
 - Precedent for future planning applications
 - Adverse impact on nocturnal character
 - Flooding and drainage
 - Health and safety from stray balls
 - Lack of demand
 - Heritage and archaeological remains
 - Air and noise pollution from traffic
 - Proposal will jeopardise the delivery of allocated site RV6
 - Unrelated to hotel/Spa and golf course
 - In-combination effects with other approved and planned development
 - Lack of information/ landscaping

- How will these be occupied / holiday use controlled

41. Support comments make the following summarised points:

- now located out of sight of residents of Fornham All Saints
- reduced the scale and impact
- Help diversify golf course/ make it more viable
- Employment
- Additional and more choice of tourism accommodation
- More footfall for local business
- Site is next to the industrial area and far away from any residential
- Tourist attraction for Bury St Edmunds
- Enhancements for wildlife

42. Re-consultation was undertaken (11.12.2019) on amended plans. The following summarised comments have been received:

- Original concerns have been reiterated.
- Concerns about the new pathway across the golf course close to the residential properties on Pigeon Lane.
- Concerns about safety for users of the proposed footpath
- Noise
- Suggestion for alternative footpath routes (for the green path)
- Suggestions for improvements to the soft landscaping and number and height of trees to be planted
- Light pollution from footpath
- coalescence of Fornham's and town

Policy:

43. 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.

44. The following policies of the Joint Development Management Policies Document and the St Edmundsbury Core Strategy 2010 & Vision 2031 have been taken into account in the consideration of this application:

45. St Edmundsbury Core Strategy (2010)

- Core Strategy Policy CS1 - St Edmundsbury Spatial Strategy
- Core Strategy Policy CS4 - Settlement Hierarchy and Identity
- Core Strategy Policy CS9 - Employment and the Local Economy
- Core Strategy Policy CS13 - Rural Areas

46. Rural Vision 2031

- Vision Policy RV1 - Presumption in favour of Sustainable Development

47. Bury Vision 2031 - objective 4

48. Joint Development Management Policies Document (2015)

- Policy DM1 Presumption in Favour of Sustainable Development
- Policy DM2 Creating Places Development Principles and Local Distinctiveness
- Policy DM5 Development in the Countryside
- Policy DM7 Sustainable Design and Construction
- Policy DM10 Impact of Development on Sites of Biodiversity and Geodiversity Importance
- Policy DM11 Protected Species
- Policy DM12 Mitigation, Enhancement, Management and Monitoring of Biodiversity
- Policy DM13 Landscape Features
- Policy DM14 Protecting and Enhancing Natural Resources, Minimising Pollution and Safeguarding from Hazards
- DM17 Conservation Areas
- Policy DM20 Archaeology
- Policy DM34 Tourism Development
- Policy DM42 Open Space, Sport and Recreation Facilities
- Policy DM44 Rights of Way
- Policy DM46 Parking Standards

Other planning policy:

The National Planning Policy Framework (NPPF)

49. The NPPF was revised in July 2021 and is a material consideration in decision making from the day of its publication. Paragraph 219 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 NPPF. 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 2021 NPPF that full weight can be attached to them in the decision making process.

The Conservation of Habitats and Species Regulations 2010:

50. The local planning authority, as the competent authority, is responsible for the Habitats Regulation Assessment (HRA) as required by The Conservation of Habitats and Species Regulations 2017(as amended). Regulation 63 (1) requires that a competent authority, before deciding to undertake, or give any consent, permission or other authorisation for, a plan or project which (a) is likely to have a significant effect on a European site or a European offshore marine site (either alone or in combination with other plans or projects), and (b) is not directly connected with or necessary to the management of that site, must make an appropriate assessment of the implications of the plan or project for that site in view of that site's conservation objectives.
51. Given the proximity of the site to the European designated site Breckland SPA, it is within the 7.5km recreational pressure buffer, the proposal was assessed for its potential for recreational effects on the Breckland SPA both alone and in-combination with other developments; appropriate assessment is required.
52. Given the relatively small scale, access to existing leisure facilities and local footpaths network, together with signposts and information boards and information sheets to be provided by the applicant within the lodges to encourage the visitors to use local paths and facilities, adverse effects on the integrity of Breckland SPA can be screened out.

The Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (EIA Regulations)

53. The planning application proposals were screened under the provisions of these Regulations and it was concluded that the development is 'EIA Development'. The proposal is for a permanent caravan site over 1ha in size which is above the thresholds set out in Schedule 2 of the EIA Regulations 2017.
54. The characteristics of the development have been considered having regard in particular to the size of the development, waste, transport, physical land use changes, landscape, archaeology, ecology, pollution and nuisances, environmental risks and public health.
55. DC/19/1700/FUL for 35 lodges was submitted with an EIA screening report. Officers agree with the findings of the report and conclusion that significant effects on the environment are not considered likely either alone or in combination with other development, even less so given the reduced scale of this current application. The proposals would be small scale and effects can be managed in accordance with standard methods. EIA is therefore not required.

Officer comment:

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

- Principle of Development
- Planning history and previous decisions and appeals
- Impact on the character, appearance and amenity of the area
- Highways considerations
- Impacts on Nature Conservation and Biodiversity/ HRA assessment
- Whether the scale is appropriate for the context and Need
- Heritage Assets and Archaeology
- Residential Amenity
- Risk from stray balls
- Flood risk/ Drainage/ Pollution
- Contamination
- Air Quality
- Planning Balance

Principle of development

57. In accordance with Section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004, planning applications have to be determined in accordance with the development plan unless there are material considerations that indicate otherwise. The NPPF is a material consideration as is planning history and previous decisions and appeals. This will be expanded on below.

58. The application site is designated as countryside under the current policies map (September 2014) and therefore policy DM5 applies.

59. Policy DM5 states that the countryside will be protected from unsustainable development and sets out in what circumstances development might be acceptable. Under criteria d) (inter alia) new tourism facilities will be permitted in accordance with other policies in the plan.

60. The last paragraph of DM5 states:

'Proposals for economic growth and expansion of all types of business and enterprise that recognises the intrinsic character and beauty of the countryside will be permitted where:

- it will not result in the irreversible loss of best and most versatile agricultural land (grades 1, 2 and 3a);
- there will be no significant detrimental impact on the historic environment, character and visual amenity of the landscape or nature conservation and biodiversity interests; and
- there will be no significant adverse impact on the local highway network.'

61. Policy DM13 - Landscape Features permits development where it will not have an unacceptable adverse impact on the character of the landscape, landscape features, wildlife or amenity value. Individual proposals will be assessed based on their specific landscape and visual impact.

62. The policy most relevant for the consideration of this proposal is Policy DM34 – Tourism Development. This seeks to direct larger scale tourism activities and overnight accommodation to the larger urban areas. The policy permits new tourism facilities, including overnight visitor

accommodation such as holiday lodges, static and touring caravans provided that a number of criteria are being satisfied. The policy requires proposals to:

- a) be connected to and associated with existing facilities or located at a site that relates well to the main urban areas and defined settlements in the area and can be made readily accessible to adequate public transport, cycling and walking links for the benefit of non-car users;
- b) not adversely effect the character, appearance or amenities of the area and the design is of a standard acceptable to the Local Planning Authority;
- c) vehicle access and on-site vehicle parking would be provided to an appropriate standard.

63. Additional criteria apply to rural areas, where proposals must also:

- d) have no significant adverse impact on nature conservation, biodiversity or geodiversity interests, or upon the character or appearance of the landscape and countryside;
- e) be of an appropriate scale for their context and/or comprise the conversion of suitable existing rural buildings or limited extension to existing visitor accommodation.

64. Also relevant is Policy DM42 - Open Space, Sport and Recreation Facilities seeks to resist development which will result in the loss of existing amenity, sport or recreation open space or facilities. The NPPF para 99 states that existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:

- a) an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or
- b) the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or
- c) the development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use.

65. The application site forms part of the Fornham All Saints golf course and hotel and spa complex, which is designated as recreational open space and countryside in planning policy terms. The site is located in the southern corner of the golf course and abuts the Mildenhall Road Employment Area to the south-east. The site is some 2km north of Bury train station and just over 3km from the town centre of Bury St Edmunds. The application has been submitted with a golf course re-design scheme to demonstrate that the functionality of the 18 hole golf course will not be affected.

66. The proposal therefore would not result in the loss of existing amenity and sports facilities. Sports England has raised no objections. The proposed lodges would be connected to and associated with the existing All Saints

Hotel, Golf and Spa; the lodges would have functional links and be linked by an internal foot and buggy path. Whilst connected with existing facilities the proposal also relates well to the main urban area and defined settlement in the area, as required by policy DM34 criteria a and e. Moreover, the application has demonstrated that there is good access to public transport, cycling and walking links for the benefit of non-car users. The hotel now also provides the option to rent e-bikes.

67. As such the proposal does not conflict with policy DM42 and meets the criteria set out in para 97 of the NPPF. For the foregoing reasons, the proposal is also considered to comply with policy DM5 and DM34 a) and d) and as such is acceptable in principle subject to compliance with criteria b) to d) of policy DM34 and other relevant policies in the development plan. This will be explored further below.

Planning history

68. Planning permission was previously sought for 35 holiday caravans, access and construction of an access road, parking spaces and associated infrastructure. The development took up the entire southern area from Mildenhall Road Employment Area to Pigeon Lane and involved the removal of a significant number of trees. Planning permission was refused for the following summarised reasons:

- The site makes an important contribution to the setting of Bury St Edmunds and the gap between the town and the village of Fornham All Saints.
- Urbanising features thereby extending the urban edge.
- Reduce the gap between settlements.
- Significant level of tree removal would have a harmful effect on the visual amenity of the area.
- Intrusive within views from Mildenhall Road and Pigeon Lane and detract from the existing rural setting.
- Deterioration in landscape character of the recreational open space, particularly in the short term.
- Mitigation would not overcome the harmful effects the introduction of development on this part of currently undeveloped open countryside would have by reason of coalescence between the settlements
- As such the proposal were considered contrary to policies DM2, DM13 and DM34 of the JDMPD, Policy CS4 of the Core Strategy 2010, Objective 4 of the Bury St Edmunds Vision 2031 and the guiding principles of the NPPF, notably paragraph 127 and 170.

Inspectors' decision

69. The Inspector for the appeal for the 35 holiday caravans noted that the overall character and appearance of the site is parkland/golf course containing many mature trees, in groups and singly and that a significant number of category B and C trees would be removed as a result of the proposal. Whilst these trees are not protected by a Tree Preservation Order, the Inspector found that they nonetheless make a significant contribution to the parkland landscape.

70. The Inspector also noted that 'whilst generally well screened from the public realm by existing planting, the boundary of the site is relatively

open where it fronts onto Mildenhall Road. This affords views into the site across the golf course which provide a rural setting to the settlements of Fornham St Genevieve and Fornham All Saints and separation between these built up areas and Bury St Edmunds.'

71. The proposal would remove and replace many existing trees and introduce a significant number of holiday lodges into these views.
72. The Inspector remarked that 'the introduction of the holiday homes would introduce a significant urbanising built form in the foreground of views across from Mildenhall Road, closing the visual gap between the employment land and existing development fronting Pigeon Lane. The loss of many of the existing mature trees would be very noticeable in the landscape and this would increase the perception of urbanisation of the site.'
73. The mitigation measures proposed, of themselves, were not considered adequate to mitigate the harm identified, as new planting would take time to establish itself and, even with the passage of time the matter of urbanisation and coalescence of development would not be addressed.
74. The Inspector found no harm to the Conservation Area or Scheduled Ancient Monument (SAM) but noted that Appropriate Assessment (AA) under the Conservation of Habitats and Species Regulations 2017 as amended (the Habitat Regulations).
75. The Inspector attributed moderate weight to the economic and social benefits arising from the proposal and concluded the proposals would be contrary to the development plan and result in unacceptable harm to the character and appearance of the site and the surrounding area. The harm identified would significantly and demonstrably outweigh the benefits provided by the scheme when assessed against the policies in the Framework taken as a whole. Consequently, the appeal was dismissed.

Conclusion on principle

76. Based on the policy assessment, previous planning decision and appeal decision above, the current proposal for holiday let caravans is considered acceptable in principle given the provisions of policy DM5 and DM34, subject to acceptable impacts on the character, appearance and amenity of the area and other material planning considerations which will be assessed further below.

Whether the proposal would adversely affect the character, appearance or amenities of the area and the design is of an acceptable standard

77. The current scheme is materially different to the previously refused scheme. It is substantially smaller; 15 caravans instead of 35. The application has been submitted with an updated Tree Survey and Arboricultural Impact Assessment. The amended scheme requires the removal of a small part of a group of Leylandii Cyprus trees, one Class C Swedish Whitebeam and one Class C young Oak Sapling to enable the development. The trees are not of high amenity value, particularly given the verdant, well treed setting. The tree removal will be compensated by

replacement planting. The soft landscaping scheme submitted with the application proposes native hedge planting and 113 trees including 8 extra heavy standard Hornbeam and Lime trees.

78. Further amendments to the scheme were made during the consideration of the application: the tarmac access road and on-site parking has been removed and replaced by a drop-off area only. Guest parking would instead be at the main hotel and each lodge would have access to a golf buggy. A permissive path from the hotel across the golf course would allow access by foot or golf buggy.
79. The lodges are set well away from the road and mostly behind the existing retained trees and vegetation. In addition to the existing retained vegetation, the proposed soft landscaping scheme would still enhance the screening and setting of the proposed development. The caravans are proposed to be timber clad to further assimilate them into their surroundings.
80. With all on-site parking removed and only a reinforced gravel path throughout the development, the lodges would sit within a parkland, woodland setting, out of direct public views, whilst the long, open views from Mildenhall Road across the golf course would be retained.
81. The development may be glimpsed in distant views from Pigeon Lane and the Lark Way footpath, however the reduced scale and omission of hardstanding and access road will, together with the timber cladding, ensure that the development will assimilate into its surroundings and any visual impacts will in time further be reduced by the mitigation planting. On this basis it cannot be considered to adversely affect the character of the public right of way as a whole, either once planting has established or even at the outset immediately following planting, and thus the proposal would not be contrary to policy DM44 - Rights of Way.

Conclusion Landscape Impact

82. The Council's Landscape Consultant reiterated concerns over the impact of this proposal on the open character of the site and the effect on its role with regards defining the settlement edge, however, welcomes the amendments to the scheme to reduce 'urbanised character' by restricting vehicle activity on site and re-siting lodges further into the site.
83. DM13 requires all development proposals to 'demonstrate that their location, scale, design and materials will protect, and where possible enhance the character of the landscape, including the setting of settlements, the significance of gaps between them and the nocturnal character of the landscape'.
84. The policy goes on to state that 'where any harm will not significantly and demonstrably outweigh the benefit of the proposal, development will be permitted subject to other planning considerations. It is essential that commensurate provision must be made for landscape mitigation and compensation measures, so that harm to the locally distinctive character is minimised and there is no net loss of characteristic features'.

85. The current scheme has been carefully designed and sited to address the previous refusal reasons. The lodges have been set back from Mildenhall Road by at least 65m behind existing and proposed tree and hedge screening such that it would not result in 'urbanising built form in the foreground of views' as raised as concern by the appeal inspector. The proposal avoids 'closing the visual gap between the employment land and existing development fronting Pigeon Lane' and the minimal tree removal is not considered to be very noticeable in the landscape.
86. The development will be well contained and long open views across the golf course retained. Any modest visual impacts in the short term would be mitigated and compensated for with the substantial soft landscaping scheme proposed. The proposed native planting around tree non-native tree group G0002 Cyprus Leylandii will be an enhancement to the landscape in the long term.
87. The undeveloped gap between Pigeon Lane residential development and the edge of Bury St Edmunds would not visually be reduced. There is therefore no conflict with Objective 4 of the Bury St Edmunds Vision 2031, which seeks to prevent coalescence of the town with the surrounding villages.
88. With regards to the nocturnal character the Inspector for a similar proposal on a nearby site (Fornham Park Lodge development / Phase 2 - Appeal Decision APP/E3525/W/17/3185630) found that 'Whilst any increase in human activity is likely to affect the level of darkness at night, the nearby main roads and industrial installations already compromise the nocturnal environment. Providing the level of estate lighting is restricted, the additional lodges would not significantly add to existing levels of artificial light'. In this case the road and industrial units are similarly close to the application site, compromising the nocturnal environment. A condition is therefore recommended for a detailed lighting scheme to be submitted for approval by the LPA prior to its installation.
89. The current scheme minimises urbanising effects and mitigates any harm to the locally distinctive character of the area. There is no net loss of characteristic features as required by policy DM13. On balance therefore the proposals are not considered to justify refusal by reason of adverse effects on the visual amenities of the area or coalescence between the settlements.

Highways considerations

90. Concerns have been raised by local residents and the neighbouring ward member about increase in traffic cumulatively with other development in the area and the safety of the proposed new access. Concerns were also raised with regard to the amended proposal with parking at the hotel and the potential for guests to park on-street nearby the site.
91. The update to the design and access statement submitted with the revised scheme explains how the parking for the site will be managed. Check in for the lodges will be at the hotel. All Saints Hotel has an existing parking provision of 235 spaces. 30 spaces will be dedicated to use by the 15 lodges. Each lodge will be provided with a golf buggy. Demonstration

on use, instruction on golf course etiquette & route restrictions will be carried out at check-in.

92. An access for maintenance vehicles off the A1101 to this side of the golf course was granted permission in 2018. This approved access was sub-standard and only suitable for infrequent use. This access has now been implemented. The proposal seeks to utilise this existing access, which will need to be upgraded to serve the proposed development. The Highway Authority has raised no objection to the application subject to there being only one access; the existing upgraded access and a condition to secure details of the alignment, radii, continuity of footway and cycleway, pedestrian and cycle access into the development, any alteration/s of the existing carriageway widths, gradient, materials, visibility splays and position of any gates and a safety audit.
93. The Highway Authority noted and welcomed the reduction in vehicle movements from the lodges onto the A1101 by relocating the parking to the main hotel.
94. Paragraph 111 of the NPPF states 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. Given the small scale of the proposed development the proposal is not considered to have a severe impact on the local highways network alone or in combination with other development in the area.
95. The concerns raised by residents with regards to access and parking are noted, however parking control measures including double yellow lines are in place in the vicinity of the site where parking may have a detrimental impact on highway safety. Adequate parking will be available at the hotel and this will be part and parcel of the experience of this type of holiday let and unlikely to result in illegal parking elsewhere. Access to the site by buggy and other sustainable modes of transport are supported by policy DM46, which seeks to prevent the overreliance on the car as well as guidance in the NPPF.
96. The proposals therefore are considered to comply with the relevant local and national policy in this respect, subject to conditions.

Nature conservation, biodiversity or geodiversity interests

97. The LPA, as a public authority in England, has a duty under the Natural Environment and Rural Communities (NERC) Act 2006 s.40, to have regard to conserving biodiversity in decision making.
98. The Framework confirms the planning system should contribute to and enhance the natural environment by inter alia minimising impacts on biodiversity and providing net gains where possible. The Framework states that protection of designated sites should be commensurate with the status of the site, recognising the hierarchy of international, national and local designations.

99. Development Management Policy DM10 requires the local planning authority to have regard to expert nature conservation advice. It sets out detailed criteria for the consideration of the impact of development on sites of biodiversity importance.
100. Natural England notes that the proposed development has the potential to adversely affect a Site of Special Scientific Interest (SSSI) designated for hibernating or breeding bats i.e. the relevant Impact Risk Zones have been triggered. As protected species bats are a material consideration in the determination of planning applications, in this case they form the notified interest of a SSSI and therefore it is section 28i of the Wildlife & Countryside Act 1981 (as amended) that is the relevant legislation in this case (i.e. for proposals with the potential to affect a SSSI).
101. The application has been submitted with an updated Ecological Impact Assessment Report (EIA), Huckle Ecology Ltd, November 2020 and the previous HRA shadow report was re-submitted with a statement from the agent. The latter confirms that the conclusions of the report are applicable to this application for 15 lodges which occupies the same effective site simply with a reduction in the number of units proposed. The Councils Ecology consultant has reviewed the reports and agrees with the findings.
102. A precautionary wildlife sensitive lighting strategy for the development would avoid disturbance of foraging and commuting routes for all bats in the locality, including those species which hibernate in the two SSSIs. The Councils Ecology Consultant confirmed that this could be secured by a suitably worded planning condition and also supports the proposed reasonable biodiversity enhancements, which have been recommended to secure measurable net gains for biodiversity, as outlined under Paragraph 174d of the National Planning Policy Framework (2021). The reasonable biodiversity enhancement measures should be outlined within a Biodiversity Enhancement Strategy and should be secured by a condition of any consent. This will enable LPA to demonstrate its compliance with its statutory duties including its biodiversity duty under s40 NERC Act 2006. Impacts will be minimised such that the proposal is acceptable subject to the conditions below based on BS42020:2013.
103. Subject to conditions to ensure implementation in accordance with the details and for further details to be submitted and approved, the proposal would not conflict with policy DM10, DM11 and DM12 and are acceptable in this respect.

HRA Assessment

104. The LPA has undertaken a project level HRA Appropriate Assessment on the basis of the amended plans submitted and an HRA shadow report and update letter (Huckle 13.07.2021) and proposed mitigation measures. Natural England has no concerns about the proposals.
105. The assessment concluded that provision of recreational open space associated with the lodges and improvements to access including connections to the existing PRow and safe circular walks through the golf

course, and to the hotel, together with information boards and information packs, would encourage the residents to remain within the locality rather than drive to the SPA. The measures should be secured by condition to be implemented prior to first use of the lodges. The detail/locations of the signage, information boards and detail of the information sheets should be submitted for approval.

106. Based on the above assessment and the implementation of the measures set out above, adverse effects on integrity of Breckland SPA can be ruled out.

Whether the proposal would be of an appropriate scale for their context

107. Para 84 of the NPPF supports the diversification of land-based rural businesses and sustainable rural tourism and leisure developments which respect the character of the countryside.
108. Policy DM34 criterion e) requires proposals for new tourism accommodation in the countryside to be of an appropriate scale for their context and/or comprise the conversion of suitable existing rural buildings or limited extension to existing visitor accommodation.
109. The policy advises that 'the larger urban areas will be the focus for larger scale tourism activities and overnight accommodation in accordance with the requirement to concentrate development at the most sustainable locations'. 'Larger scale' is undefined. However, the development is within walking and cycling distance of Bury St Edmunds.
110. Concerns have been raised about the lack of need for additional lodges in the area and the viability of the site allocated in the Rural Vision 2031 policy RV6. This has also been considered by the Inspector for Fornham Park Phase 2. St. Genevieve Lakes at Park Farm, Ingham was the subject of a 2017 masterplan. The proposals involve the ongoing restoration of the landscape to form lakes with up to 100 units of holiday accommodation with other attractions. The masterplan indicates different type of lodges to those at Fornham Park or to the caravans proposed under this application, with an emphasis on glazing and extensive views across the lakes, which would be very different.
111. No evidence has been provided to show that the viability of St Genevieve Lakes, which is entering the initial stages of the planning process, would be threatened by either the appeal scheme for Fornham Park Phase 2, or the proposed caravans here. The Inspector found it is reasonable to assume that the anticipated attractions and facilities such as fishing at St Genevieve are likely to be supported by visitors to additional lodges.
112. For the reasons outlined above the proposals are considered acceptable when assessed against policy DM34 and the other relevant JDMPD policies and would not conflict with the strategic aims for rural areas of Core Strategy policy CS13.

Heritage Assets and Archaeology

113. The Planning (Listed Buildings and Conservation Areas) Act 1990 (under Section 66) requires the decision maker to have special regard to the desirability of preserving or enhancing a listed building or its setting or any features of special architectural or historic interest which it possesses.
114. The site is not in proximity to any listed buildings but the Fornham All Saints conservation area runs along the western side boundary with Pigeon Lane. The Scheduled Ancient Monument 'Sites NW and SE of Fornham All Saints' associated with the Fornham St Genevieve battle (1173) lies some 200m to the north-west of the application site.
115. Historic England raised no objection but note that it is probable that archaeological remains relating to the wider prehistoric ritual landscape will be disturbed or damaged and archaeological advice should be sought.
116. SCC Archaeology note that the site has very high archaeological potential. It is in a sensitive archaeological location, adjacent to the end of the Scheduled Fornham Cursus Complex, on the possible retreat route from the Battle of Fornham 1173 AD and in a topographic location that has a high potential for Anglo-Saxon remains to be encountered. Given the limited ground disturbance from the proposed development the service concluded that there are no grounds to consider refusal of permission in order to achieve preservation in situ of any important heritage assets. However, in accordance with the National Planning Policy Framework (Paragraph 199), any permission granted should be the subject of a planning condition to record and advance understanding of the significance of any heritage asset before it is damaged or destroyed. On this basis standard conditions should be attached to ensure compliance with policy DM20.
117. The Conservation Officer has assessed the proposals and raised no objections. The proposed scheme would retain the natural character and appearance along Pigeon Lane, preserving the setting of the conservation area. As such the proposal would not conflict with policy DM17, which seeks to preserve or enhance views in and out of the conservation area.

Residential Amenity

118. Concerns have been raised with regards to neighbour amenity by reason of noise, light disturbance and smell in relation to the original application and this revised scheme.
119. Policy DM2 and guidance within the NPPF seeks to ensure, taking mitigation measures into account, that new development does not adversely affect the amenities of adjacent areas and/ or residential amenity.
120. In this case, the application site is over 250m away from the nearest residential properties on Pigeon Lane and separated by the busy A1101 from new residential development at Marham Park. The separation is such that it is not considered likely that the proposal would have

unacceptable impacts on neighbour amenity by reason of noise from users or vehicles associated with the proposal.

121. A wildlife sensitive lighting scheme would also prevent unacceptable impact on residential amenity from light disturbance.
122. Anglian Water has confirmed that there is available capacity for foul drainage and the sewerage system at present has available capacity to connect to the public foul sewer. The details would be subject to building regulations and details for adequate refuse and recycling bins can be secured by condition.
123. As such there is considered to be sufficient control to ensure that there no unacceptable impacts on residential amenity, in accordance with policy DM2.

Risk from stray golf balls

124. The proposal will require the redesign of the 14th and 15th holes to accommodate the proposed development and the yardage of a third hole. The report by Swan Golf Designs sets out the redesign to ensure there is no significant loss in quality of golf, and that all reasonable steps are taken to prevent golf balls from landing within the area of the proposed development. The redesign adheres to the industry standard safety guidelines.
125. The key features are as follow:
- The existing 14th hole is shortened to become a long par-3 hole to a new green located well short of the proposed development site. The proposed hole uses the existing tees and plays in the same direction as the existing hole, with the new green located 60m from the adjacent boundary.
 - The existing 15th hole is realigned to play to the north of the proposed development site to a new green located close to the existing pond. The proposed hole plays from new tees located more than 30m from the laterally adjacent boundary, to the existing fairway which is realigned to be more than 60m from the adjacent boundary. The new green location is located 50m from the existing course boundary.
 - With both the proposed 14th and 15th holes (fairways and greens) located further away from adjacent boundaries and public rights of way (PROWs) than the existing holes it can be assumed that the risk of golf balls landing beyond these boundaries or on these PROWs will be reduced.
 - The loss in overall course yardage from altering the 14th and 15th hole is mitigated by lengthening of other holes on the back-nine, namely the 11th, 13th and 16th.
126. Alterations in accordance with the industry standards can therefore be made to the adjacent golf holes to mitigate any loss of yardage, interest and challenge for golfers and designed and implemented to

minimise the risk of golf balls landing within the proposed development site or close to the existing PROWs.

127. Risk mitigation from golf balls to users of the proposed footpath have been set out in a separate document 'Golf Course & Footpath Statement'. As stated above, a public foot path runs across the golf course and parts of the proposed private footpath link between the application site and the hotel is an existing track used by golf buggies and maintenance vehicles already. New linking footpaths are proposed between this track and the PROW directly north of the application site and industrial units.

128. The statement sets out the proposed signage to be installed prior to occupation:

- Low level sign boards at site entry & crossing points informing pedestrians of private access only to green paths
- Signage at all entry points to paths informing pedestrians of golf activity advising necessary vigilance & caution in using the paths; all dogs to be kept on short leads
- Low level sign boards at all golf tees informing golfers of pedestrian activity on the paths & forbidding driving shots when pedestrians are traversing the relevant course zones
- White painted permanent inset ground markers at 20m intervals set along paths assisting pedestrians to follow the marked routes only
- Caravan users & golfers to be issued with safety guide on arrival illustrating the arrangement of footpaths & explaining relevant restrictions on access & golfing activity

129. Given pedestrian and golf buggy access across the golf course does already exist and subject to the implementation of the details and measures in line with industry standards as set out in the Swan Golf Designs report and the Golf Course & Footpath Statement, the risk to future holiday makers and footpath users are considered to be reasonably mitigated. However, Public Health and Housing can address issues from stray balls under other legislation for statutory nuisances should issues arise despite these measures.

Flood risk/ Drainage/ Pollution

130. The NPPF seeks to steer new development to areas with the lowest probability of flooding and to ensure that new development does not increase the risk of flooding elsewhere. Whilst large parts of the golf course are within flood zone 2 and 3, the application sites is within flood zone 1; low risk. In terms of flood risk the proposal is sequentially acceptable and accords with local and national policies.

131. Development Management Policy DM6 states that proposals for all new development are required to demonstrate that on site drainage will be managed so as not to cause or exacerbate flooding elsewhere.

132. Because the proposed development is located on a greenfield site and is greater than 0.5ha or 10 dwellings, there needs to be a suitable scheme implemented for the disposal of surface water. This is to prevent increased risk of flooding, both on and off the site due to the increase in the impermeable area post development.
133. The application has been submitted with an updated Flood Risk Assessment & Drainage Strategy, which was considered acceptable by the Local Lead Flood Authority. Provided the development is implemented in accordance with the strategy, which can be secured by condition, the proposal would comply with policy DM6.

Contamination

134. Policy DM14 requires proposals for development on or adjacent to land which is known to be or potentially affected by contamination to submit an appropriate assessment of the risk levels, site investigations and implementation schedule prior to or as part of any planning application.
135. The application is supported by a Phase One Desk Study undertaken by Oakley Soils and Concrete Engineering Ltd, reference DDD/73 dated July 2019. This report provides a summary of the history and environmental setting of the site and surrounding area, includes the findings of a site walkover and provides a preliminary risk assessment. The risk assessment concludes that intrusive investigations are required.
136. The Environment Team is satisfied that the report is adequate and agree with the recommendations for intrusive investigations. The standard land contamination conditions should therefore be attached, to ensure these works are undertaken to an appropriate standard.

Air Quality

137. 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 112 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.'
138. St Edmundsbury Core Strategy Policy CS2, Sustainable Development, requires the conserving and, wherever possible, enhancing of natural resources including, air quality.
139. 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. The Suffolk Parking Standards (updated May 2019) state that for hotels, "25% of all parking spaces to be fitted with a charging system". Although the proposal is not for a hotel, there is no specific requirement for caravan

lodge holiday homes and the site use would not be the same as a residential dwelling.

140. The Environment Team therefore suggest that electric vehicle charge point requirements for a hotel are the closest fitting with a holiday let caravan site and 25% of caravan holiday lodges (4 in this case rounded up from 3.75) should be fitted with charging infrastructure, should planning be granted. This can be secured by condition.

Planning Balance

141. The application would provide 15 timber clad caravans for holiday use on parts of the existing golf course, in a sustainable location with easy access to facilities in the town as well as the countryside. It is a materially different and reduced scheme to that proposed previously, seeking to address the previous refusal reasons.
142. This is to supplement the existing accommodation on the site and to rationalise the existing golf course thereby making it more financially viable. The proposal would provide economic and social benefits from the construction period, additional spend during operation and additional employment opportunities.
143. The principle of the proposal is supported by local plan policy and guidance in the NPPF. The scheme is considered acceptable with regards to highways matters, residential amenity and all other material considerations. The visual impacts and potential harm arising from the introduction of development within this currently undeveloped edge of countryside location are a matter of planning judgement.
144. The development has been pushed back from Mildenhall Road to at least 65m and the development will be well contained and mostly screened by existing vegetation and trees. The screening is further proposed to be enhanced through a substantial soft landscaping scheme. Whilst the Councils Landscape Consultant reiterates concerns over the impact on the open character of the site and the effect on its role with regards defining the settlement edge, the application has demonstrated to retain the long, open views across the golf course from Mildenhall road and avoid development in the foreground. The visual gap between the settlements would therefore not be closed. Any glimpses of the development which may have an adverse effect on the current undeveloped character of the area will diminish over time when the planting matures.
145. Moderate weight must be attached to these benefits. The soft landscaping and further ecological measures will ensure biodiversity net gain as required by policy DM12.
146. In the view of officers the visual impacts of the proposal will be minimal and localised and will be adequately mitigated and compensated by the proposed soft landscaping. Any potential harm in the short term would be demonstrably outweighed by the economic, social and environmental benefits identified, such that planning permission should not be withheld.

Conclusion:

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

Recommendation:

148. It is recommended that planning permission be **APPROVED** subject to the following conditions:

- 1 The development hereby permitted shall be begun not later than three 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, unless otherwise stated below:

Reference number	Plan type	Date received
467 SL1 REV D	Location plan	24 May 2021
467 P1F	Block plan	24 September 2021
467 FP1E	Footpaths	7 December 2021
GUA-DR-L-001 REV. P13	Landscape plan	10 November 2021

Reason: To define the scope and extent of this permission.

- 3 Before first occupation details of the timber cladding to the caravans shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

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 Prior to commencement of development the following components to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the Local Planning Authority:
 - i) A site investigation scheme,
 - ii) The results of a site investigation based on i) and a detailed risk assessment, including a revised Conceptual Site Model (CSM),
 - iii) Based on the risk assessment in ii), a remediation strategy giving full details of the remediation measures required and how they are to be undertaken. The strategy shall include a plan providing details of how the remediation works shall be judged to be complete and arrangements for contingency actions.

Reason: To protect and prevent the pollution of controlled waters, future end users of the land, neighbouring land, property and ecological systems

from potential pollutants associated with current and previous land uses in accordance with policy DM14 of the West Suffolk Joint Development Management Policies Document 2015, paragraphs 170,178 and 179 of the National Planning Policy Framework (NPPF), Environment Agency Groundwater Protection: Principles and Practice (GP3) and all relevant Core Strategy Policies. This condition requires matters to be agreed prior to commencement since it relates to consideration of below ground matters that require resolution prior to further development taking place, to ensure any contaminated material is satisfactorily dealt with.

- 6 If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted a remediation strategy to the Local Planning Authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the Local Planning Authority. The remediation strategy shall be implemented as approved.

Reason: To protect and prevent the pollution of controlled waters, future end users of the land, neighbouring land, property and ecological systems from potential pollutants associated with current and previous land uses in accordance with policy DM14 of the West Suffolk Joint Development Management Policies Document 2015, paragraphs 170,178 and 179 of the National Planning Policy Framework (NPPF), Environment Agency Groundwater Protection: Principles and Practice (GP3) and all relevant Core Strategy Policies.

- 7 The flood risk assessment and strategy for the disposal of surface water produced by GH Bullard (Dated: May 2021, Ref: 195/2020/FRADS Rev P2) shall be implemented as approved in writing by the local planning authority. The strategy shall thereafter be managed and maintained in accordance with the approved strategy.

Reason: To ensure that the principles of sustainable drainage are incorporated into this proposal, to ensure that the proposed development can be adequately drained in accordance with policy DM6 of the West Suffolk Joint Development Management Policies Document 2015, Chapter 14 of the National Planning Policy Framework and all relevant Core Strategy Policies. The condition is precommencement as it may require the installation of below ground infrastructure and details should be secured prior to any ground disturbance taking place.

- 8 No development shall commence until details of a Construction Surface Water Management Plan (CSWMP), detailing how surface water and storm water will be managed on the site during construction (including demolition and site clearance operations if applicable) is submitted to and agreed in writing by the local planning authority. The CSWMP shall be implemented and thereafter managed and maintained in accordance with the approved plan for the duration of construction. The approved CSWMP shall include: method statements, scaled and dimensioned plans and drawings detailing surface water management proposals to include :-
- i. Temporary drainage systems
 - ii. Measures for managing pollution / water quality and protecting controlled waters and watercourses

iii. Measures for managing any on or offsite flood risk associated with construction

Reason: To ensure the development does not cause increased flood risk, or pollution of watercourses or groundwater during construction. This condition is a pre commencement planning condition and requires details to be agreed prior to the commencement of development to ensure flooding risk as a result of both construction and use of the site is minimised and does not result in environmental harm or even risk to life.

- 9 Within 28 days of practical completion of the last dwelling, surface water drainage verification report shall be submitted to the Local Planning Authority, detailing and verifying that the surface water drainage system has been inspected and has been built and functions in accordance with the approved designs and drawings. The report shall include details of all SuDS components and piped networks, in an agreed form, for inclusion on the Lead Local Flood Authority's Flood Risk Asset Register.

Reason: To ensure that the surface water drainage system has been built in accordance with the approved drawings and is fit to be put into operation and to ensure that the Sustainable Drainage System has been implemented as permitted and that all flood risk assets and their owners are recorded onto the LLFA's statutory flood risk asset register as required under s21 of the Flood and Water Management Act 2010 in order to enable the proper management of flood risk with the county of Suffolk

- 10 All planting comprised in the approved details of landscaping shall be carried out in the first planting season following the 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 enhance the appearance of the development and ensure a satisfactory environment, 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.

- 11 The development hereby approved shall be implemented in accordance with the details set out in the TREE SURVEY, AIA AND ARB METHOD STATEMENT Rev. 8815 and the trees to be retained as shown on the approved soft landscaping scheme GUA-DR-L-001 Revision P13 (received 10 Nov 2021) shall be protected during construction in accordance with BS 5837:2012 - Trees in relation to construction - Recommendations. The protective measures contained with the tree report 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. Any trees shown to be retained removed, dying or becoming seriously damaged or diseased within five years of commencement shall be replaced within the first available planting season thereafter with a replaced with the same species tree unless the Local Planning Authority gives written consent for any variation. Any retained trees removed, dying or becoming seriously damaged or diseased within five years of commencement 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 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.

- 12 All mitigation and enhancement measures and/or works shall be carried out in accordance with the details contained in the Ecological Impact Assessment report (Huckle Ecology, November 2020) and Ecological Update Letter (Huckle Ecology, July 2021) as already submitted with the planning application and agreed in principle with the local planning authority prior to determination. This may include the appointment of an appropriately competent person e.g. an ecological clerk of works (ECoW) to provide on-site ecological expertise during construction. The appointed person shall undertake all activities, and works shall be carried out, in accordance with the approved details.

Reason: To conserve and enhance protected and Priority species and allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 as amended and s40 of the NERC Act 2006 (Priority habitats & species), and in accordance with policy 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.

- 13 A Biodiversity Enhancement Strategy for protected and Priority species shall be submitted to and approved in writing by the local planning authority. The content of the Biodiversity Enhancement Strategy shall include the following:
- a) Purpose and conservation objectives for the proposed enhancement measures;
 - b) detailed designs to achieve stated objectives;
 - c) locations of proposed enhancement measures by appropriate maps and plans;
 - d) persons responsible for implementing the enhancement measures;
 - e) details of initial aftercare and long-term maintenance (where relevant).
- The works shall be implemented in accordance with the approved details prior to occupation and shall be retained in that manner thereafter.
- Reason: To enhance protected and Priority species & habitats and allow

the LPA to discharge its duties under the s40 of the NERC Act 2006 (Priority habitats & species). To secure biodiversity enhancements commensurate with the scale of the development, in accordance with policy 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.

- 14 Prior to installation of any external lighting on the application site or along the linking foot paths a lighting design scheme for biodiversity shall be submitted to and approved in writing by the local planning authority. The scheme shall identify those features on site that are particularly sensitive for bats and that are likely to cause disturbance along important routes used for foraging; and show how and where external lighting will be installed (through the provision of appropriate plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent bats using their territory.

All external lighting shall be installed in accordance with the specifications and locations set out in the scheme and maintained thereafter in accordance with the scheme. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

Reason: To allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 as amended and s40 of the NERC Act 2006 (Priority habitats & species) and in the interest of nocturnal character and amenity.

- 15 The caravans hereby permitted shall only be occupied for holiday use and shall not be used for permanent residential accommodation. No letting shall exceed a period of three months and no lodge shall be occupied by any one individual for a period exceeding three months within any twelve month period. The owners/operators shall maintain an up to date register of the names of all owners/occupiers of individual lodges on the site, and of their main home addresses, and shall make this information available at all reasonable times to 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.

- 16 No development shall take place on site until the implementation of a programme of archaeological work has been secured, in accordance with a Written Scheme of Investigation which has been submitted to and approved in writing by the Local Planning Authority. The scheme of investigation shall include an assessment of significance and research questions; and:
- a. The programme and methodology of site investigation and recording.
 - b. The programme for post investigation assessment.
 - c. Provision to be made for analysis of the site investigation and recording.
 - d. Provision to be made for publication and dissemination of the analysis and records of the site investigation.
 - e. Provision to be made for archive deposition of the analysis and records of the site investigation.
 - f. Nomination of a competent person or persons/organisation to undertake

the works set out within the Written Scheme of Investigation.

g. Timetable for the site investigation to be completed prior to development, or in such other phased arrangement, as agreed and approved in writing by 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 policy DM20 of the West Suffolk Joint Development Management Policies Document 2015, Chapter 16 of the National Planning Policy Framework and all relevant Core Strategy Policies. This condition is required to be agreed prior to the commencement of any development to ensure matters of archaeological importance are preserved and secured early to ensure avoidance of damage or loss due to the development and/or its construction. If agreement was sought at any later stage there is an unacceptable risk of loss and damage to archaeological and historic assets.

- 17 There shall be no occupation of any of the caravans hereby approved until the site investigation and post investigation assessment has been completed, submitted to and approved in writing by the Local Planning Authority, in accordance with the programme set out in the Written Scheme of Investigation approved under part 1 and the provision made for analysis, publication and dissemination of results and archive deposition.

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 Policy DM20 of the Forest Heath and St Edmundsbury Local Plan Joint Development Management Policies 2015, Policy CS2 of St Edmundsbury Core Strategy 2010 and the National Planning Policy Framework (2019)

- 18 No part of the development shall be commenced until details of the proposed access have been submitted to and approved in writing by the Local Planning Authority. Details shall include the alignment, radii, continuity of footway and cycleway, pedestrian and cycle access into the development, any alteration/s of the existing carriageway, widths, gradient, materials, visibility splays and position of any gates and will include a safety audit. The approved access shall be laid out and constructed in its entirety prior to any other part of the development taking place. Thereafter the access shall be retained in its approved form.

Reason: To ensure that the access is designed and constructed to an appropriate specification and made available for use at an appropriate time, in accordance with policy DM2 of the West Suffolk Joint Development Management Policies Document 2015, Chapter 9 of the National Planning Policy Framework and all relevant Core Strategy Policies. This condition requires matters to be agreed prior to commencement since it relates to highway safety and it is necessary to secure details prior to any other works taking place.

- 19 No development above ground shall take place until details have been submitted to and approved in writing by the Local Planning Authority showing the means to prevent the discharge of surface water from the development onto the highway. The approved scheme shall be carried out in its entirety before the access is first used and shall be retained thereafter in its approved form.

Reason: To prevent hazards caused by flowing water or ice on the highway, in accordance with policy DM2 and DM6 of the West Suffolk Joint Development Management Policies Document 2015, Chapters 9 and 14 of the National Planning Policy Framework and all relevant Core Strategy Policies.

- 20 Before the development is commenced, details of the internal road and footpaths, (including layout, levels, widths, gradients, surfacing, lighting and means of surface water drainage), shall be submitted to and approved in writing by the Local Planning Authority. No caravan shall be occupied until the internal road and paths have been constructed in accordance with the approved details except with the written agreement of the Local Planning Authority.

Reason: To ensure that roads/footways are constructed to an acceptable standard, in accordance with policy DM2 of the West Suffolk Joint Development Management Policies Document 2015, Chapter 9 of the National Planning Policy Framework and all relevant Core Strategy Policies. This condition requires matters to be agreed prior to commencement since it relates to highway safety and it is necessary to secure details prior to any other works taking place.

- 21 All HGV and construction traffic movements to and from the site over the duration of the construction period shall be subject to a Construction and Deliveries Management Plan which shall be submitted to the planning authority 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 site operator shall maintain a register of complaints and record of actions taken to deal with such complaints at the site office as specified in the Plan throughout the period of occupation of the site.

Reason: To reduce and / or remove as far as is reasonably possible the effects of HGV and construction traffic in sensitive areas, in the interest of highway safety, in accordance with policy DM2 of the West Suffolk Joint Development Management Policies Document 2015, Chapter 9 of the National Planning Policy Framework and all relevant Core Strategy Policies.

- 22 Before the access is first used clear visibility at a height of 0.6 metres above the carriageway level shall be provided and thereafter permanently maintained in that area between the nearside edge of the metalled carriageway and a line 2.4 metres from the nearside edge of the metalled carriageway at the centre line of the access point and a distance of 120 metres in each direction along the edge of the metalled carriageway from the centre of the access. Notwithstanding the provisions of Part 2, Class A of the Town and Country Planning (General Permitted Development) Order 2015 as amended (or any Order revoking and re-enacting that Order) no

obstruction over 0.6 metres high shall be erected, constructed, planted or permitted to grow within the area of the visibility splays.

Reason: To ensure vehicles exiting the access have sufficient visibility to enter the public highway safely and vehicles on the public highway have sufficient warning of a vehicle emerging to take avoiding action in the interests of road safety, in accordance with policy DM2 of the West Suffolk Joint Development Management Policies Document 2015, Chapter 9 of the National Planning Policy Framework and all relevant Core Strategy Policies.

- 23 Before the development above ground level details of the areas to be provided for the loading, unloading, manoeuvring and parking of vehicles including secure cycle storage and electric vehicle charging points shall be 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 the provision and long term maintenance of adequate on-site space for the parking and manoeuvring of vehicles in accordance with Suffolk Guidance for Parking (2019) where on-street parking and manoeuvring would be detrimental to highway safety.

- 24 Prior to the development hereby permitted being first occupied, the proposed access onto the A1101 shall be properly surfaced with a bound material for a minimum distance of 10 metres from the edge of the metalled carriageway, in accordance with details previously submitted to and approved in writing by the local planning authority.

Reason: To secure an appropriate vehicular access surface and to prevent hazards caused by loose materials being carried out into the highway, in accordance with policy DM2 of the West Suffolk Joint Development Management Policies Document 2015, Chapter 9 of the National Planning Policy Framework and all relevant Core Strategy Policies.

- 25 Before any above ground works take place details of the areas to be provided for storage, presentation and collection of Refuse/Recycling bins shall be 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 for no other purpose.

Reason: To ensure the incorporation of waste storage and recycling arrangements, in accordance with policies DM2 and DM14 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.

- 26 No development above ground level shall take place until details of the proposed footway link to All Saints Hotel and as shown on drawing 467 FP1A has been submitted to and approved by the Local Planning Authority. The approved footway works shall be laid out and constructed in their entirety prior to occupation of any of the caravans hereby approved. Thereafter the approved footway link shall be retained in its approved form.

Reason: To secure the provision and improvements to access including connections to the existing PRow and safe circular walks through the golf course and to the hotel to encourage the residents to remain within the locality rather than drive to the SPA, in accordance with policies DM10 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.

- 27 Prior to installation of the first caravan on site the detail/locations of the signage, information boards and detail of the information sheets shall be submitted to and approved in writing by the Local Planning Authority. The signage shall be installed prior to first occupation. All mitigation measures as set out in the Habitats Regulations Report 1879 R3 v3 dated January 2020 and HRA Update by Huckle Ecology shall be carried out in accordance with the details contained in paragraph 4.3.11 of the report and agreed in principle with the Local Planning Authority prior to determination.

Reason: To secure biodiversity enhancements commensurate with the scale of the development, in accordance with policy 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/21/1142/FUL](#)