

Committee Report

Item 7A

Reference: DC/19/05166

Case Officer: Gemma Walker

Ward: Needham Market.

Ward Member/s: Cllr Stephen Phillips. Cllr Mike Norris.

RECOMMENDATION – GRANT PLANNING PERMISSION WITH CONDITIONS

Description of Development

Full Planning Application - Change of Use of land and erection of Visitor Centre and Cafe, with outside decked seating area and bicycle racks.

Location

Needham Lake, Coddenham Road, Needham Market, Suffolk IP6 8NU

Expiry Date: 30/12/2019

Application Type: FUL - Full Planning Application

Development Type: Minor All Other

Applicant: Mid Suffolk District Council

Agent: Mr Dan Towers

Parish: Creeting St Mary

Site Area: 0.64ha

Details of Previous Committee / Resolutions and any member site visit: None

Has a Committee Call In request been received from a Council Member (Appendix 1): No

Has the application been subject to Pre-Application Advice: Yes

PART ONE – REASON FOR REFERENCE TO COMMITTEE

The application is referred to committee for the following reason/s:

The applicant is Mid Suffolk District Council

PART TWO – POLICIES AND CONSULTATION SUMMARY

Summary of Policies

NPPF - National Planning Policy Framework

CS02 - Development in the Countryside & Countryside Villages

CS04 – Adapting to Climate Change

CS05 - Mid Suffolk's Environment

GP01 - Design and layout of development

HB01 - Protection of historic buildings
H16 - Protecting existing residential amenity
CL08 - Protecting wildlife habitats
T09 - Parking Standards
T10 - Highway Considerations in Development
RT03 - Protecting recreational open space
RT06 - Sport and recreational facilities in the countryside
PR20 - Visitor Centre at Needham Lake

Neighbourhood Plan Status

This application site is within the Parish of Creting St Mary, almost immediately adjacent to the parish boundary with Needham Market.

Creting St Mary does not currently have a neighbourhood plan.

Consultations and Representations

During the course of the application Consultation and Representations from third parties have been received. These are summarised below.

A: SUMMARY OF CONSULTATIONS

Town/Parish Council (Appendix 3)

Creting St Mary Parish Council

The Parish Council have no objection to the application.

Needham Market Town Council

Needham Market Town Council supports approval of the application. The Town Council wishes the following comments to be taken into account:

1. The wall between the Flexible and Cafe areas, that it should be either sliding/folding (rather than fixed/solid) to facilitate one larger room at appropriate times, there seems to be no indication in the Design and Access Statement concerning this detail.

2. Although in general the Town Council approves the unisex toilet facilities, it considers that some females find using a WC which has previously been used by a male visitor unpleasant due to the unsocial behaviour of some men not lifting the lavatory seat. Perhaps one exclusive female WC might be considered.

National Consultee (Appendix 4)

Natural England

No comment

Environment Agency

We have reviewed the application as submitted and object to this application in principle because the proposed development falls into a flood risk vulnerability category that is inappropriate to the flood zone in

which the site is located. We therefore recommend that the application is refused planning permission on this basis.

Officer Note: This issue has been discussed with the environment agency and the proposal considered water compatible, further information is detailed in the relevant section of the report below.

County Council Responses (Appendix 5)

SCC Minerals and Waste

Thank you for consulting us on this application. The site falls within the Minerals Consultation Area (MCA).

Under Policy 5 of the Suffolk Minerals Core Strategy (adopted 2008), Suffolk County Council will safeguard mineral resources on sites over one hectare within the MCA unless they are allocated in the local development framework.

This site falls under the one hectare threshold for safeguarding so I do not have any minerals safeguarding concerns to raise in relation to this proposal.

SCC Highways

No objection subject to conditions

SCC Flood and Water

Thank you for your notification of planning application DC/19/05166 for the proposed development of Needham Lake, Coddendam Road, Needham Market IP6 8NU received on the 4th November 2019.

Suffolk County Council, Flood & Water Management is a statutory consultee under the Town and Country Planning Act for major applications only.

Therefore, as this is a minor application we have no comment to make and we would point the LPA and the applicant towards the following guidance:-

Long Term Flood Risk - <https://flood-warning-information.service.gov.uk/long-term-flood-risk>

Flood risk assessment: standing advice - <https://www.gov.uk/guidance/flood-risk-assessment-standing-advice>

The Local Planning Authority should be mindful that the application complies with national, local policy, best practise and guidance in relation to flood risk and surface water drainage.

Relevant Policies in relation to Flood Risk & SuDS

National Planning Policy Framework

- . National Planning Policy Guidance
- . Planning Policy Guidance
- . House of Commons Written Statement HCWS161
- . Defra's Non-Statutory Technical Standards
- . Building Regulations: Approved Document H - Drainage and Waste Disposal (2015 edition)

Local Policy

- . Suffolk Flood Risk Management Strategy and Appendices
- . Mid Suffolk District Council (Policy CS 4 Adapting to Climate Change)

SCC Fire and Rescue

Access to buildings for fire appliances and firefighters must meet with the requirements specified in Building Regulations Approved Document B, (Fire Safety), 2006 Edition, incorporating 2010 and 2013

amendments Volume 1 - Part B5, Section 11 dwelling houses, and, similarly, Volume 2, Part B5, Sections 16 and 17 in the case of buildings other than dwelling houses. These requirements may be satisfied with other equivalent standards relating to access for fire fighting, in which case those standards should be quoted in correspondence.

Suffolk Fire and Rescue Service also requires a minimum carrying capacity for hard standing for pumping/high reach appliances of 15/26 tonnes, not 12.5 tonnes as detailed in the Building Regulations 2000 Approved Document B, 2006 Edition, incorporating 2010 and 2013 amendments.

Internal consultee responses (Appendix 6)

BMSDC Heritage

This application is for the change of use of land and the erection of a visitor centre and café with associated facilities at Needham Lake. The issues of the Heritage Team's concern relate to the potential impact of the proposals on the setting of the nearby Grade II listed Bosmere Mill to the south east.

The proposal site is considered to form part of the setting of Bosmere Mill and in its current, largely undeveloped form, makes a modest contribution to the significance of Bosmere Mill. The open land to the north of the mill – which includes the proposal site – is characteristic of the generally rural locations of mills which stand along watercourses, and sometimes on the edge of towns. Following a site visit, it is apparent that there are views across to the mill from various points within the general proximity of the proposed visitor centre. It is also clear that the mill is slightly elevated above the proposal site. Due to the topography and in combination with the scale of the listed building, the mill appears large and imposing.

The proposed visitor centre and café building would not be inappropriate within the setting of the listed mill. It is of contemporary appearance and is reasonably modest in scale. The form of the roof enables relatively low finished levels in combination with the lower land level of this part of the site. Therefore, it would be subservient to the listed building and would not appear overly prominent within its setting. Its use of materials reflects the rural feel of the site and would complement the material palette seen in listed buildings in the wider area. It is also acknowledged that Needham Lake is a public facility and this form of building is not uncommon in this type of public area. Its form and location ties it to the use of the lake and surrounding park, which would ensure it does not confuse the legibility or narrative of the mill.

I therefore consider the proposals would cause *no harm* to the significance of the listed building as it would accord with the requirements of S.66 of the P(LBCA)A1990 to preserve the setting of the building

BMSDC Environmental Health Noise/Odour/Light/Smoke

Environmental Protection have no comments or objections to make in terms of Noise/Odour/Light/Smoke matters.

BMSDC Waste Services

No objection subject to conditions. The waste/recycling bins for the visitor centre and café will need to be presented at the end of the green grass grid for collection. The 32 tonne refuse collection vehicle cannot access any nearer than the car park entrance due to the access. For this site 1100l bins would be used and moving these bins along a long grass grid is not suitable. Recommend that the bin storage point is relocated to next to the carpark to limit the distance that these bins need to be moved. Amend plans to reflect comments for approval.

Officer Note:

Following the above comments an amendment has been submitted providing a permeable hardstanding, which waste services has confirmed is acceptable to address the above.

BMSDC Economic Development

Thank you for consulting the Economic Development team on this application. The team supports the proposal and recommends approval of the permission.

The Lake facility is one of the most visited free attractions in East Anglia with in excess of 300k visits per annum. The development of a visitor centre and café at Needham lake would deliver opportunities for improving the linkages between the Lake and the town centre: with more promotion the increased visitor numbers could spill into the town centre to boost footfall and encourage linked-trips and increased spending. A boost in Regional tourism is also likely, as one of the top attractions already, the Lake could act as a hub for more tourist activities to be discovered and undertaken.

The proposal is supported in principle by the extant Local plan in "PROPOSAL 20": A SITE FOR A VISITOR CENTRE, INCORPORATING COUNTRYSIDE INTERPRETATION AND EDUCATION FACILITIES, IS IDENTIFIED AT NEEDHAM LAKE, NEEDHAM MARKET. (0.7 HECTARES) (INSET MAP 55A).

Accordingly, the team considers the proposal to be an asset for the whole District in terms of its role as a key gateway to increased leisure and tourism activity across the area, and subsequently supports the proposal.

BMSDC Public Realm

The Public Realm team fully supports this application.

Such a visitor facility will be an excellent addition to the offer already available at Needham Lake and will add another, most welcome, dimension for visitors to enjoy at this very popular recreation site. If granted permission the team will continue to offer our help and support throughout the future stages of this facilities build and implementation.

We have no specific comments to make relevant to this planning application other than offer it our full support.

Ecology

We have reviewed the Ecological Impact Assessment (Hopkins Ecology, October 2019) relating to the likely impacts of development on designated sites, protected species and Priority species & habitats.

We are satisfied that there is sufficient ecological information available for determination.

This provides certainty for the LPA of the likely impacts on protected and Priority species & habitats and, with appropriate mitigation measures secured, the development can be made acceptable.

Mid Suffolk Disability Forum

The Mid Suffolk Disability Forum welcomes the development of a new Visitor Centre and Café for Needham Lake. We particularly welcome the comments in the Design and Access Statement that access for wheelchair users will be taken into account i.e. level access throughout, wide doors and corridors and adequate turning spaces.

We are extremely pleased to note the intention to have a Changing Places facility and ask that this meets the specifications for such a facility so that there are toilet facilities for all people including those who are severely disabled. Therefore it must be equipped with a hoist and an adult sized changing bed. This facility should not double up as baby changing.

We have some concerns regarding the location of the new centre as it is not close to the current parking for blue badge holders and necessitates negotiating the pathways to reach it. The width of these paths needs to accommodate wheelchair users and the surface of them needs to be all weather so that they do not become muddy and impossible to use in wet weather.

Can some consideration be given to providing parking for blue badge holders closer to the Visitor Centre?

We agree with comments that the access to the Lake from the Station and from the Town of Needham Market needs to be significantly upgraded to enable ease of access. This includes access from both Station Platforms and through the Cattle Tunnel.

B: REPRESENTATIONS

At the time of writing this report at least 1 letters/emails/online comments have been received. It is the officer opinion that this represents 1 general comment. A verbal update shall be provided as necessary.

Views are summarised below:-

Café size small
No staff change or rest areas
Design of toilet and unisex style

(Note: All individual representations are counted and considered. Repeated and/or additional communication from a single individual will be counted as one representation.)

PLANNING HISTORY

REF: 0202/08/FUL	Erection of single storey A1 refreshments building.	DECISION: GTD 18.03.2008
REF: 0320/91/	CHANGE OF USE OF AGRICULTURAL LAND TO PUBLIC PUTTING GREEN USING NEW VEHICULAR ACCESS FROM CODDENHAM ROAD AND WITH LAYOUT AND CONSTRUCTION OF CAR PARK	DECISION: GTD 08.07.1991
REF: 0308/92/	ERECTION OF STORE CABIN	DECISION: GTD 13.05.1992
REF: 0319/91/	CHANGE OF USE OF AGRICULTURAL LAND AND PADDOCK LAND TO RECREATIONAL PUBLIC OPEN SPACE, LAYOUT AND CONSTRUCTION OF NEW VEHICULAR ACCESS, ACCESS ROAD AND CAR PARK AND CONSTRUCTION OF FOOTBRIDGE OVER RIVER GIPPING: CHANGE OF USE OF AGRICULTURAL LAND TO PADDOCK FOR VETERINARY SURGERY	DECISION: GTD 08.07.1991

PART THREE – ASSESSMENT OF APPLICATION

1. The Site and Surroundings

- 1.1. The application site is situated within the Needham Lakes recreation area, to the east of Needham Market. Access to Needham Lakes and the site is from the B1078 Coddenham Road, just north of the Mustard Pot Veterinary Surgery.
- 1.2. The access to Needham Lakes leads onto a car parking area used for access to the lakes, and also provides access to the land to the north, which is used for a car boot sale on Wednesdays and Saturdays.
- 1.3. The site itself is to the south of the access road and associated car park, close to the existing play area. The site the subject of this application extends to 0.64ha.
- 1.4. The area surrounding the site is part of the recreational area, with picnic benches, the play area, parking and the open space and lakes. The Mustard Pot Veterinary Surgery is to the east of the site, whilst to the south, across the River Gipping are the nearest neighbouring dwellings at Bosmere Mill. There are also dwellings to the north-east of the site on Flordon Road.
- 1.5. Bosmere Mill itself is a Grade II Listed Building, whilst the Creeting Lock and Bridge are also listed at Grade II.
- 1.6. To the west is the town of Needham Market, also including various listed buildings, and with a Conservation Area to its central area.
- 1.7. The majority of the application site is floodzone 3, with a small amount to the northern boundary being floodzone 2.

2. The Proposal

- 2.1. The proposal is for the change of use of the land and the erection of a visitor centre and café.
- 2.2. The proposed building is single storey with a shallow mono pitch roof. The walls would be timber clad, with timber windows and doors. The mono pitch roof is utilised to provide solar panels. The design of the roof is such that it projects from the building to provide a sheltered decking area to the southern elevation.
- 2.3. The building would provide a kitchen with servery, plant/store room, outdoor service area, outdoor store room, a serving window to the outdoor seating area, a café seating area, and flexible internal space along with 4 w/cs and a changing places w/c.
- 2.4. The internal floorspace extends to 168sqm, with a further 99.22 sqm of outdoor seating space provided by the decking.

- 2.5. The proposed building materials are timber cladding, with timber windows and doors. To the south the building would have a timber decking area, with timber handrails.
- 2.6. The proposed building is single storey, extending 4.2m in height to the highest point of the roof. However, the ground floor level of the building is raised up due to the variations in ground level, in order to raise the floor beyond flood level, and also to provide a void under the building so as to prevent displacement of flood water as a result of the proposal.
- 2.7. The application site is situated within the Needham Lakes recreation area which includes parking for approximately 100 cars. The application site itself does not include further parking over and above that existing.

3. The Principle Of Development

- 3.1. The starting point for any planning decision is the development plan, as identified in Section 38(6) of the Planning and Compulsory Purchase Act 2004. Determination of any application must be made in accordance with the plan unless material considerations indicate otherwise. A key material consideration regarding the principle of development is the National Planning Policy Framework (NPPF) 2019.
- 3.2. The age of policies of the adopted Development Plan itself does not cause them to cease to be part of the development plan or become “out of date” as identified in paragraph 213 of the NPPF. Significant weight should be given to the general public interest in having plan-led decisions even if the particular policies in a development plan may be old. The degree of compliance with the NPPF needs to be given consideration, the greater the level of accordance with the NPPF the greater the level of weight which can be given.
- 3.3. Local Plan Policies RT3 and RT6 protect recreational open space, preventing the redevelopment for non-recreational purposes and supporting new or additional sport or recreational uses. In addition, Proposal 20 specifically allows for a site for a visitor centre, incorporating countryside interpretation and education facilities at Needham Lake. The area detailed for proposal 20 on inset map 55a is the area of the application site.
- 3.4. The above Local Plan Policies are considered to accord with the requirements of the NPPF, and therefore should be given weight in determination of this application accordingly.
- 3.5. The proposal is therefore considered to be acceptable in principle, subject to compliance with the detailed requirements of the policies.

4. Sustainability

- 4.1. The proposed development is designed to support the existing and continued use of the Needham Lakes recreational area. The site is accessible by bicycle and by means of footpaths from Needham Market. Bicycle racks are proposed as part of the development to support sustainable access to the site by bicycle. In respect of walking the site is accessible either via Coddensham Road, under the railway bridge there, or the cattle tunnel adjacent to Needham Market Station. Once under the railway from either point there are footpaths to the site. From the Coddensham Road railway bridge the site is less than 300m, and from the cattle tunnel less than 700m.
- 4.2. The proposed materials are natural, with wood cladding, heating is proposed by an air source heat pump. The building is orientated for solar gain and to minimise heat loss, whilst solar shading is

proposed to control over-heating. Solar panels are proposed to the roof to provide renewable energy.

5. Site Access, Parking And Highway Safety Considerations

- 5.1. The site utilises the existing access road from Coddendam Road to Needham Lakes. This provides access for both the Needham Lakes recreational use and the twice weekly car boot use to the North.
- 5.2. With regards to parking provision Suffolk Parking Guidance would expect the site to provide 1 parking space per 5m², 2 cycle parking spaces for 100m², which at 168sq m of floorspace would equate to 34 parking spaces and 4 cycle spaces.
- 5.3. The proposal does not include any additional car parking, having regards to the existing provision of parking at Needham Lakes and that the proposal is designed to support the recreational use of the lakes. Furthermore, provision of 10 cycle spaces is proposed, which is in excess of the level required, supporting the sustainable access to the site.
- 5.4. As detailed above the application site is accessible by pedestrians from Needham Market, including the railway station so as to have good sustainable access. In term of access once on the site the building is located above ground level, so a gently sloping timber boardwalk is proposed to provide level access to the site. The surrounding land will slope up around the pathway. Internally the ground floor will be level with no steps or ramps.
- 5.5. Having regards to the existing use of the site, its sustainable access options and provision of access into the building and additional cycle parking proposed the proposal is not considered to risk harm with regards to access or highway safety to consider refusal in this respect. SCC Highways raise no objections to the proposal in respect of highway safety, subject to conditions.

6. Design And Layout

- 6.1. Core Strategy Policy CS5 requires development to be of a high-quality design that respects the local distinctiveness and the built heritage of Mid Suffolk, enhancing the character and appearance of the district. Local Plan Policy RT6 provides further details in this respect.
- 6.2. Paragraph 56 of the NPPF attaches great importance to the design of the built environment, stating that good design is a key aspect of sustainable development.
- 6.3. The proposed building is single storey with a mono-pitch roof. The roof would be lowest to the north, with this part of the building providing the service aspect. To the south the roof reaches its highest point, providing a sheltered outdoor seating area. This design keeps the height and dominance of the proposed building to a minimum.
- 6.4. The design is otherwise simple, with the use of timber windows and cladding such that the overall result is of a minimalist style, having limited impact on the character and appearance of its surroundings.

7. Landscape Impact, Trees, Ecology, Biodiversity And Protected Species

- 7.1. Regulation 9(5) of the Conservation of Habitats and Species Regulations 2010 (Implemented 1st April 2010) requires all 'competent authorities' (public bodies) to 'have regard to the Habitats

Directive in the exercise of its functions.’ For a Local Planning Authority to comply with regulation 9(5) it must ‘engage’ with the provisions of the Habitats Directive.

- 7.2 Paragraph 109 of the NPPF states that the planning system should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes, geological conservation interests and soils.
- 7.3 Paragraph 170 of the NPPF requires planning authorities, when determining planning applications, to seek the conservation and enhancement of biodiversity by ensuring significant harm resulting from a development is avoided (through locating on an alternative site with less harmful impacts), or where not possible to be adequately mitigated, or, as a last resort, compensated for, and if this cannot be secured then planning permission should be refused.
- 7.4 Policy CS5 of the Core Strategy seeks to protect and conserve landscape qualities taking into account the natural environment and the historical dimension of the landscape as a whole rather than concentrating solely on selected areas, protecting the District's most important components and encouraging development that is consistent with conserving its overall character. Policy CS5 also requires development to protect, manage and enhance Mid Suffolk's biodiversity. Local Plan Policy CL8 also requires protection of wildlife habitats.
- 7.5 The application site consists an area of open land currently grassed, adjacent to the existing play area. The proposed building would not result in the loss of landscaping, and as considered above the design and appearance is low key, and appropriate for this locality.
- 7.6 The design and access statement includes a landscape strategy detailing hard and soft landscaping, and subject to the implementation of this strategy the scheme would offer mitigation to the building and landscape benefits.
- 7.7 With regards to ecology, the application site is in an area offering a variety of habitats, Needham Lake itself is designated as a Local Nature Reserve, whilst land to the north-west is Priority Habitat Inventory - Deciduous Woodland. The nearby River Gipping is also a County Wildlife site, whilst several others are within the vicinity. To the north of the site is the Creting St Mary Pits SSSI to the west of Needham Market is Barking Woods ancient woodland SSSI. There are also roadside nature reserves in the vicinity of the site.
- 7.8 The application includes appropriate assessment and mitigation measures in the Ecological Impact Assessment, and a condition can adequately secure the implementation of the mitigation measures and also biodiversity enhancement measures. A Construction and Environmental Management Plan would also be required to ensure that the construction phase is appropriately managed with regards to ecology.
- 7.9 The proposal includes a lighting scheme, which provides for low level lighting and details of controls including timers to ensure that the impact of this is limited. Ecology confirm that the use of LED lighting and timers will limit their impact and that the scheme ensures that illumination is appropriate. Ecology do recommend that warm-white lights should be used to avoid insects being attracted to lights, as this can impact on bat foraging. Conditions are proposed in respect of the light colours, to limit the lighting to that proposed and ensuring the operating hours also limit the impact of lighting on the night-time character of the landscape and ecology. It is also proposed to limit construction working hours and agree operational hours in order to protect ecology.

8. Flood Risk, Drainage and Waste

- 8.1. With regards to flood risk the application site is predominantly within floodzone 3, with a small amount towards the northern boundary being floodzone 2. Development allowed within the floodzone is restricted subject to the type of development proposed. The Environment Agency provide a classification on which to base this, the classification levels are: 'essential infrastructure, highly vulnerable, more vulnerable, less vulnerable and water compatible development'. In floodzone 3b, only water compatible development should be considered.
- 8.2 The proposal is of mixed functionality, providing a café area, visitor centre, and toilets, including a changing places facility. This is considered ancillary to outdoor recreation, supporting the recreational use of Needham Lakes, and the definition of water compatible development includes essential facilities in relation to outdoor sports and recreation such that the proposal falls within a class of development that can be considered water compatible. The Environment Agency have objected to the proposal due to its location within floodzone 3b and in respect of the classification of the development, however in further discussion with the Environment Agency they have confirmed that it is for the Local Planning Authority to decide on the classification, which in this case is considered to be water compatible.
- 8.3 Paragraph 155 of the NPPF requires that "Inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future). Where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere."
- 8.4 Paragraph 163 goes on to detail the requirements in respect of planning applications: "When determining any planning applications, local planning authorities should ensure that flood risk is not increased elsewhere. Where appropriate, applications should be supported by a site specific flood risk assessment. Development should only be allowed in areas at risk of flooding where, in the light of this assessment (and the sequential and exceptions tests, as applicable) it can be demonstrated that:
 - a) Within the site, the most vulnerable development is located in areas of lowest flood risk, unless there are over-riding reasons to prefer a different location;
 - b) The development is appropriately flood resistant and resilient;
 - c) It incorporates sustainable drainage systems, unless there is clear evidence that this would be inappropriate;
 - d) Any residual risk can be safely managed; and
 - e) Safe access and escape routes are included where appropriate, as part of an agreed emergency plan."
- 8.5 With regards to the sequential test this does not need to be applied for development on sites which have been allocated in development plans. The application proposal is allocated within the Mid Suffolk Local Plan (1998). Equally considering this sequentially there are not considered to be alternative viable locations within the applicants' ownership to relocate the proposed building, and this proposal has a need to be located on this site due to its relationship with the recreational use of Needham Lakes.
- 8.6 Essentially the exclusion of the proposal from the sequential tests accepts that the development cannot reasonably be located elsewhere outside the floodzone, and as such consideration needs to be given as to how flood risk would be managed through the development. The exceptions considerations include the need to demonstrate sustainability benefits of the development to the community, to outweigh the flood risk, and that development will be safe for its lifetime without increasing flood risk elsewhere.

- 8.7 The proposal offers benefits with regards to supporting the tourism economy, promoting visitor numbers and supporting increased footfall for the site and nearby Needham Market. The design of the building offers a changing places disabled toilet facility, and a flexible space to allow for visitor uses and café, offering opportunities for community use. It would furthermore offer benefits to supporting increased access to open spaces. The proposal includes sustainable energy measures to limit its impact, using natural resources prudently. Having regards to these benefits and the definition of sustainable development detailed at paragraph 8 of the NPPF the proposal is considered to have sustainability benefits to the community.
- 8.8 The main risk from the new development to flood risk elsewhere is in respect of the potential loss of flood plain storage and surface water drainage. The design of the proposal incorporates a void beneath the building to ensure that there is no loss of flood plain storage, therefore ensuring no increase in downstream flood risk. A condition is proposed to ensure that this void space is appropriately cleared to protect the storage capacity. In addition, the proposal includes a drainage system to ensure that following the development surface water flows mimic the greenfield flows as closely as possible. The attenuation would be underground cellular storage, sized to ensure that no flooding occurs during the 30-year rainfall event whilst also ensuring surface water safely managed up to and including the 100 year rainfall event.
- 8.9 The proposed building has been located as close to the edge of the floodzone as possible, having regards to the constraints on site. The building will be set 300mm above the ground level in order to mitigate the risk of flooding from fluvial sources.
- 8.10 With regards to foul drainage the site is some distance from the nearest connection to sewers, such that a package treatment plant is proposed. The plant undertakes treatment and disposes treated water into a watercourse. Anticipated flows will be in excess of 2,000 cubic metres, such that an Environmental Permit is likely to be required from the EA to connect to the watercourse.
- 8.11 In light of the above and in regards to paragraph 163 it is considered that the development has been appropriately located having regards to the floodzone and site constraints, is appropriately flood resilient, provides sustainable drainage, does not increase risk downstream and has appropriate access such that the proposal is not considered to be unacceptable to warrant refusal in this respect. Furthermore with regards to the Environment Agency requirements the proposal, with the increased floor level and void storage, would ensure that the proposal complies with their requirements for the site to remain operational and safe for users in times of flood, result in no net loss of floodplain storage and not impede water flows or increase flood risk elsewhere.

9. Heritage Issues

- 9.1 The Planning (Listed Buildings & Conservation Areas) Act 1990 places a duty on the local planning authority to "*have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses*".
- 9.2 Local Plan Policies support this duty, and in particular Local Plan Policy HB1 sets out that there is a high priority to protecting the character and appearance of listed buildings, with particular attention given to protecting the settings of Listed Buildings. This is further supported by Core Strategy Policy CS5 which seeks to protect, conserve and where possible enhance the natural and built historic environment.
- 9.3 Furthermore the NPPF not only identifies protecting and enhancing the historic environment as an objective of sustainable development but at paragraph 193 states "*when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should*

be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance."

- 9.4 The application site forms part of the setting of Bosmere Mill, although due to the topography the mill is prominent and the site less so. Due to the design of the proposal, with contemporary and modest scale, appropriate to the rural setting the proposal is not considered to confuse the legibility or narrative of the mill. The Heritage Team confirm that the proposal would cause no harm to the significance of the listed building, and would accord with the requirements of S.66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 to preserve the setting of the building.

10. Impact On Residential Amenity

- 10.1 Policy H16 of the Mid Suffolk Local Plan sets out that the Council will refuse development which materially reduces the amenity and privacy of adjacent dwellings or erodes the character of the surrounding area and that the cumulative effect of a series of proposals will be taken into account. This requirement is emphasised in the NPPF Core Values in paragraph 17 where it states that all schemes should seek a good standard of amenity for all existing and future occupants of land and buildings.
- 10.2 The site is over 100m from the properties at Bosmere Mill, and over 400m from properties on Flordon Road, to the north. The site is well separated from these residential properties with significant landscape screening providing separation between the site and neighbouring properties.
- 10.3 No hours of opening are detailed in the proposal, and given the risk of harm to amenity of late opening, noise and people leaving the site it is considered appropriate to secure details of the opening hours by means of condition.

11. Other Matters

11. Waste Services have confirmed that the bins would need to be presented at the end of the grass grid for collection due to the access options for the refuse collection vehicle. This will require moving the bins along the grass grid, which is not a suitable surface for this. The plans have been amended to accommodate this, and it is now an acceptable solution.

PART FOUR – CONCLUSION

11. Planning Balance and Conclusion

- 11.1. The proposal for a visitor centre and café is located in the area allocated for the visitor centre at Needham Lakes at inset map 55A.
- 11.2 The proposal, whilst situated within floodzone 3, offers appropriate measures to prevent the risk of flood elsewhere and mitigation to protect the development, such that the proposal is not considered unacceptable with regards to flood risk.
- 11.3 The proposal does not include additional parking over and above that currently existing at Needham Lakes, however, given that the proposal is designed to support the recreational use of the lakes, and offers additional cycle parking over and above that required, along with the sustainable access to the site is such that the proposal is not considered to result in harm to highway safety in this respect.

- 11.4 Appropriate mitigation measures for biodiversity are proposed and can be secured by condition to ensure that the proposal does not result in an unacceptable impact in this regard. Enhancement measures can also be secured by way of condition to offer benefits in this regard.
- 11.15 Furthermore the proposal offers benefits with regards to supporting recreational access to the lakes, the sustainable nature of the building, with solar panels, and the design orientated for solar gain. Overall the proposal is considered to have significant benefits to the recreational use of the lakes, supporting the economy and with regards to sustainability, without harm to outweigh these benefits.

RECOMMENDATION

That the application is GRANTED planning permission subject to conditions.

That authority be delegated to the Chief Planning Officer to GRANT Planning permission subject to conditions as summarised below and those as may be deemed necessary by the Chief Planning Officer:

- Standard time limit
- Approved Plans (Plans submitted that form this application)
- Mixed use for visitor centre and café only
- Cycle parking provision
- Implementation of renewable energy scheme
- Implementation of landscape strategy
- Implementation of ecology mitigation measures
- Biodiversity Enhancement Strategy to be agreed
- Construction Environment Management Plan to be agreed
- Construction management scheme to be agreed
- Lighting scheme implementation and limit to warm white lights
- Implementation of SUDS
- Provision of water butt
- Hours of operation to be agreed
- Scheme for void clearance

(3) And the following informative notes as summarised and those as may be deemed necessary:

- Pro active working statement
- SCC Highways notes
- Support for sustainable development principles