

MID SUFFOLK DISTRICT COUNCIL
DEVELOPMENT CONTROL COMMITTEE - 09 September 2015

AGENDA ITEM NO	2
APPLICATION NO	1311/15
PROPOSAL	Use of land for the siting of 1 static caravan and 1 touring caravan for occupation by Gypsies/ Travellers. Alterations to vehicular access. Construction of hard standing. Erection of perimeter fencing.
SITE LOCATION	Land at, Church Lane, Baylham
SITE AREA (Ha)	0.051
APPLICANT	Mr A Doherty
RECEIVED	April 10, 2015
EXPIRY DATE	September 10, 2015

REASONS FOR REFERENCE TO COMMITTEE

The application is referred to committee for the following reasons:

- The Head of Economy considers the application to be of a controversial nature having regard to the planning reasoning expressed by the Parish Council and the extent and planning substance of comments received from third parties
- The Ward Member has requested that the application be brought to committee. A copy of their written request is contained within the agenda bundle.

PRE-APPLICATION ADVICE

1. No pre application advice was sought prior to the submission of this application.

Pre-application discussions had been held with the applicant and their previous agent for application 1643/14 (see listing below) prior to its submission. The planning officer had expressed an opinion that an application would not be likely to receive officer support for reasons of the unsustainable location of the site and the impact of the development on the Special Landscape Area (SLA) and Visually Important Open Space (VIOS) designations, having regard to a previous decision of the Council subsequently upheld by the Planning Inspectorate.

SITE AND SURROUNDINGS

2. The application site is an area of predominantly grassed land with a small stable block. At the time of the site visit (July 2015) no horses were on the site.

The application site is located within the countryside abutting the former settlement boundary of the village of Baylham. The settlement boundary for Baylham was not retained by the Core Strategy DPD (2008) and as such is designated as a 'countryside village'.

The site is adjoined by the gardens of properties in Glebe Close to the south and Church Piece (a Grade II listed building) to the west, the Church Lane highway / public right of way to the east and the remaining VIOS designated land to the north.

There is an existing vehicular access that serves the site from Church Lane adjacent to the boundary with 4 Glebe Close. The vehicular access also serves No. 4 Glebe Close.

The sites lies within a designated Special Landscape Area and Visually Important Open Space. The site is readily visible from Church Lane highway/ public right of way above which the level of the site is raised by approximately 1 metre. There is close boarded fencing approximately 2 metres high along the northern and eastern boundary and a approximately 1 metre high post and wire fence approximately 1 metre high along the southern boundary.

HISTORY

3. The planning history relevant to the application site is:

1643/14	Use of land for the siting of 1 static caravan and 1 touring caravan for occupation by Gypsies/Travellers. Construction of hardstanding. Conversion of existing stables to amenity building. Associated external works and soft landscaping.	Refused 06/08/2014
2276/12	Change of use of land for the keeping of a horse and erection of stables and tack room.	Granted 25/09/2012
2947/11	Change of use of land for the keeping of horses and erection of stables.	Refused 20/12/2011
		Appeal dismissed 12.06.12

PROPOSAL

4. This application seeks planning permission for the following development:

Use of land for the siting of 1 static caravan and 1 touring caravan for occupation by Gypsies/Travellers. Construction of hardstanding. Erection of perimeter fencing:

- The use of land for the siting of 1 x static 'mobile home' type caravan for occupation by persons of Gypsy / Traveller status.
- The use of land for the siting of 1 x touring caravan for use by persons of Gypsy / Traveller status.
- The construction of hard standing pads for the siting of the caravans and an area of hardstanding for the on-site turning and parking of vehicles to include 1 x work vehicle and 1 x family car belonging to the occupants.

Herein after the abbreviation G/T shall be taken to mean Gypsy / Traveller

It should be noted that the perimeter fencing is already in place.

POLICY

5. **Planning Policy Guidance**

See Appendix below.

CONSULTATIONS

6. **This is a summary of the consultation responses received. Please see the agenda bundle for the full response:**

- **Parish Council:** Objection. The Parish Council opposed the application to convert this site to equine use with a stable block believing that to be incompatible with the Visually Important Open Space classification and likely to lead to further applications. It continues to oppose development to provide domestic accommodation. Such development is totally incompatible with the site's Visually Important Open Space classification and is in conflict with the general prohibition of development in the village. It would not be compatible with local wishes as defined in the village plan.
- **MSDC Strategic Housing:** Generally, government guidance recognises the long-standing under-provision of sites for Gypsies and Traveller and the need for identification of suitable pitches in appropriate locations, The Housing Act 2004 requires Local Authorities to assess housing needs for all households including Gypsy and Traveller households. In 2012 five Suffolk Local Authorities, including Mid Suffolk and Babergh commissioned the revised GTAA (Gypsy and Traveller Accommodation Assessment for the period 2012-2017.

The assessment identified a need for 11 new residential pitches for Mid Suffolk for the period 2012-2017. From the period 2011 to 2013, 6 residential pitches have been secured; consequently the balance of 5 new residential pitches to the end of 2017 remains. With regard to a small Gypsy or Traveller Site the evidence can be provided within the Gypsy and Traveller Accommodation Assessment that provides information at a district level.

Also Policy CS10 of the MSDC Core Strategy seeks to ensure the delivery of sufficient good quality, appropriately located residential pitches to satisfy the unmet need. This application accords generally with the main criteria listed in CS10.

All the existing traveller pitch provision in Mid Suffolk is provided through private sites owned by traveller households. The proximity of the West Meadows site in Ipswich to the eastern fringe of Mid Suffolk has meant that these parishes have become popular for a small number of households who have sought to leave the rented site and secure a site of their own. We know that small family sites tend to work best when integrated into local settled communities, this site is another such example.

To summarise, we consider that there is a need for additional site provision within Mid Suffolk and we are currently working to ensure that additional site provision is developed. We would therefore wish to support this application (with a condition upon the grant of permission that limits occupation of the site to Gypsies and Travellers) for the reasons mentioned above.

- **SCC Highways:** Recommends any permission be subject to a condition on parking and turning.
- **SCC Landscape Officer:** I recommend that the application be refused on the grounds of unacceptable landscape impact and intrusion into Special Landscape Area and the Visually Important Open Space. The proposed use of this small field for residential purposes and introduction of a static unit and mobile caravan, vehicles, driveway/turning is out of keeping with its quality and character. The proposed buildings will visually intrude into the east end of the field and detract from the openness which currently prevails. The character of the proposed units will be at odds with the existing stable block and will result in an incongruous overall appearance of development. The new planting proposed and indicated on the plan will look out of character with the meadow landscape. The space is visible from a number of adjacent properties, road and public right of way and contributes to the rural character of this area of Baylham.
- **Suffolk Wildlife Trust:** We have read the ecologist survey report and we note the findings of the consultant. We have also received representation that great crested newts have been recorded adjacent to this site, although it is noted that the ponds surrounding the site have been scored as of 'below average' suitability for this species in the ecological survey report. The site is described as being improved grassland with a hedge and trees to the east. These habitat types could provide some suitable terrestrial habitat for great crested newts, dependant on their management. The proposal should therefore be considered against the requirements of national planning policy set out in NPPF and of local planning policy set out in Mid Suffolk's Core Strategy and Local Plan.
- **SCC Natural Environment Team:** The conclusion that the development is unlikely to have any impact on Great Crested Newts is considered appropriate due to limited scope of the works, which do not include digging of foundations. Although there is potential for the connection of utilities to impact on Great Crested Newts, this can easily be avoided by timing of such works and secured by condition of any consent.
- **PROW:** Public Footpath 20 is recorded adjacent to the proposed development site. We have no objection to the proposed works but would draw the applicants attention to their responsibility.
- **Natural England:** This application is in close proximity to the Little Blakenham Pit Site of Special Scientific Interest (SSSI). Natural England is satisfied that the proposed development being carried out in strict accordance with the details of the application, as submitted, will not damage or destroy the interest features for which the site has been notified. We therefore advise your authority that this SSSI does not represent a constraint in determining this application.

- **MSDC Tree Officer:** There are no arboricultural implications relating to this proposal.
- **Heritage Officer:** Awaiting response.

LOCAL AND THIRD PARTY REPRESENTATIONS

7. **Below are a summary of the comments received. The file is available to view for Members to see the full text of representations.**

Letters of representation have been received from a total of 44 interested parties. The following is a summary of the comments received.

A total of 40 letters of objection received:

- This village already gets too much traffic. There are single track roads, with no footpaths, which are unable to take any extra traffic, particularly large caravans and associated transport.
- The village has grown over the years with no additional infrastructure or amenities.
- An application for static caravans has already been declined before in the village. If one caravans for G and T is allowed where will it stop?
- Surprised that this application has been resubmission so soon after being refused.
- This is an unsuitable development for this area given its visual importance.
- The application has already erected the fence and has removed the hedge to do this. The hedge is still shown on the application submission.
- The development would spoil rural views from the Baylham and Beyond footpath and is inconsistent with the Village Plan.
- The stable has already impaired the view and caravans would make it worse.
- The property is not currently being used for equestrian purposes as stated. There has not been a horse in the field for years.
- The stables appears to be used for storage of building materials. One of the application photos even shows ladders and building materials. The land is sometimes used to park a car for extended periods of time.
- The road junction of Church Lane and Upper Street is already too dangerous and can't support additional traffic, especially caravans.
- The ecological appraisal was conducted under false pretences and is flawed. Newts have been seen frequently on the banks of the pond and the report should be dismissed by the planning committee.
- There is no need for gypsies or travellers in Baylham.
- The plot is adjacent to a listed building. This will impact the views to the listed building.
- The development reduces the openness of the area and clutter the land and views.
- The increase in ground coverage is contrary to what was previously refused at appeal as being inappropriate for this area. The change in location does not make it any better.
- The last application was refused as the site was of visual importance, what has changed?
- The only difference from the last refused application is there is no mention of an amenity block. It is assumed the applicant would wish to convert the

stable block into this facility.

- Concerned over the waste water, particularly given its so close to a ditch.
- The case officer for the previous application stated at committee that the land is not within walking distance to facilities. Development would therefore be contrary to CS10 part A.
- The Core Strategy states that the countryside should be protected for its own sake and development will only be permitted in exceptional circumstances. What exceptional circumstances pertain to the applicant.
- The proposed static home is 66% bigger than the stable block turned down by the Inspectorate.
- The 20% reduction in grazing land for one horse from application 2947/11 now proposes horse plural. The site is heavy clay which will retain equine odours and the British Horse Society guidelines recommend a minimum of 1-1.5 acres per horse.
- Church Lane is barely 3 metres wide in places and under the Emergency vehicles (CSO SO4, Designing Gypsy and Traveller Sites), two way roads must be not less than 3.7 metres wide.
- The planning statement is wrong, the field was sown with wild flower in 2008. The development would constitute a serious loss of an already compromised habitat.
- The proposal is contrary to Mid Suffolk's Core Strategy which seeks to ensure the majority of new development in towns, in line with national and regional guidance. Baylham is not a sustainable village, it has no shops, public houses and is accessed by a single track.
- The site is designated Visually Important Open Space and a Special Landscape Area. These areas are important and should be protected.
- The proposed planning application is in open countryside where development should not be permitted for any of us.
- The proposal is contrary to Policy CS10 for Gypsy sites as there are no local services., the access is inadequate, landscape, biodiversity impact and impact upon residential amenity is not consistent with other local plan policies.
- The applicant is not homeless and has a home provided on a gypsy site.
- The applicant requires human presence on site for the health, care and security of the site but as there are no animals on the site this cannot be relevant.
- In the previous application (1643/14) the agent stated that the applicant was prepared to knock down the stables but is now citing the welfare of horses in support of this application.
- Many horses in the locality live in fields without a human guard.
- There are inaccuracies in the application with the hedge being removed without permission, access to the applicants right of way and ownership of land, the ecological survey.
- The applicant has already broken previous planning conditions with the size of gate erected. No action has been taken on this, If granted what other planning issues will not be adhered to in the future.
- If this permission is granted it may set a precedent for further applications for mobile homes to be re-sited at Baylham Common.
- If this permission is granted it would give residential status and thus could set a precedent for additional residential development.
- The new and vacant properties at Church Knoll have been unable to sell because of this application , this could leave to other long standing vacant properties in the village.
- The Phase 1 Survey and Ecological; Appraisal in support of this application

has been used by the agent to state that no protected or priority species are on the site or adjacent sites. The presence of Great Crested Newts on an adjacent site can be confirmed by Dr John Baker.

- The site is too small for the development proposed.
 - The site, via a single track road, narrow in places is not suitable for the movement of caravans, horse trailers and static/park homes.
 - The proposed development would be larger and more intrusive than what was previously refused for the bock of four stables (ref: 2947/11).
 - Section 5.3 of the Baylham Village Plan (May 2012) expresses the view that the great majority of villagers wish for the village to remain as it is in size and character with no further development for the foreseeable future. The views of the majority should not be discarded.
 - If permission was granted it would change the use of the land into residential. This might set a precedent that could lead to further residential development of the surrounding area, regardless of any local landscape designations.
 - The planning statement states the site is within walking/cycling distance of Bramford and Claydon. Consider it debatable that it is within reasonable distance of these villages.
 - There are a number of discrepancies within the application.
 - The proposed design raises concerns around the minimum distance between structures for fire safety.
- 2 letters of support:
 - The applicant is trying to make a home for themselves.
 - Given the previous state of the land how can this be considered as VIOS.

Other letters were received commenting on the application.

It is noted that some of the letters of representation have been received from outside the village of Baylham.

ASSESSMENT

8. The key issues for consideration in the assessment of this application are:

- The principle of development
- Landscape & countryside impact
- Highway safety
- Residential amenity
- Open space and social infrastructure (OSSI)
- Biodiversity
- Heritage
- Other issues

Background:

As shown in the planning history section of this report there has been a previous application submitted under 1643/14 for a similar proposal to this application. This was presented to the Planning Committee on the 30th July 2014 where Members resolved to refuse the application for the following reasons:

"1. Having regard to the nature, scale and appearance of the proposal and mindful of the Inspector's decision on a previous appeal the development is considered to result in cluttered overdevelopment of the site that would detract from the open, rural character of the area and would have an unacceptable impact on the appearance of the VIOS and SLA.

Furthermore, the location of the proposal, on the periphery of a countryside village would result in an unsustainable form of development with the occupants of the site being highly dependent on private cars to access services and facilities for day to day living.

Weighing all the material planning issues, overall, the proposal is considered to be contrary to the objectives of the NPPF, policies SB3 and CL2 of the Mid Suffolk Local Plan 1998, policy CS5 of the Mid Suffolk Core Strategy 2008 and policy FC1.1 of the Mid Suffolk Core Strategy Focussed Review 2012 and is not acceptable.

2. The development scheme fails to secure the appropriate provision of social infrastructure. On that basis the proposed development would be contrary to policy CS6 of the Mid Suffolk LDF Core Strategy 2008 and contrary to the Council's Supplementary Planning Document for Social Infrastructure including Open Space, Sport and Recreation adopted October 2006. Furthermore the development would be contrary to the National Planning Policy Framework paragraphs 6, 7, 9, 14, 17, 28, 49, 70 and 73.

The decision for this application was issued on the 6th August 2014 and therefore has passed the six month period in which the applicant has the right to appeal the.

The principle of development

Planning law requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. The current Development Plan is the MSDC Core Strategy DPD 2008, the Core Strategy Focussed Review 2012 and the saved policies of the MSDC Local Plan 1998. There is also national planning policy for travellers sites (PPTS) that, alongside the NPPF, is a material consideration in the determination of this application.

In assessing applications for G/T development the PPTS requires authorities to consider:

- (a) existing level of local provision and need for sites
- (b) availability (or lack) of alternative accommodation for the applicants
- (c) other personal circumstances of the applicant
- (d) locally specific criteria used to guide the allocation of sites should be used to assess applications that may come forward on unallocated sites
- (e) applications for sites from any travellers not just those with local connections

The PPTS advises that planning authorities should strictly limit new G/T site development in the open countryside away from existing settlements, ensure

that sites in rural areas respect the scale of, and do not dominate, the nearest settled community and avoid placing an undue pressure on local infrastructure.

The Core Strategy includes policies CS2, which includes GT site development within a list of generally acceptable development in countryside locations, and CS10 that sets out the criteria for allocating G/T sites.

CS10 states:

"The Council will ensure the delivery of sufficient good quality, appropriately located residential pitches to satisfy the unmet need specified in the Suffolk Cross-Boundary Gypsy and Traveller Accommodation Assessment; 41-43 pitches for the period 2006 - 2011 and 14-15 pitches between 2011 & 2016. The number of pitches to be delivered and the timespan for delivery may be subject to updating in the ongoing review of Gypsy and Traveller policies in the East of England Plan or following reviews of the need for pitches in subsequent GTAA's.

Suitable sites for Gypsies and Travellers will be identified by reference to the following criteria: -

- a. Accessibility to local services, communities and facilities by a variety of means, to meet current and long-term needs*
- b. Adequate access, parking and manoeuvring for vehicles and all essential uses*
- c. Appropriate in scale to the nearest settled community*
- d. Impact on the landscape, environment and biodiversity*
- e. Impact on and from neighbouring residential, employment, commercial and utilities development*
- f. Consistent with other policies in the development plan*

Proposals for Gypsy and Traveller Sites will be considered by reference to these additional criteria: -

- 1. Proposal meets identified needs, including the mixture of types of accommodation and tenures*
- 2. Pitch numbers will not normally exceed 15-20 maximum*
- 3. Pitch sizes that facilitate good quality living accommodation without over-crowding or unnecessary sprawl*
- 4. Good design and layout including, the adequacy of facilities, services and amenities, the utility of outside space for leisure, recreation and for any essential employment related activities,*
- 5. Mitigation of the impact on visual amenity."*

There are no saved policies in the Local Plan that deal specifically with G/T sites but there are saved policies relating to other relevant considerations as discussed below.

Other material considerations relevant to the assessment of this application include the Baylham Village Plan 2012. The Village Plan makes no specific reference to G/T provision within the area. It does however highlight locally significant issues for the village with recommendations that should be considerations in future development proposals, notably the value attributed to the relatively small scale, rural and tranquil character of the settlement and that the junction of Church Lane and Upper Street is considered dangerous. In

particular para 5.3 of the Village Plan states:

"The residents of Baylham want the village to remain as it is in size and character with no further development for the foreseeable future. They wish the local planning authority to note this feeling when considering any application for development within the village."

The following is an assessment of how, in your officers opinion, the proposal meets the criteria set out in the PPTS and CS10:

- *Local need and provision:*

A number of local concerns have been raised regarding the need for the development, especially given the proximity of other G/T caravan sites and that the applicant already has a pitch at the West Meadows site.

The GTAA remains the applicable evidence base for assessing the current need for G/T accommodation within the district. This informed Policy CS10 which sets out a need for 41-43 pitches between 2006 and 2011 and a further 14 -15 pitches by 2016. The latest revision of the GTAA, as advised by your Housing Enabling Officer, identifies a need for 11 new residential pitches for Mid Suffolk for the period 2012 to 2017. To date 6 new pitches have been secured leaving 5 new pitches still required to meet the GTAA targets. On this basis there remains an identified need for the proposed 1 pitch site.

- *Alternative accommodation*

Some representations received have queried the need for the development given the family already live on a nearby site.

The applicant and his family currently live at the West Meadows site located close to the Whitehouse interchange on the A14 / Bury Road, Ipswich. This is a relatively large site on which the applicant and his family rent a pitch. West Meadows has 41 pitches. Information is being sought on the occupation levels and waiting list at this site. An update will be given at Committee.

- *Personal circumstances of the applicant*

The applicant lives on the site at West Meadows and would like to establish a private site for him and his family on the land he owns in Baylham. The self-provision of a private site, as here, is considered to be a constructive approach to supply which is in line with the PPTS aim of promoting private provision.

- *Access to local services*

The application site is located outside and adjacent to the settlement boundary for Baylham and so is within the countryside for planning purposes. Baylham is a Countryside Village as designated by Policy CS1 of the Core Strategy 2008. A Countryside Village is one that has a very limited range of services and facilities and as such is considered to be a relatively unsustainable location where residents are highly dependent on private cars to reach schools, jobs, doctors, shops and other facilities. Baylham does have a village hall and some

recreational facilities (such as an extensive rights of way network) but is some distance from the nearest regular bus route (on the B1113 Lower Street) and, given the condition of roads, without footways or lighting, together with the relative isolation of the village means that it is considered unrealistic to expect most residents to choose more sustainable modes of transport (such as a walking or cycling) and is the reason residents are dependent on private cars for day-to-day living.

It is this lack of choice of and accessibility to services and facilities that makes Baylham village a relatively unsustainable location and the application site is similarly considered to be unsustainably located. The application does not therefore represent a sustainable form of development contrary to the objectives of the NPPF and policy FC1.1 of the Mid Suffolk Core Strategy Focussed Review 2012.

- *Access and parking – See below under ‘Highway safety’*
- *Scale and dominance relative to nearest community*

Baylham is described as a small rural village with a population of approximately 255 (Baylham Village Plan, 2012) that is arranged variously along Upper Street and around the historic core including the church as well as a number of dispersed small clusters of properties within the surrounding landscape. The proposal is for a single family site with 1 static and 1 touring caravan located adjacent to the cul-de-sac of dwellings at Glebe Close and other individual properties along Church Lane. The scale of the proposal is considered to be in keeping with and will not dominate the size of the village and locality.

- *Landscape and biodiversity impact – See below under ‘Landscape & countryside impact’*

Impact on neighbours, employment, etc. – See below under ‘Residential amenity’

Landscape & countryside impact

The application site is located within the countryside (although abutting the built settlement) and in a visually prominent position adjacent to the Church Lane highway and public right of way. The site lies within a designated Special Landscape Area and Visually Important Open Space both of which are protected from inappropriate development by policies within the Development Plan.

A number of concerns have been raised regarding the visual impact of the proposal on the rural character of the VIOS, SLA and village generally. The previous application on this site (1643/14), as detailed above in the report, was refused on its unacceptable visual impact upon the VIOS and SLA.

The PPTS advises authorities to attach weight to the following matters:

- a) effective use of previously developed (brownfield), untidy or derelict land.
- b) sites being well planned or soft landscaped in such a way as to positively enhance the environment and increase its openness
- c) promoting opportunities for healthy lifestyles, such as ensuring adequate

landscaping and play areas for children

- d) not enclosing a site with so much hard landscaping, high walls or fences, that the impression may be given that the site and its occupants are deliberately isolated from the rest of the community

This application site comprises an area of existing grass land, part of a larger grass paddock, with a small (2 bay) stable building in the north east corner. Although there has been part development on the site the overriding character is one of a rural, greenfield site. Previous boundary hedging has been removed and a close boarded fence approximately 2 metres high has been erected along the northern and eastern boundary of the site. The land is partly screened by existing boundary fencing and planting but is open to views from the Church Lane highway and public right of way. The dominant character of the site, notwithstanding the fencing, is of an open and undeveloped space marking the confluence of built settlement and countryside landscape at this edge of the village.

Material to the assessment of this application is the appeal decision on a previous application for stable buildings on the site and the refusal of application 1643/14 for a similar scheme (see above in History). In determining the appeal against the Council's refusal of a 4 bay stable building measuring 14.3m long, 4.5m wide and 3.4m high, sited on the western boundary of the site, the Inspector's decision considered the impact of the proposal on the character and appearance of the area and states:

"The VIOS provides a clearly defined edge to the village and a verdant, open and pastoral setting for the village" and "The stable block, stored bedding and feed, vehicles and other necessary tools and equipment would be a prominent feature in the paddock. Whilst stables and farm buildings are not an unusual feature in the rural landscape, the paddock is small and the proposed development would give it a particularly congested appearance significantly detracting from the open and spacious character of the VIOS I conclude the proposed development would thus detract from the pleasant open character and appearance of the area contrary to Policy CS5 of the Mid Suffolk Core Strategy 2008 and Policies GP1, SB3, CL2 and RT6 of the Mid Suffolk Local Plan (LP) 1998."

In addition to the comments of the Inspectorate on this appeal the Planning Committee has also refused an application for a similar proposal (1643/14). The application proposal seeks to utilise the existing vehicular access. The difference between the refused development and that proposed under this application are as follows:

- The stable block is to remain in use as stables and not to be converted into an amenity building.
- The static caravan is three bedrooms instead of five bedrooms. The mobile home sought under application 1643/14 measured 6.5 metres by 19.9 metres, with the mobile home sought under this application being 6.5 metres by 16.5 metres.
- The static caravan is to be positioned close to the eastern boundary of the site instead of centrally within the site.
- No bicycle storage building is proposed.
- A smaller area of hardstanding for parking and turning is proposed.

The application documents include a landscape strategy which states *"The proposed layout of the development compliments the pattern of development within the VIOS and SLA and, maintains the contrast with the dense settlement pattern outside of the VIOS and SLA."*

However, the SCC Landscape Officer recommends refusal of the application on the basis of its unacceptable landscape impact and intrusion into the Special Landscape Area and the Visual Important Open Space. The Landscape Officer has advised that the proposal to have the retention of the stable block, the static unit, mobile caravan and vehicle parking within the eastern end of the site, occupying much of the width of the site would change the character of the site from a rural field to a site with a developed appearance. She goes on to say that the existing and proposed development will change the character of the VIOS irreversibly.

A Landscape Strategy has been included within the application. However the Landscape Officer has advised that the indicated new planting alongside the access drive details are unclear and in addition there appears to be insufficient space for hedging on the east edge of the field and the some of the plant species proposed are non-native species and would look out of character in the rural context of this site.

The Landscape Officer has concluded:

"The proposed use of this small field for residential purposes and introduction of a static unit and mobile caravan, vehicles, driveway/turning is out of keeping with its quality and character. The proposed buildings will visually intrude into the east end of the field and detract from the openness which currently prevails. The character of the proposed units will be at odds with the existing stable block and will result in an incongruous overall appearance of development. The new planting proposed and indicated on the plan will look out of character with the meadow landscape. The space is visible from a number of adjacent properties, road and public right of way and contributes to the rural character of this area of Baylham. "

The proposed caravan measures 16.5m long, 6.5m wide and 4.7m high. The existing stable building will be retained as such as well as other development including hard surfaces for parking, etc. Overall the proposal will appear similar to a small bungalow with associated domestic curtilage, outbuildings and accoutrements. The development is prominently located, to the eastern part of the site, close to the highway and, having regard to the Inspector's decision on the stable appeal discussed above and the scale of the proposal in comparison with that building, it is considered that the development would erode the open, rural character of the site thereby harming the visual quality of the VIOS and SLA landscape of the area, contrary to the objectives of the NPPF and Development Plan policies.

In summary your officers conclude the proposed development would have an unacceptably harmful visual impact on the character and appearance of the VIOS and SLA designated countryside landscape of the area, contrary to the objectives of Development Plan policies SB2 and CL2 and the application should be refused on this basis.

Highway safety

The application site is located adjacent to the Church Lane highway adjacent to the edge of the village. A number of concerns have been raised by the local community regarding the impact of the development on the safety of the highway, in particular there is concern that the narrow width of roads through the village, the geometry of the junction of Church Lane and Upper Street may not be able to cope safely with vehicle movements associated with the development.

There is an existing vehicular access onto the site from Church Lane and the proposal includes the use of this access with its formalisation through the construction of an area of hard standing for the parking and turning of vehicles. The applicant's family currently have 1 private car and 1 light goods van used for the applicant's own employment. The areas to be used for the parking and turning of these vehicles are shown on the site layout plan and can be safeguarded by condition as appropriate.

The application also retains the stable block and as such it has to be considered that if this application was approved, the site would contain a mix of residential and equestrian use. In determining the previous application (1643/14) it was considered that the scale of development was relatively minor and probably less than the equestrian use that was authorised for the site. In this instance consideration has to be given to the mixed use of the site for residential and equestrian with both movements of caravans and horse trailers. It is acknowledged that this mixed use would mean an intensification of the access and highway network, however in the absence of an objection from the Highway Authority this would not be a matter that a refusal could be substantiated.

Should Members be minded to grant permission it would be possible to restrict the parking of commercial vehicles (except the applicant's own work vehicle) and the undertaking of commercial activities on / from the site in the interests of highway safety and residential amenity and to condition parking and turning areas and that the stables is only used by the applicant.

On the basis of the advice from SCC Highways the proposal so not considered to have any significant unacceptable impact on highway safety.

Residential amenity

A number of concerns have been raised regarding the impact of the development on properties within the village.

Neighbours

Having regard to the design and layout of the proposed development in relation to the nearest neighbouring properties together with existing and proposed hedge and fence screening, there is not considered to be a risk of significant unacceptable overlooking or overbearing impacts on neighbouring properties. It is acknowledged that the change in the land will introduce some measure of human activities that will doubtless be noticeable in a similar fashion to any residential use. The scale of the proposed development and the extent of the change are not considered disproportionate for such a proposal and not likely to cause substantive harm to amenity in planning terms.

The scale of the development and the expected number and type of vehicle movements is also not considered to be so great an addition to the extant level of disturbance nearby properties may experience from vehicle movements along Church Lane currently. Should Members be minded to grant permission it would be possible to restrict the parking of commercial vehicles to the applicant's own work vehicle and the undertaking of commercial activities on / from the site in the interests of residential amenity and highway safety.

Overall it is considered that, whilst the introduction of a residential use will bring change to the site it will not be of a scale comprising an inappropriate or an undue imposition on local amenity.

Site occupants

The site has been designed to include separate areas for the parking of vehicles, lawned garden areas for outdoor play and recreation and a stable building with grazing area. The application documents include a land contamination assessment which shows the site is not at significant risk from contaminants and is therefore suitable for the use proposed.

The DCLG publication 'Designing Gypsy and Traveller Sites – A Good Practice Guide' provides guidance to local authorities and Registered Providers for the purpose of designing G/T sites with amenity buildings. The guidance includes the following points:

- It is essential for an amenity building to be provided on each pitch.
- The amenity building must include, as a minimum: hot and cold water supply; electricity supply; a separate toilet and hand wash basin; a bath/shower room; a kitchen and dining area.
- The access to the toilet should be through a lobbied area or by separate access direct from the pitch.
- The amenity building must include: secure storage space for harmful substances/ medicines; enclosed storage for food, brooms, washing, cleaning items etc.; and space for connection of cooker, fridge/freezer and washing machine.
- The inclusion of a day/living room in the amenity building for family meals is recommended.
- The design and construction of amenity buildings must meet the requirements of the current Building Regulations.
- Its construction should be sympathetic to local architecture, attractive and of a domestic nature.
- It is recommended that amenity buildings incorporate cost effective energy efficiency measures. The building layout and construction should be designed to maximise energy conservation. Any opportunities for using energy from renewable sources should be considered.

The proposed development has not included an amenity building however the planning statement forming part of the application submission has specified that the park home provides adequate living space for the family to occupy.

Overall, the design and layout of the proposed site is considered to provide the occupants with a reasonable level of amenity broadly in line with national guidance.

Open space and social infrastructure (OSSI)

Policy CS6 of the Core Strategy and the supplementary planning document (SPD) on open space and social infrastructure requires a financial contribution from all new residential development to contribute towards the outstanding community and recreational needs of the district.

The last application on this site was refused, inter alia, on the failure to provide a mechanism to secure this contribution.

The CIL regulations (2010) restrict the use of pooled contributions towards items that may be funded via the levy. From April 2015, no contributions may be collected in respect of a specific infrastructure project or a type of infrastructure through a section 106 agreement, if five or more obligations for that project or type of infrastructure have already been entered into since 6 April 2010, and it is a type of infrastructure that is capable of being funded by the levy. With this in mind, we will not be seeking to collect towards Open Space from developments in the circumstances of this application.

Biodiversity

The application site does not lie within any specifically designated area for biodiversity and does not include any biodiversity records within its boundaries (such as recorded species or habitats) to trigger the need for a biodiversity report. However a Phase 1 Survey and Ecological Appraisal has been submitted with the application in recognition of wider biodiversity interests within 500 metres which trigger the need for such a survey.

It should be noted that no biodiversity report formed part of the submission details for 1643/14 and the conclusion on that application was that the proposed development did not present a risk to any known protected species or habitat and as such would not be expected to have any significant unacceptable impact on biodiversity.

The Phase 1 Survey has assessed the potential impact the development upon protected biodiversity species. There have been a number of concerns raised over the quality of this report.

Both Suffolk Wildlife Trust and the Senior Ecologist from Suffolk County Council Natural Environment Team have assessed the information submitted for this application, mindful of the concern raised within the letters of representation.

However, as a safeguard a detailed lighting scheme could be secured by condition should permission be granted to avoid any impact on bats.

The conclusion reached, following from advice from the relevant consultees on the application submission, is that the local planning authority are satisfied that the application has demonstrated that the proposed development would not cause harm to protected species.

Heritage

The application site does not lie within any specifically designated area and

does not include any heritage records within its boundaries (such as archaeology, scheduled ancient monuments or listed buildings).

Church Piece, located adjacent to the west boundary of the site is a Grade II listed building. To the south is the listed Church. As a result of the site inspection it is the case officer's opinion that, having regard to the intervening distance, boundary screening and buildings, neither the setting of Church Piece or the Church would be materially affected by this proposal.

For completeness your Heritage Enabling Officer has been consulted and their advice will be reported verbally at the Committee meeting.

Summary:

National and local planning policies are generally supportive of appropriate G/T development to meet outstanding needs setting out a number of criteria relevant to the determination of applications for such development. Your officer's recognise the contribution the proposal would make to the outstanding need for sites within the GTAA area and the value of small private sites in facilitating cohesion and integration between the GT and settled communities.

However, in this instance the land the subject of the application forms part of a VIOS and SLA. Having regard to the nature, scale and appearance of the proposal and mindful of the Inspector's decision on a previous appeal and the refusal of application 1643/14 the development is considered to introduce an incongruous residential appearance to the site. This would erode the open, rural character of an area that serves as an important punctuation between the pattern of built settlement and the historic countryside landscape. For these reasons the proposal would have an unacceptable impact on the appearance of the VIOS and SLA.

Furthermore, the location of the proposal, on the periphery of a designated Countryside village with a poor range of services and facilities would result in an unsustainable form of development such that occupants of the site would not have the choice to access services and facilities by sustainable means but would be highly dependent on private cars.

RECOMMENDATION

That Full Planning Permission be REFUSED for the following reasons:

Having regard to the nature, scale and appearance of the proposal and mindful of the Inspector's decision on a previous appeal the development is considered to result in cluttered overdevelopment of the site that would detract from the open, rural character of the area and would have an unacceptable impact on the appearance of the VIOS and SLA.

Furthermore, the location of the proposal, on the periphery of a countryside village would result in an unsustainable form of development with the occupants of the site being highly dependent on private cars to access services and facilities for day to day living.

Weighing all the material planning issues, overall, the proposal is considered to be contrary

to the objectives of the NPPF, policies SB3 and CL2 of the Mid Suffolk Local Plan 1998, policy CS5 of the Mid Suffolk Core Strategy 2008 and policy FC1.1 of the Mid Suffolk Core Strategy Focussed Review 2012 and is not acceptable.

Philip Isbell
Corporate Manager - Development Management

Lisa Evans
Planning Officer

APPENDIX A - PLANNING POLICIES

1. Mid Suffolk Core Strategy Development Plan Document and the Core Strategy Focused Review

- Cor1** - CS1 Settlement Hierarchy
- Cor2** - CS2 Development in the Countryside & Countryside Villages
- Cor5** - CS5 Mid Suffolks Environment
- CSFR-FC1** - PRESUMPTION IN FAVOUR OF SUSTAINABLE DEVELOPMENT
- CSFR-FC1.1** - MID SUFFOLK APPROACH TO DELIVERING SUSTAINABLE DEVELOPMENT
- CSFR-FC2** - PROVISION AND DISTRIBUTION OF HOUSING

2. Mid Suffolk Local Plan

- SB3** - RETAINING VISUALLY IMPORTANT OPEN SPACES
- CL2** - DEVELOPMENT WITHIN SPECIAL LANDSCAPE AREAS
- GP1** - DESIGN AND LAYOUT OF DEVELOPMENT
- HB1** - PROTECTION OF HISTORIC BUILDINGS
- RT12** - FOOTPATHS AND BRIDLEWAYS
- CL8** - PROTECTING WILDLIFE HABITATS
- T9** - PARKING STANDARDS
- T10** - HIGHWAY CONSIDERATIONS IN DEVELOPMENT
- H16** - PROTECTING EXISTING RESIDENTIAL AMENITY

3. Planning Policy Statements, Circulars & Other policy

- NPPF** - National Planning Policy Framework

APPENDIX B - NEIGHBOUR REPRESENTATIONS

Letters of representation have been received from a total of **44** interested parties.

The following people **objected** to the application

[Redacted text block]

The following people **supported** the application:

[Redacted names]

The following people **commented** on the application:

[Redacted names]