

MID SUFFOLK DISTRICT COUNCIL  
DEVELOPMENT CONTROL COMMITTEE -

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**AGENDA ITEM NO** **2**  
**APPLICATION NO** 1132/15  
**PROPOSAL** Change of use of existing buildings to six holiday lets together with ancillary games/office building  
**SITE LOCATION** Former Mickfield Water Garden Centre, Debenham Road, Mickfield  
**SITE AREA (Ha)**  
**APPLICANT** Mr M Baker  
**RECEIVED** March 26, 2015  
**EXPIRY DATE** August 19, 2015

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**REASONS FOR REFERENCE TO COMMITTEE**

The application is referred to committee for the following reason :

(1) a Member of the Council has requested that the application is determined by the appropriate Committee and the request has been made in accordance with the Planning Code of Practice or such other protocol / procedure adopted by the Council. The Members reasoning is included within the committee agenda.

**PRE-APPLICATION ADVICE**

1. Pre-application advice was given that the proposal was in accordance with Policy RT17 of the Mid Suffolk Local Plan.

**SITE AND SURROUNDINGS**

2. The site is a former Water Garden Centre and still retains some of the appearance of this use. The site is accessed off Debenham Road and there is a large area of hardstanding which was previously used for parking at the front of the site, with a single garage. The hardstanding also goes round the northern edge of the site to the buildings. There is a footpath from the parking area to the buildings. The centre of the site consists of shrubs and grass vegetation and some ponds associated with the previous use. To the rear of the site are two buildings. The first (building 1) is a very long low shed type structure, made of block work and boarding with corrugated sheeting to the roof. The second (building 2), at the very rear of the site is a rectangular barn, constructed of metal sheeting and cement sheeting to the roof. The site is generally overgrown with the buildings empty and building 2 requiring repair. There are some significant trees within the site, in particular to the front of building 1.

To the East of the site is agricultural land, to the south is amenity land associated with Shrubbery Bungalow located to the South East on the site. To the North of the site, along Debenham Road is Orchard Cottage, while to the west is Silver Birches, whose garden runs alongside building 2.

## HISTORY

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

2707/06	Water Garden Centre (Retail Use) Water Plant Nursery, Landscape Contracting Business with external storage of Landscape Materials.	Certificate of Lawfulness granted 29/12/2006
0054/86	Continued use of fish centre for evening barbecues and afternoon teas during the months of June to September each year - fish centre use to remain also (previously permitted for 2 years in January 1984 - reference 776/82) - with afternoon teas being held	Granted 10/03/1986
0776/82	Use of fish centre for evening barbecues and afternoon teas during the months of June to September each year - fish centre use to remain also.	Refused 26/01/1983
0666/82/RES	Erection of a dwelling.	Granted 22/11/1982
0055/82/OL	Erection of a dwelling	Granted 06/08/1982

## PROPOSAL

4. The proposed development comprises change of use of existing buildings to six holiday lets together with ancillary game/office building.

It is proposed that building 1 is converted into six holiday lets. These would consist of four 1 bed room units and two 2 bedroom units, one of which would be suitable for disabled use. Each of the holiday lets would have an en suite bathroom and kitchen/lounge/dining area. The units would be accessed externally, under a new verandah. The existing roof would be replaced by a pantile roof.

Building 2 would be converted into an office and games room, with toilets and a laundry room. The building would be reclad in weather boarding with a pantile roof.

Externally the area of hardstanding would become a 12 space car park with cycle shelter and beyond this there is proposed an equipped children's play area. The driveway along the northern boundary of the site would be reinstated to provide access for maintenance vehicles to the two buildings. A number of trees would need to be removed to provide this access. It is proposed to retain the existing boundary treatment.

**POLICY****5. Planning Policy Guidance**

See Appendix below.

**CONSULTATIONS**

- 6. Mickfield Parish Council:** Object to the proposal.
- Result in increase in traffic
  - Visitors will be reliant on car transport due to lack of facilities in Mickfield and poor public transport
  - Inappropriate location adjacent to residential properties which would be detrimentally affect by any in noise and light pollution
  - Will require lighting for common areas, impact on whole village which does not have street lighting
  - Visitors could be at risk if they try to walk along local roads which do not have pavements
  - Mickfield has not facilities, the presence of a tourist facility can offer no economic, social or other benefit to the village

**MSDC Environmental Protection: Land Contamination**

No objections to the proposed development from the perspective of land contamination.

**MSDC Arboricultural Officer:** The trees are all generally low amenity value or poor condition. No objection to the proposal. Recommend condition.

**SCC Highways:** Initial comments. Recommend refusal due to insufficient visibility splays.

Subsequent comments:

- Previous comments relate to 215m visibility splay would be required for a new access.
- Visibility is acceptable looking east, restricted by a hedge looking west, may be cleared to improvement visibility in this direction this may be limited due to the extent of Highway land in the area.
- Although the site access in within a 60 mph speed limit, actual speeds are significantly less than this.
- There is the ability to provide a minor improvement to the visibility looking west by moving the access further to the east.
- Unlikely that the impact of six new holiday lets would be more intensive that the site was used previously, or that could be if a new garden centre was to re-open on the site.
- The proposal is not severe in terms of highway safety compared with the previous use of this site and withdraw our original recommendation for refusal.
- Recommend conditions

**MSDC Environment Protection:** Initial comments. **NB these comments state that the applicant no longer purposes for building 2 to be a games room,**

although the agent has mentioned this possibility, no revised drawing have been provided. The development needs to be assessed as originally submitted

- Layout in building one is such that bedrooms and bathrooms are situated to the rear of the unit, with living accommodation situated at the front of the units, orientated away from existing residential premises.
- Any noise would be comparable to domestic residential noise
- Recommend condition relating to site management/ site rules
- Recommends condition relating to lighting scheme and proposed play area

**MSDC Tourism:**

- Welcomes new additions to holiday accommodation offer - encourage visitors from outside area and local residents who may need somewhere for family or friends to stay while visiting
- Will provide investment and support Mid Suffolk's growth agenda by job creation and local spend.
- Close proximity to major roads make this an accessible location, Mickfield sites close to promoted A1120 Tourist Route
- Will provide a different offer to the tourism accommodation sector

**LOCAL AND THIRD PARTY REPRESENTATIONS**

7. This is a summary of the representations received.

- **Detrimental to amenity due to noise and disturbance**
- **Impact of security to nearby residents**
- **Light pollutions**
- **Impact on drainage**
- **Inappropriate use in the countryside**
- **Impact on biodiversity**
- **Overdevelopment**
- **Impact on surrounding footpaths**
- **No facilities within Mickfield which would benefit from the proposal**
- **Users will be reliant on cars**
- **Loss of privacy**
- **Detrimental impact on the character of the area**
- **Access has poor visibility**

**ASSESSMENT**

8. **Principle of Development**

The site is located in the countryside, Mickfield being a Countryside Village. Policy RT17 of the Mid Suffolk Local Plan states that

*The conversion of holiday accommodation of existing buildings in the countryside, such as mills, barns and other traditional rural buildings, will be supported subject to no adverse impact on their landscape setting, wildlife habitats, residential amenity or highway safety. The proposed conversion*

*should respect the design and structure of the original building and retain its important architectural and historic features*

This policy suggests, but does not state that the purpose of the policy is to retain historic buildings in the Countryside. In this case the buildings to be converted are not historic. However they are capable of conversion and the proposal would provide a new use for the buildings.

Policy CS2 of the Mid Suffolk Local Plan states that in the countryside development will be limited to various categories of development including tourism. Paragraph 28 of the NPPF states that sustainable rural tourism should be supported. As such it is considered that the principle of the development is acceptable, subject to other material considerations.

### **Impact on the character and appearance of the area**

Policy CS5 of the Mid Suffolk Core Strategy 2008 emphasises that all development must reflect local distinctiveness and enhance the character and appearance of the district. Policy FC 1.1 of the Core Strategy Focus Review 2012 states that development must conserve or enhance the local character of the different parts of the district. Policy GP1 states to be supported all proposals should maintain or enhance the character of the surrounding area and should respect the scale and density of surrounding development.

The surrounding character is that of open countryside and low density residential dwellings along, and set back from Debenham Road. The site has a different character due to the former commercial use of the site. The proposal would involve a more intense use of the site than is generally characteristic of the surrounding land. However given that the development would result in a reuse of the buildings on a commercial site, the character would not alter significantly from the lawful use of the site. Although there would be more activity at night, than with the previous retail use; this will be of domestic nature, not out of keeping with the residential character of the area.

There were be no more built development than is existing on the site. The majority of the site would remain as open space. It is not considered that the proposal would be a form of overdevelopment.

The surrounding area is generally dark, and any lighting of the site will need to be carefully controlled by condition to prevent light pollution.

### **Impact on residential amenity**

Saved Policies SB2, H13 and H16 of the Mid Suffolk District Local Plan aim to protect the living conditions of neighbouring occupiers. These policies are considered to have significant weight in the determination of this application as they do not conflict with the main thrust of the NPPF as stated in paragraph 215 of the NPPF.

The site is currently unused so does not produce any noise. However it has a lawful use as a retail garden centre, nursery and landscape contractors yard. It is apparent from the certificate of lawfulness in 2006, that the previous use of the site was quite intense and in the past there have been more built structures on the site.

Fully occupied, the proposed holiday lets would have bed spaces for approximately 16 people. This level of use is not considered particularly intensive given the size of the site. However the use site will be operational all hours and there will be more noise and vehicle movements during the evening than would have been the case when the site was used as a water garden centre.

The nearest neighbours are Orchard Cottage and Silver Birches both of which have a boundary with the site. Orchard Cottage is located to the north of the site, its dwelling is approximately 32 metres from building one, 39 metres from the site entrance and 37 metres from the car park. Nearest to the Orchard Cottage will be the maintenance access way. Given the distance of Orchard Cottage from the more intensively used areas of the site, it is not considered that the proposed holiday lets will be detrimental to residential amenity.

The dwelling at Silver Birches is located approximately 9 metres from building two. With the boundary of this building acting as the boundary with the garden of Silver Birches. Building 2 is currently not well insulated and therefore any sound from the building would be heard within the garden of Silver Birches. Sound insulation of the building will therefore need to be subject to a condition

The use of the games room in the late evening would have the potential to detrimentally effect the amenity of the residents Silver Birches, due to noise from people making their way to and from the games room. It is therefore proposed to condition that hours of use of the games room from 8am to 9pm.

It is noted that the Environmental Protection Officer has not objected to the proposals but was under the impression that the games room had been removed from the proposals. Further comments have been requested and these will be reported to Committee.

Building 1 would act as a buffer to any more general noise from the site to Silver Birches. The patio areas and children's play area are all proposed to be on the east side away from the neighbouring properties. The Environmental Protection Officer has suggested conditioning a set of site rules, but this is not considered capable of enforcement.

Both buildings are single storey and it is not proposed to add additional windows to building 2 on the boundary with Silver Birches. As such the proposal will not result in loss of privacy.

Although fear of crime can be a material planning consideration. There is no evidence that the proposed use will result in increased crime to neighbouring properties. With the site in use there will be passive surveillance of the boundaries with neighbouring properties.

### **Drainage**

As there is no mains drainage at the site it is proposed to use a package treatment plant. Details of this plant will be required to ensure it is suitable for the holiday let use.

### **Transport and Highways**

Saved Policies H13 and T10 of the Mid Suffolk District Local Plan states that development will be supported where it does not have a negative impact on highway safety. The policies referred to above are in line with the requirement of paragraph 39 of the NPPF to provide safe and suitable access for all and carries significant weight the determination of this application.

Initially the Local Highway Authority objected to the proposal due to inadequate visibility splays. The agent has provided a revised plan providing an altered access which slightly improves the visibility at the junction with Debenham Road. In addition the site can be lawfully used as a water garden centre, nursery and landscape contractors yard. These lawful uses, in particular the retail use is likely to result in more intensive use of the access to the site than the proposed use. Given the above, the Highway Authority has withdrawn their objections to the proposals.

### **Biodiversity**

Policy CS5 of the Mid Suffolk Core Strategy states that development should protect, manage and enhance Mid Suffolk's biodiversity. This policy is in accordance with paragraph 109 of the NPPF states that development should minimise impacts on biodiversity and provide net gains in biodiversity where possible. A biodiversity phase 1 report has been provided.

No evidence of bats or great crested newts were found within the site. Although one of the ponds was considered to be a suitable habitat for great crested newts and some of the trees were considered suitable for bats. As the ponds or the identified trees are proposed to be retained then it is not considered that the proposal will detrimentally effect any biodiversity. It is proposed to condition reptile fencing and biodiversity enhancement of the site.

### **Balancing Exercise**

Paragraph 49 of the NPPF states that there is a presumption in favour of sustainable development. This is echoed by the Core Strategy Focus Review. It is therefore necessary to weight up the scheme to consider if the proposed development would be sustainable. Paragraph 7 of the NPPF suggests that there are three aspects of sustainability which should be considered, economic, social and environmental.

The proposed holiday lets would provide employment for the equivalent of two full time jobs. In addition the visitors would spend money locally. However as there are no facilities with Mickfield, the economic benefits to the village would be minimal. The wider economy would however benefit from the proposal.

There are limited social benefits from the proposal, although it would provide additional tourist accommodation, in an area close to the A1120 tourist route.

The proposed development would have the environmental benefit of providing a suitable new use for a brownfield site. The site is relatively isolated, however there is a two hourly bus service to neighbouring towns and some public footpaths surrounding the site. In addition it is proposed to provide a cycle shelter to encourage cycling from the site. Despite these proposals, visitors on the site would be reliant on private vehicles for most journeys. In this case,

however there is a fall back position that the site could be reopened as a water garden centre. This would result in a retail use within the Countryside which is likely to result in more car journeys than the holiday use.

### **Conclusion**

Although the site is within the Countryside and not located within walking distance of any facilities, given the fall back position of another commercial use of the site, it is considered that the proposed holiday lets are acceptable. The proposal would reuse a vacant commercial site and have some economic benefits. In addition, subject to conditions it is not considered detrimental to residents amenity of the character of the area.

### **RECOMMENDATION**

**That Full Planning Permission be Granted subject to the following conditions:**

- **Holiday use only, no stay longer than 28 days.**
- **As recommended by the Local Highway Authority**
- **Ecological mitigation and enhancement**
- **No use of building 2 between the hours of 9pm and 8am**
- **Details of sound insulation of building 2**
- **Use of maintenance track for maintenance vehicles and disabled visitors only**
- **Tree protection measures**
- **Details of measures to encourage cycling, walking and use of public transport**
- **Details of proposed external lighting**
- **Detail of package treatment plant**

Philip Isbell  
Corporate Manager - Development Management

Elizabeth Truscott  
Senior Planning Officer

### **APPENDIX A - PLANNING POLICIES**

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

**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

#### **2. Mid Suffolk Local Plan**

**HB1** - PROTECTION OF HISTORIC BUILDINGS

**GP1** - DESIGN AND LAYOUT OF DEVELOPMENT

**HB3** - CONVERSIONS AND ALTERATIONS TO HISTORIC BUILDINGS

**H7** - RESTRICTING HOUSING DEVELOPMENT

**H10** - DWELLINGS FOR KEY AGRICULTURAL WORKERS

**T10** - HIGHWAY CONSIDERATIONS IN DEVELOPMENT



### 3. Planning Policy Statements, Circulars & Other policy

NPPF - National Planning Policy Framework

#### APPENDIX B - NEIGHBOUR REPRESENTATIONS

Letter(s) of representation(s) have been received from a total of 4 interested party(ies).

The following people **objected** to the application

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The following people **supported** the application:

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