

Committee Report

Item No: 7A

Reference: DC/21/01735

Case Officer: Jasmine Whyard

Ward: Fressingfield.

Ward Member/s: Cllr Lavinia Hadingham

RECOMMENDATION – GRANT PLANNING PERMISSION WITH CONDITIONS

Description of Development

Planning Application. Change of use of part of land for siting up to 12 glamping pods and up to 6 mobile homes. Retention of conversion of part of the farm building to create educational baking facility

Location

Wakelyns Farm, Metfield Lane, Fressingfield, Eye Suffolk IP21 5SD

Expiry Date: 20/08/2021

Application Type: FUL - Full Planning Application

Development Type: Major Small Scale - All Other

Applicant: Wakelyns

Agent: Mr D Houchell

Parish: Fressingfield

Details of Previous Committee / Resolutions and any member site visit: Previously presented to members on the 18th August a site visit was subsequently supported and carried out on the 25th August

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:

- i) The Chief Planning Officer considers the application to be of a controversial nature having regard to the planning reasoning and the extent and planning substance of comments received from third parties.
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PART TWO – POLICIES AND CONSULTATION SUMMARY

Summary of Policies

The Development Plan

The following policies are considered the most important to the determination of this proposal. The policies are all contained within the adopted development plan for Mid Suffolk District which for the purposes of determining this application is comprised of: Mid Suffolk Core Strategy Focused Review (2012), Mid Suffolk Core Strategy (2008) and those saved policies from the Mid Suffolk Local Plan (1998). Having regard to the manner in which those most important policies operate in relation to the determination of this particular application, all policies are afforded full weight in the determination process as they are considered consistent with the policies of the NPPF bearing in mind paragraph 219 of that policy document.

Core Strategy Focused Review 2012:

FC1 - Presumption in Favour of Sustainable Development

FC1.1 - Mid Suffolk Approach to Delivering Sustainable Development

Core Strategy 2008:

CS1- Settlement Hierarchy

CS2 - Development in the Countryside & Countryside Villages

CS4- Adapting to Climate Change

CS5 - Mid Suffolk's Environment

Local Plan 1998:

GP1- Design and Layout of Development

HB1 - Protection of Historic Buildings

CL8- Protecting Wildlife Habitats

CL17 - Principles for Farm Diversification

CL18- Change of Use of Agricultural and Other Rural Buildings to Non-Residential Uses

H10- Dwellings for Key Agricultural Workers

H16- Protecting Existing Residential Amenity

H17- Keeping Residential Development Away From Pollution

T9 - Parking Standards

T10 - Highway Considerations in Development

Fressingfield Neighbourhood Plan 2020 (in so far as part of the site falls within the designated plan area):

FRES 1- Housing Provision

FRES 6- Landscape character

FRES 10- Design

FRES 13- New and existing businesses

FRES 15- Transport and highway safety

Emerging Joint Local Plan Policies

The emerging Joint Local Plan is currently at Regulation 22 (examination stage). The hearing sessions pursuant to that examination have been paused in order to allow the Councils to undertake further work regarding the plan's spatial distribution and the housing site selection process. The plan is considered to carry limited weight in the decision-making process on this application, such that it plays no determinative role.

The National Planning Policy Framework

The National Planning Policy Framework (NPPF) 2021 contains the Government's planning policies for England and sets out how these are expected to be applied. Planning law continues to require that applications for planning permission are determined in accordance with the development plan unless material considerations indicate otherwise. The policies contained within the NPPF are a material consideration and should be taken into account for decision-taking purposes.

Consultations and Representations

During the course of the application consultation responses and representations from third parties have been received. All responses and representations received have been noted and taken into account, being summarised below. Given the lengthy nature of many of those comments, Members are directed to consider them in full.

A: Summary of Consultations

Town/Parish Council (Appendix 3)

Metfield Parish Council

Object on the basis of 1- impact on character of area, 2- detrimentally affect amenity of residents, 3- unacceptable increase in traffic, 4- pods and mobile homes being available for year-round use, 5- large numbers of people on site, 6- unclear why 6 mobile homes are required, 7- concern that mobile homes may be permanently occupied, 8- change of use of farmhouse to holiday let not included in application, 9- pods and caravans are unsightly, 10- insufficient parking on site as it's not shown on plans, 11- no waste storage provision, 12- no site manager, 13- hazard from fire bowls provided for each pod, 14- bringing in specialists from outside and not locally, 15- other accommodation such as B&Bs are located locally that could provide accommodation for visitors instead, 16- noise and disturbance to nearby dwellings, 17- inadequate infrastructure to support number of units including toilet facilities, 17- no disabled access considerations, 18- overdevelopment, 19- no local benefit and 20- retrospective, 21- why does one caravan have to be sited elsewhere. The site could be considered more beneficial with a holistic approach to the development of the farm with full time employees on standard contracts.

Mendham Parish Council

Continue to object to the proposal on the basis of 1- traffic generation along poor access roads, with no possibility of improvement which will increase on change over days, 2- incompatible with ecological stability and sustainability, including the impacts of visitors 3- pods are innovative but unnecessarily intrusive into the farm landscape and 4- mobile homes must be of a considerable size. A smaller scheme may be supported.

Fressingfield Parish Council

Supports the application as a benefit to the parish, it would make a positive contribution to the local economy. The amendments would mean the accommodation is screened from public footpaths and manage traffic.

National Consultee (Appendix 4)

Historic England

No comments.

Environment Agency

No objection.

Natural England

No comments.

British Horse Society

No objection, but public right of way nearby should be retained.

County Council Responses (Appendix 5)**Highways**

No objection, subject to conditions and support a condition for the creation of a passing place.

Travel Plan Officer

No comment as the application does not meet travel plan thresholds.

Flood and Water

Recommend approval.

Fire and Rescue

No objection subject to the development according with building regulations.

Internal Consultee Responses (Appendix 6)**Place Services- Ecology**

No objection subject to conditions.

Place Services- Landscape

No objection in principle but require further information on landscaping schemes as there could be a potential landscape impact and note that they would prefer mobile homes to be located close to existing development, that there may be a visual impact from parked cars and the glamping pods should be in keeping with the local vernacular.

Heritage

Support the proposals for farm diversification, the pods have now been moved away from the farmhouse and are suitably located. There would still be a level of harm to the setting of the listed building, however this harm would now be a 'below low' level of less than substantial harm.

Environmental Health – Noise/Odour/Light/Smoke

No objection but recommends foul water drainage informative.

Environmental Health – Sustainability

No objection.

Environmental Health – Air Quality

No objection.

Environmental Health- Land Contamination

No objection.

Licensing

Minimum of 6 metre spacing between mobile homes and raise potential concerns about insulation.

Waste Services

No objection.

B: Representations

Other 3rd party representations received- of which there has been considerable volume- are summarised in broad terms below, in no particular order.

Within the objections the following matters were raised:

- Increased traffic, highway safety concerns on road network
- Development already begun
- Noise pollution
- Inadequate on-site parking
- Health and safety
- Precedent setting
- No business model
- Security
- Landscape character
- Foul water management
- Wildlife impact
- Infrastructure impact
- Poor quality accommodation
- Light pollution
- Loss of residential amenity
- Destructive of rural charm
- Support from people outside of Suffolk
- Impossible to monitor
- Need to generate income is not a planning matter
- Large numbers of people on site

Within the supporting comments the following matters were raised:

- Objection comments made have no planning basis
- Support for a vital agricultural service
- Pods and homes needed for sustainability of business
- Support for young people in agriculture
- Support for local businesses and economy
- Supports short food chains

PLANNING HISTORY

REF: DC/20/01044

Application for Listed Building Consent-
Alterations to ground floor bathroom.

DECISION: GTD
07.08.2020

Conversion of first floor cupboard to bathroom including new door opening. New first floor shower room. New internal soil vent pipes in access ducts. New extraction fans to new bathroom/shower rooms.

REF: 0093/04/LB

INSTALLATION OF SOLAR WATER HEATING COLLECTORS TO SOUTH WEST ROOF SLOPE OF HOUSE TO PROVIDE UP TO 40% OF ENERGY NEEDS. USE EXISTING INTERIOR PIPES.

DECISION: REF
06.08.2004

REF: 1465/04/

ERECTION OF FARMYARD BUILDING FOR ADMIN & SEED PREPARATION. SINGLE STOREY TIMBER FRAMED & CLAD.

DECISION: GTD
12.01.2005

PART THREE – ASSESSMENT OF APPLICATION

1. Executive Summary

- 1.1. Following the committee site visit, several aspects of the application have changed to better clarify the development and change the proposed measures of control. On this basis this executive summary provides an overview of the changes and this refreshed report is provided to Members to be considered afresh.
- 1.2. The site location plan has been amended, reducing and moving the red line area of the site. The site now excludes the Grade II listed farmhouse, ancillary outbuildings (save for the bakery) and yard area. The area originally proposed for the siting of mobile homes has been reduced and pulled in from the south where there might have been glimpsed views available via a gap in the hedgerow. The area originally proposed for the glamping pods has also been pulled in from the eastern boundary. The proposed shutter doors to be installed on an ancillary outbuilding have been omitted from the application.
- 1.3. A justification and management statement has been submitted to collate and consolidate information previously provided to justify and demonstrate the need for the mobile homes and glamping pods to be on site.
- 1.4. A s106 agreement is proposed that would replace certain previously recommended conditions and introduce new measures to control operations. This proposed s106 agreement would secure the following matters, in headline terms:
 - Glamping pods and mobile homes shall meet the statutory definition of a caravan, with absolute limits on heights (with floor level no higher than 0.75m from the ground, and any roof pitch adding no more than 0.75m / 1.5m to internal floor to ceiling height, for pods and homes respectively).
 - The mobile homes and glamping pods shall only be permitted on site in connection with the operations of Wakelyns, if such operations were to cease both mobile homes and glamping pods would be required to be removed from site.

- The mobile homes shall only be occupied by those actively working on site within the agricultural and forestry operations and immediate relatives/ dependents.
- The mobile homes will be sympathetically screened along the eastern boundary to mitigate against visual impact and visibility from the adjacent Public Right of Way. [Such screening is understood to be proposed as natural and made from on-site materials, e.g. hazel or willow].
- A management plan shall *inter alia* provide information on visitor and site management, including parking, pre-booking, traffic management, inc. routing and phasing; community engagement; noise control; duty manager/ 24/7 contact; ensure that the glamping pods are a minimum of 75 metres distance from the Grade II listed farmhouse; locate the glamping pods at least 10 metres from each other; secure the rotation of each glamping pod into a different field in accordance with crop rotation; prevent any glamping pod being located on land being farmed; and ensure all mobile homes are at least 6m apart.
- Both the mobile homes and glamping pods shall be removed from site if they are not occupied for 12 consecutive months, irrespective of whether the operations on Wakelyns cease or not.
- There shall only ever be a maximum of 12 pods on site and 6 mobile homes at any one time.
- Mobile homes shall be kept in a well-maintained condition.
- Glamping pods and mobile homes shall only be sited within the areas shown on the approved plan.

2. The Site and Surroundings

- 2.1. The site is located at the northern end of Metfield Lane (a single-track lane with passing places) which ends at Wakelyns, a farm operating using agroforestry. Metfield Lane serves five other properties. The site sits within the countryside outside of any built-up area boundary. Fressingfield is located 2.4 miles (by road) south west of the site, Metfield is located 2.6 miles north east and Mendham is located 3.8 miles north.
- 2.2. There are two ponds on site and several unlisted ancillary agricultural buildings with the principal dwelling (Wakelyns Farmhouse) being Grade II listed. The unlisted outbuildings comprise an implement building, former pig building, tool shed, barn, former cow shed and an administration/ seed and training building. There is also a 10 kW solar PV array, ground source heating and biomass boiler on site (fuelled by hazel and willow from the site). The main agroforestry operations are located north and west of the dwelling and outbuildings, there are two parcels of land located east which comprise underutilised agricultural land. There is extensive mature vegetation screening the entirety of the site's boundary enclosing it from adjacent fields and the wider open countryside. The nearest dwelling (Metfield Lane Farm) is located 330 metres south west of the application site.
- 2.3. The application site extends to around 8 hectares, but the total farm and land ownership extends to 23 hectares and comprises one of the oldest organic agroforestry farms in the UK, established in the 1990s. There are 56 tree lines, separated by varying distances ranging between 12m, 15m and 18m, which creates the main agroforestry format of the operations. There are a vast array of tree species, including walnut, plum, pear, quince, apple, cherry, peaches, medlars and hazels to name but a few. The land is also subject to organic rotation agroforestry, with crops including lentils, chia, camelina and YQ 'population wheat'.
- 2.4. There is a Public Right of Way (footpath) wrapping around Wakelyns north, east and south, with the PRow running around the site for the mobile homes and glamping pods north and east. The site is wholly in Flood Zone 1 and is therefore at a very low risk of fluvial flooding and is also at a

low risk of pluvial flooding. The site does not fall within any designated landscape area (Special Landscape Area or Area of Outstanding Natural Beauty). There are no protected trees on site.

3. The Proposal

- 3.1. The application proposes the siting of twelve glamping pods and six static mobile homes on land and the retention of conversion works to the former pig building to form a bakery also functioning as an educational facility.
- 3.2. The glamping pods will be mobile, moving between fields in conjunction with crop rotations, all located between established tree lines. The pods measure 3.6m x 2.4m x 3m (height) and incorporate mono-pitched roofs. The pods will be occupied by short-term visitors to the site, specifically to visit and appreciate the farming operations and environment, with some attending agriculture/horticulture related courses/ events run during the summer months and participating in activities on site. Many of these visitors go to and from the site on several consecutive days when courses/ events are held as there is no short-term accommodation available on site.
- 3.3. The mobile homes would measure c.10.6m x 3m x 3m (height), which would conform with the standard definition of a caravan. The six mobile homes will provide rural workers who operate small scale rural enterprises on site and work on the land at Wakelyns with accommodation. The mobile homes will not be permanently fixed to the ground, connected only by services. The mobile homes will primarily be stationed east of the farmhouse, within the screened meadow, with one home sited to the western corner of the site.
- 3.4. The bakery has already been created on site and utilises a former pig building. The purpose of the bakery is to utilise produce grown on site which is not a large scale commercially viable crop to then sell locally in shops and via a subscription service to local people. Alongside this events and courses will run from the bakery in an educational and training capacity for visitors.

4. Principle of Development

- 4.1. Section 38(6) of the *Planning and Compulsory Purchase Act 2004* requires that if regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts, then that determination 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) 2021.
- 4.2. Paragraph 11 of the NPPF sets out a presumption in favour of sustainable development, which for decision taking comprises two limbs 11(c) and 11(d). The '*presumption*' is underpinned by paragraph 8, which identifies the three objectives of sustainability (economic, social and environmental) that are independent and need to be pursued in mutually supportive ways. Paragraph 9 does on to state, however that they are not criteria against which every decision can or should be judged. Paragraph 11(c) states that development proposals in accordance with an up-to-date development plan should be approved without delay.
- 4.3. In view of paragraph 11(d) of the NPPF, it is necessary to consider how consistent the most important policies in the development plan are with the NPPF, in order to assess what weight should be attached to them. Paragraph 219 of the NPPF explains that due weight should be given to relevant policies according to their degree of consistency with the NPPF, the closer the policies in the plan to those in the NPPF, the greater the weight that may be given. Paragraph 219 makes explicitly clear that existing policies should not be considered out-of-date simply because they were adopted or made prior to the publication of the NPPF.

- 4.4. The NPPF does not specifically determine whether the tilted balance applies when 'one of' or 'any of' the most important policies are out of date. However, *Wavendon Properties Ltd v SSHCLG* [2019] EWHC 1524 (Admin) has made it clear that the most important policies should be viewed together in a 'basket of policies' and an overall, holistic judgement made as to whether the policies as a whole are out of date. Having regard to the specific nature of the application proposal and the manner in which the most important policies for its determination are engaged, taken in the round those policies are considered to be up to date.
- 4.5. In other circumstances policies CS1 and CS2 - relating to the provision of residential accommodation and development within the countryside - are considered to hold limited weight (typically where new homes are proposed adjacent to built up areas of existing settlements). However, in this case the application proposals relate to new isolated homes in the countryside as well as rural enterprise. In such circumstances the policies are consistent with national policy in steering appropriate types of development to the most sustainable locations, acknowledging that some forms of development may also be required within countryside locations, and recognising the intrinsic character and beauty of the countryside (which affords it a degree of protection). Both local and national policies are not expressly prohibitive of the types of development proposed in this case, subject to establishing adequate justification for them.
- 4.6. The Fressingfield Neighbourhood Plan (FNP) was recently adopted and forms part of the District's Development Plan. The policies in the FNP relevant to the application (FRES1, FRES6, FRES10, FRES13 and FRES15) are consistent with the NPPF and are afforded full weight. The remainder of the most important Core Strategy policies and Local Plan policies, as listed within the policy section of this report, are considered to be wholly consistent with the NPPF and as such hold full weight. Therefore, when considering the overall 'basket of policies' the 'tilted balance' as set out under paragraph 11d) of the NPPF, is not engaged and for the purposes of the determination of this application the development plan is thus up to date.
- 4.7. Having determined that the 'tilted balance' does not engage, it is left to determine the key issues and assess the proposal's performance against relevant policies in the context of those issues. The key issues are:
- a) The acceptability of the principle of development with regard to most important policies CS1, CS2, H10, CL17, CL18, FRES1 and FRES13
 - b) The impact of the development on the setting of the Grade II listed farmhouse with regard to policy HB1 and FRES 10
 - c) The impact of the development on landscape character, with regard to policies CS5 and FRES6
 - d) The impact of increased traffic generation on the local highway network and adequacy of on-site parking provision with regard to policies T9, T10 and FRES15
 - e) Economic development benefits to the rural economy with regard to policies CL17 and FRES13
 - f) The impact on local biodiversity with regard to policy CL8
- 4.8. Policy CS1 identifies a settlement hierarchy to steer development towards the most sustainable locations. To this end, nearby Fressingfield is designated as a Primary Village and Metfield and Mendham are both Secondary Villages. CS1 restricts development outside of settlement boundaries to certain types of development which are considered compatible with protecting and supporting the countryside. Policy CS2 works in conjunction with policy CS1 to identify types of development which are considered appropriate within the countryside, which includes agriculture and forestry development and agricultural workers dwellings. Policy FRES 1 works alongside CS1 to direct residential development (which would include mobile homes) to the Fressingfield settlement boundary, outside of the settlement boundary development is only permitted where it

accords with paragraph 80 of the NPPF or there is a local need. Paragraph 80 a) of the NPPF supports residential development within the countryside where it is for an agricultural worker as in this instance.

- 4.9. As the site is isolated and there is a claimed need for permanent workers on site, policies CS2 and H10 and paragraph 80 a) of the NPPF enable dwellings in the countryside for rural workers to live where there is a proven essential and immediate need for them to be located on or near to site. Planning Policy Guidance (PPG) sets out broad considerations that could be used in assessing the “essential need” for proposed isolated homes in the countryside where they relate to rural workers. In that regard it is important to note that neither that development plan nor NPPF provide instruction on this issue; as ever an exercise of planning judgement is required. The guidance is set out in full as follows:

“How can the need for isolated homes in the countryside for essential rural workers be assessed?”

Considerations that it may be relevant to take into account when applying paragraph [80]a of the NPPF could include:

- *evidence of the necessity for a rural worker to live at, or in close proximity to, their place of work to ensure the effective operation of an agricultural, forestry or similar land-based rural enterprise (for instance, where farm animals or agricultural processes require on-site attention 24-hours a day and where otherwise there would be a risk to human or animal health or from crime, or to deal quickly with emergencies that could cause serious loss of crops or products);*
- *the degree to which there is confidence that the enterprise will remain viable for the foreseeable future;*
- *whether the provision of an additional dwelling on site is essential for the continued viability of a farming business through the farm succession process;*
- *whether the need could be met through improvements to existing accommodation on the site, providing such improvements are appropriate taking into account their scale, appearance and the local context; and*
- *in the case of new enterprises, whether it is appropriate to consider granting permission for a temporary dwelling for a trial period.*

Employment on an assembly or food packing line, or the need to accommodate seasonal workers, will generally not be sufficient to justify building isolated rural dwellings.

Paragraph: 010 Reference ID: 67-010-20190722

Revision date: 22 07 2019”

Clearly the above examples/ questions are non-exhaustive and are to be applied as a guide only. The final line of the PPG states, ‘*The need to accommodate seasonal workers will generally not be sufficient to justify building isolated rural dwellings*’. To this end the proposal passes this test (albeit they are not necessarily freestanding limbs) as the workers are not seasonal and have been demonstrated as being required on site on a more permanent and year-round basis. The applicant has provided a needs assessment (appended to this report) which follows the overall direction of the PPG. It is however noted that the PPG provides broad guiding examples for assessing need and is not a rule but is rather guidance instead. Workers are needed for a range of operations on site, ranging from growing crops to educating visitors and running events on site. Moreover, in light of proposed diversification, such workers are also required to run and manage tourism/ educational ventures. There are no nearby available properties that workers could be located at near to the site,

owing to the site's remote location and the cost of nearby properties in proportion to the workers' wages. Such accommodation is needed to ensure that the operations at Wakelyns can continue in a sustainable manner.

The mobile homes themselves are more temporary structures than dwellinghouses in the sense that they are not constructed from bricks and mortar; they are not buildings by definition. This sense of temporary construction prevents potential physical impacts on the land and ensures that in the event that such homes are no longer needed or the operations on Wakelyns cease, they can be easily removed from site, which is further secured via s106 agreement.

On reflection when viewing the proposal holistically, officers consider as matter of planning judgement that the needs assessment submitted demonstrates an essential and immediate need for rural workers to live on site. However, in the event that Members have any remaining concern or doubt as to the permanence of the need or viability of the site's operations, the proposed s106 agreement secures strict controls on their number, occupancy and their removal in the event that the operations on site cease/ that link to an "essential need" is severed.

- 4.10. It is intended that the mobile homes will provide accommodation in the long-term for workers and shall be occupied all year round. Whilst they will provide year-round accommodation they would likely be used flexibly for a variety of staff, with some sharing their time between the site and elsewhere, depending on business needs.
- 4.11. It is further important for the purposes of determination to understand that caravans and glamping pods do not in themselves constitute development and as such do not require planning permission, with regard to *The Caravan Sites and Control of Development Act 1960* as amended. The land upon which they are sited does however require planning permission for its change of use to accommodate their siting. Thus provided the mobile homes and glamping pods conform with the definition of a caravan in terms of their construction, dimension and transportability their individual appearance cannot be taken into account, but rather it is the overall acceptability of the change of use of land for the siting of mobile homes and glamping pods that must be considered. Lastly, it is important to note that mobile homes used only by seasonal agricultural and forestry workers would not typically require planning permission, and therefore provided that the units were placed at least 6 metres apart, then as many as were needed could be located anywhere on the land without a planning application and without any additional requirements or controls, such as for visual screening. This is considered to be a material consideration of some weight, albeit planning permission is required in this case because of the permanent as opposed to temporary nature of the accommodation. The s106 agreement provides a mechanism by which to apply strict control to the use of the land through the siting of that accommodation and its quantum.
- 4.12. Policy CL17 supports farm diversification subject to the following criteria:
- There is no materially detrimental effect on nearby residential amenity;
 - Proposals should benefit the rural economy by providing alternative or additional employment;
 - Proposals are compatible with the protection of the countryside in terms of its landscape, wildlife, natural resources and intrinsic recreational value;
 - Proposals do not involve the permanent loss of agricultural land of Grades 1, 2, and 3a
 - There is not excessive traffic generation or adverse effect on the free flow and safety of traffic;
 - The District Planning Authority will expect the proper use to be made of appropriate existing buildings, where proposals require the provision of new workspace;
 - Any new building(s) shall be ancillary to and used solely in connection with the use applied for.
 - Such buildings should be kept to a minimum size required to meet the operational needs of the new use and be well related to the existing buildings which are the subject of the proposal. In

considering the need for new building(s) the availability of existing farm buildings will be a material consideration.

A site management plan is to be secured via the s106 agreement which would mitigate against any undue residential amenity issues that could arise. It is important to note that under permitted development rights land can be used for temporary uses (including events etc as currently undertaken on site) for up to 28 days of the year without the requirement for any planning permission subject to accordance with Part 4 of *The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended)*. The regularisation and “control” of the activities to be undertaken on the land is considered to be positive and therefore material to the decision to be taken on this application (because such events as currently may be carried out under permitted development rights are not subject to such management controls). The proposal would support farm diversification and the sustainability of the business operations on site and would not result in the loss of agricultural land or compromise the countryside’s landscape value, owing to the enclosed nature of the site. Whilst the number of visitors may increase to the site overall, this would be negligible as the accommodation would likely reduce the vehicular movements required to the site daily by enabling people to stay on site without travelling to and from the site daily for work or events. SCC Highways have assessed the proposal and do not consider there to be any detrimental impact on the highway network’s capacity to warrant refusal.

- 4.13. The proposal is further supported and underpinned by paragraph 84 of the NPPF and specifically points a), b) and c) which state, *‘Planning policies and decisions should enable: a) the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed new buildings; b) the development and diversification of agricultural and other land-based rural businesses; c) sustainable rural tourism and leisure developments which respect the character of the countryside;’*. Paragraph 85 states further that, *‘planning policies and decisions should recognise that sites to meet local business and community needs in rural areas may have to be found adjacent to or beyond existing settlements, and in locations that are not well served by public transport. In these circumstances it will be important to ensure that development is sensitive to its surroundings, does not have an unacceptable impact on local roads and exploits any opportunities to make a location more sustainable’*.
- 4.14. Policy FRES 13 further states that the expansion of existing business will be supported provided they do not have a significant adverse impact on the character of the area, adjoining uses, or the amenity of local residents, through either their built form, proposed use or traffic generated. . For the reasons set out in this report, the development is considered to accord with this policy.
- 4.15. Policy CL18 enables the conversion of agricultural buildings to non-residential uses where they respect the character, amenity and use of the area. It is noted that policy CL18 states, *‘the need to accommodate rural businesses contributing to the local economy and employment will be a material consideration in deciding applications’*. Policy CL18 thus supports the conversion of an agricultural building to a bakery. It is noted that there are several rural enterprises also operating from the site which do not form part of this application and are thus not being directly considered. However, such enterprises are nonetheless considered suitable within an agricultural setting as per policy CL18 and would be permitted development under Part 3, Class R of *The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended)*.¹
- 4.16. In summary, the proposals constitute farm diversification to secure the future of Wakelyns Farm in a sustainable manner with year-round operations, activities, courses and events in an educational and tourism capacity. There are several small rural enterprises run by workers on site relating to

¹ Requires written notification up to 150 sqm or prior approval of over 150sqm of floor space.

farming, food and craft activities all relating to the wider operations of Wakelyns. Such workers are also actively working to support the forestry and agricultural operations alongside operational running of the site. The farm was originally set up during the 1990s as a trial and research activity into agroforestry. As this was an experimental venture, lessons have been learnt on how to successfully do agroforestry, however as Wakelyns was pioneering in this field, choices were made which have thus restricted the yields that could be achieved. This restricts Wakelyns ability to be commercially sustainable selling the produce from agroforestry alone. As Wakelyns was a pioneering agroforestry farm in the UK, it has subsequently become a farm which is educational in the field of agroforestry, alongside setting up more sustainable and newer ventures to utilise farm produce for visitors and local shops. The bakery is proposed to utilise produce from the farm to sell locally, provide visitors with food and host educational courses and events. The glamping pods and mobile homes are to accommodate those coming to and from the site to engage in activities, and for workers who flexibly work across the site to meet different demands at different times of the year, making it a year-round operation. It should be noted that many visitors and workers already visit the site regularly and their travel times and movements would be decreased by the provision of accommodation on site be it from glamping pods or mobile homes. Such accommodation would help those already working at and visiting the site and provide additional capacity for further growth and viability of farm diversification ventures. Through careful management, which can be controlled via s106 agreement, adverse impacts, that would otherwise be unacceptable, can be avoided.

- 4.17. The principle of the proposed accommodation and bakery as a farm diversification initiative, underpinned by rural enterprises and agroforestry operations, is supported by policy at the national, district and neighbourhood level. At a national level, the proposal gives direct effect to paragraphs 80, 84 and 85 of the NPPF. At the district level, farm diversification is permitted subject to a range of criteria, which officers consider are met. Moreover, with specific regard to the mobile homes, as a matter of planning judgement exercised by officers it is considered that sufficient need and justification for them has been demonstrated. At the neighbourhood level, in so far as the parts of the application that fall within the designated plan area, the FNP supports the expansion of businesses, whilst also positively encouraging new business for agricultural uses in rural areas. The principle of further diversifying the site, through rural workers' accommodation, tourism/educational related accommodation and the creation of a small-scale bakery, are considered acceptable.

5. Heritage Impact

- 5.1. Wakelyns Farmhouse is a GII listed building of special architectural/historic interest, which warrants every effort being made to preserve it. Where the application site relates to and falls within the setting of that asset, the statutory duties of the listed buildings Act apply; in particular s66 which requires that in: *'considering whether to grant planning permission for development which affects a listed building or its setting, the [decision taker] shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest that it possesses*. In practice, this means that the desirability of preserving the setting of a listed building must be treated as a matter of *'considerable importance and weight'*, with such duties regarded as presenting a *'strong presumption'* against a grant of planning permission where harm to a designated heritage asset is identified². Such a presumption is rebuttable but only where compelling countervailing factors and justification are present.
- 5.2. The Council's Heritage Team have reviewed the amended information, including the change to the location of the glamping pods and mobile homes and are satisfied that the previously identified

² *South Lakeland District Council v Secretary of State for the Environment and Another* [1992] 2 AC 141; *R (Barnwell Manor Wind Energy Ltd) v East Northamptonshire DC* [2014] EWCA Civ 137.

harm has been reduced to a 'below low' level of less than substantial harm to the setting of the listed building. The s106 agreement would further ensure that the pods and mobile homes are only located within the areas shown on the submitted plan (being at least 75 metres away) which would mitigate detrimental impact on the setting of the listed building that could arise from siting such units of accommodation closer to the listed building. A further requirement relating to the circulation/rotation of those pods around the designated area would ensure that their siting would be transient, which further assists in limiting the degree of harm posed.

- 5.3. As the level of identified heritage harm is deemed to be at a below low level of less than substantial when assessed against Local Plan policy HB1, in accordance with paragraph 200 of the NPPF clear and convincing justification for that harm is required with great weight given to the asset's conservation (para 199). In accordance with paragraph 202 such harm must be weighed against the public benefits of the scheme but with considerable importance and weight being attached to the harm identified, regardless of whether it is low, below low, or negligible. Such benefits include support of the rural economy, employment (specifically recruiting local young people) and the overall environmental sustainability aims of the site in accordance with policy CL17, CL18 and paragraphs 8 and 84 of the NPPF. In turn, supporting the sustainability of the site as a whole will also provide a level of assurance and support for the maintenance and continued optimum viable use of the Grade II listed farmhouse. These benefits are thus considered to outweigh this harm even where considerable importance is attached to it. The application therefore satisfies policy HB1 and the bundle of policies within Chapter 16 of the Framework. No other heritage assets would be affected by the proposal.

6. Landscape Character

- 6.1. Core Strategy policy CS5, Neighbourhood Plan policy FRES 6 and paragraph 174 of the NPPF seek to ensure development does not adversely affect the visual scenic value of the landscape and countryside surroundings, where it is important to recognise their intrinsic character and beauty. FRES 6 specifically identifies four views in the village that are sensitive to development. The site is not located near the four views and therefore the development is not in conflict with this element of the local character policy. Similarly, to Local Plan policy CL8, FRES 6 and paragraphs 131 and 174 of the NPPF also seek to ensure proposals avoid harm to, or loss of, irreplaceable habitats, such as ancient woodland and veteran trees. The proposal does not impact any ancient woodland or veteran trees.
- 6.2. The site is well contained as it is enclosed on all sides by mature tree planting, making it visually isolated and secluded. The development does not require any tree removal, with the structures to be located between tree lines. The mobile homes and glamping pods would be enclosed and not visible from the outside of the site, especially with specific mitigation screening around the mobile homes, reducing any localised visual impact from the Public Right of Way where the experience of those public routes would not be adversely affected.
- 6.3. Place Services Landscaping expressed a preference for the mobile homes to be located close to the existing buildings to restrict the creep of development on the land, however this would result in an increased impact on the setting of the Grade II listed farmhouse and is not possible to accommodate noting the proposed s106 agreement requirements. Notwithstanding this, officers are not convinced that this is required given such extreme modesty of the development scale, both in terms of building height, footprint, and number, coupled with the significant screening offered by the mature tree lines. Officers consider that any adverse character effects associated with the mobile homes will be less than 'significant' (and in fact effectively negligible), compliant with Policy FRES13. Both glamping pods and mobile homes are visually unobtrusive and will be tucked into the open lanes between the tree lines and within a well-screened field. In any instance the siting of

the mobile homes and glamping pods are sited as such to protect the availability and use of agricultural land. The removal of the southern field parcel from the proposal, where previously glimpsed views might have been available due to a gap in the boundary hedgerow/tree belt, is a positive amendment that will effectively eliminate the likelihood of the mobile homes being readily perceptible from the public realm.

- 6.4. Any adverse visual impact arising from the glamping pods and mobile homes on the character of the countryside will be extremely low and highly localised to within the site confines and adjacent PRoW (but with no adverse effect on the latter). The dominant rural setting is not compromised, rather, it is maintained. Place Services Landscaping recommend further information in respect of any additional areas associated with the mobile homes, however anything to be added on or around the mobile homes is likely to require planning permission separately and is not being considered under this application. Place Services Landscaping also raised concerns that the glamping pods are shown in a mixture of black weatherboard, and a yellow colour finish. They are confirmed as being coloured in heritage colours and based on their mobile nature, modest scale and the screening on site, officers do not consider it reasonable to control the colours of the glamping pods as they are not considered to have any overriding landscape harm.
- 6.5. The works undertaken to facilitate the bakery conversion relate to restoration, upgrading and repair works to an existing outbuilding and do not have any landscape impact.
- 6.6. The proposal complies with policies CS5, CL8, FRES6, FRES13 and paragraphs 131 and 174 of the NPPF.

7. Residential Amenity

- 7.1. As noted above the site is detached and secluded from neighbouring property, with the closest dwelling to the mobile homes and glamping pods located 330 metres south west. The few residents on Metfield Lane may experience a slight increase in local traffic, however any increase is well within acceptable amenity parameters and is unlikely to significantly and regularly go beyond the levels of traffic already experienced from existing visitors and staff driving to the site, especially as temporary events on site do not require planning permission. In any event a site management plan is to be secured via s106 agreement to ensure any potential real or perceived residential impacts are mitigated against. The proposal does not compromise existing residential amenity levels.
- 7.2. The proposal would thus accord with Local Plan policy H17 and paragraph 130 of the NPPF.

8. Highways Considerations

- 8.1. Local Plan policies T9 and T10 and paragraphs 110 and 111 of the NPPF requires consideration of a number of highway matters when determining planning applications, including parking provision, the provision of safe and suitable access for all users, the safe and free flow of traffic and pedestrian safety, the provision of adequate parking and turning for vehicles and capacity of the road network.
- 8.2. Many objectors are concerned with the use of Metfield Lane and the increase in traffic generation. There will no doubt be an increase in traffic on Metfield Lane from the proposed farm diversification, however the anticipated daily movements will not be significantly higher than those already experienced from existing events, activities and operations on site, especially in light of how there are already many vehicular movements made to and from the site by existing staff and visitors on a daily basis for existing operations. Furthermore, the Highway Authority does not raise an objection regarding the capacity of the lane to absorb the extra traffic that will be generated but welcome the

creation of a passing place. The overall highways impacts would be negligible. Nevertheless, the proposed management plan to be agreed would contain measures for the control of traffic including the pre-booking of events and phasing/routing of traffic. Such measures are positive and provide comfort that risk of conflict can be minimised.

- 8.3. Paragraph 111 of the NPPF states that *'development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe'*. In light of considering both the existing and potential movements that could arise from existing operations on site without the proposed pods, bakery and mobile homes, and given the Highway Authorities position, there is no evidence before officers to suggest that the threshold set out under paragraph 111 and supported by Local Plan policy T10 would be met.
- 8.4. Many residents are concerned with the absence of on-site car parking being shown on a plan. A plan has been provided showing parking areas that can be used, whilst the application site extends to some 8 hectares the whole of Wakelyns extends 23 hectares and thus there are ample areas for the parking of vehicles on the site, whether they be formal or informal areas, specifically noting the existing extent of hardstanding areas. The Highway Authority recommend a condition to ensure these areas are functionally available for parking prior to first use which is considered reasonable and is thus recommended by officers. Parking, its control and management can be dealt with by the proposed management plan. Moreover, a new condition has been recommended by the Highway Authority to secure the creation of a passing place on Metfield Lane as offered by the applicant, which is to be created within land that the applicant owns.
- 8.5. The Highway Authority previously recommended a condition relating to visibility splays and restricting any obstruction of visibility splays over 0.6 metres in height, this does not however meet the tests of a condition as set out under paragraph 56 of the NPPF as the junction between Metfield Lane and Fressingfield Road is not within the applicant's ownership and thus is an unenforceable condition. It has thus since been noted by the Highways Authority that the existing visibility splays do already meet the standards required by highways and would not cause any undue harm to either the highway network or its users.
- 8.6. The application responds positively to Local Plan policies T9 and T10 and paragraphs 110 and 111 of the NPPF. Therefore, there are insufficient highway safety grounds to justify a refusal on this basis.

9. Ecology

- 9.1 Place Services Ecology have reviewed the supporting ecology report and do not raise any objection subject to conditions requiring compliance with the submitted ecological appraisal recommendations and the submission of a wildlife sensitive lighting design scheme. Both of these conditions are recommended to be imposed.
- 9.2. Noteworthy is the fact the applicant has been working in conjunction with the Suffolk Wildlife Trust and RSPB, who have undertaken their own bird and pond surveys. As noted by the applicant, agroforestry is inextricably linked to the continued enhancement of the biodiversity values of the site. Biodiversity enhancement measures proposed include altering the mowing regime for the areas where the mobile homes are proposed which is supported by Place Services Ecology.

10. Parish Council Comments

- 10.1. The concerns raised by Metfield and Mendham Parish Councils have predominantly been considered in the above report, however for clarity several issues are confirmed below:
- There is nothing preventing the submission of a retrospective planning application.
 - The matters relating to the farmhouse being used as a holiday let, the events on site and rural enterprises are not directly being considered under this application as they do not form part of it.
 - Further clarification was sought on the matter of all units of accommodation to determine whether they are to be used for seasonal workers or as holiday lets. The glamping pods would provide short-term accommodation for those visiting the site, with some visitors actively participating in activities or events on site. The caravans would be for long-term year-round accommodation for those working on the site as part of their own individual rural enterprises, that are integrated into the operations of Wakelyns, and in the wider agroforestry operations on site. Based on the nature of agroforestry, which has varying harvest seasons and the year-round enterprises on site, defining specific seasonality of work is difficult which is why the units have been proposed for year-round use
 - Concerns are raised regarding the use of fire bowls. These are a commonplace domestic arrangement that do not require planning permission; nevertheless, such site practice matters and amenity considerations can reasonably form part of a site management plan (which would also include matters relating to noise/amplified music and times related to such etc.).

11. Other Matters

- 11.1. Insufficient local advertising of an application is noted as a concern of local residents. It is confirmed that the advertising of this application complies with the Councils' and national level requirements.
- 11.2. Similarly, whether the aspiration to become a tourist destination aligns with the original endeavour of Wakelyns' custodians is not a planning consideration to be given weight to as this application needs to be considered on its merits against current policy. The same applies to the location of where the owners may currently reside, the number of toilet facilities and the need to obtain food safety certification, which are again all non-material considerations in the planning process and where other regimes are expected to be relied upon to operate effectively.

PART FOUR – CONCLUSION

12. Planning Balance and Conclusion

- 12.1. Decision taking begins with the development plan and it is of vital importance that planning decisions are plan-led. The NPPF, an important material consideration, reiterates this fundamental point.
- 12.2. The 'basket of policies' most important in determining the application, are up to date. The 'tilted balance' at paragraph 11d) of the NPPF therefore does not engage.
- 12.3. National and local planning policies expressly support farm diversification, specifically Local Plan policies CL17 and CL18 and paragraph 84 of the NPPF. The proposal will bring about local rural economy benefits through the diversification that is proposed. Accommodation for visitors engaging in tourism/educational/recreational activities is wholly consistent with the well-established use, considered incidental and complementary to it. Policies CS2 and H10 and

paragraph 80 a) of the NPPF outline the potential for rural workers to live on site in a more permanent fashion subject to sufficient and evidenced need and controls. Such need is assessed as a matter of planning judgement and is considered to have been demonstrated. This need is viewed in conjunction with a s106 agreement that further restricts and controls the permission.

- 12.4. The scale of development is extremely modest. Each structure is small and sited in a manner that will not compromise the landscape character of the area. Tucked into the open lanes between mature trees and enclosed field, they will have limited visibility beyond the confines of the site. Any adverse character and landscape impacts will be localised. Ecology impacts have been well considered and are inherently supported by the existing operations on site and through the submission of an ecology report.
- 12.5. The low level of less than substantial heritage harm identified to the Grade II listed farmhouse (against which considerable importance has been attached) is significantly outweighed by the public benefits identified through the support of the rural economy, employment and the environmental and economic sustainability of the site.
- 12.6. The glamping pods, mobile homes and bakery use would not affect the amenity of the nearest neighbour given the isolation of the site. In any event this is to be mitigated via site management plan as secured within the s106 agreement.
- 12.7. The Highway Authority does not object to the scheme whereby adequate parking provision and visibility splays can be provided on site to accommodate for any small-scale intensification of the highway network within the locality.
- 12.8. The proposal responds positively to the aims of relevant Development Plan policies, as well as national policies. The direction of the development plan taken as a whole is to grant planning permission. There are no material considerations that justify a departure from those policies or which indicate that a decision should be taken other than in accordance with the plan; permission should be granted without delay. In exercising a planning balance, the economic and environmental benefits that have been identified significantly and demonstrably outweigh the negligible localised landscape harm and an above low-level level of less than substantial harm to a designated heritage asset. There are no reasons indicating that planning permission should be refused. The grant of planning permission is therefore recommended.

RECOMMENDATION

1. That authority be delegated to the Chief Planning Officer to GRANT planning permission subject to the prior completion of a Legal Agreement pursuant to s106 of the Town and Country Planning Act 1990, or accepted Undertaking, to secure the following obligations and related terms to the Chief Planning Officer's satisfaction:
 - i. No more than 12 glamping pods and 6 mobile homes on site at any time
 - ii. Glamping pods and mobile homes shall meet the statutory definition of a caravan, with absolute limits on heights (with floor level no higher than 0.75m from the ground, and any roof pitch adding no more than 0.75m / 1.5m to internal floor to ceiling height, for pods and homes respectively).
 - iii. Mobile homes occupation/essential workers and dependent relatives tie;
 - iv. Register of the essential worker mobile home occupants to be recorded and made available for inspection by the Council at reasonable times;
 - v. Where need ceases / mobile home unoccupied for 12 months the relevant unit is removed
 - vi. Provision of screen fencing for mobile homes with details to be agreed
 - vii. Siting and management/rotation of glamping pods (including >10m separation distance between pods; no pod within 75m of farmhouse);
 - viii. Site and Operations Management Plan, including but not limited to the following matters:
 - a. Events / accommodation within site boundaries and designated areas only;
 - b. Parking arrangements;
 - c. No casual / tourist lets (i.e. glamping pods used in association with events only);
 - d. No touring caravans or motorhomes for guests;
 - e. Events involving more than 20 persons to be by pre-booking only;
 - f. Community / Parish notification / advertisement of upcoming events;
 - g. Traffic phasing (inc. control of entry / exit timings) and routing;
 - h. Duty manager with advertised 24/7 contact number;
 - i. Use of fire bowls;
 - j. Late night noise rules / amplified music control;
 - k. Utility connections, potable water, and waste treatment;
 - l. Landscape / boundary management;
 - m. Glamping pods maintenance;
 - n. Mobile homes maintenance.
2. And that such permission be subject to conditions including those set out below, to the satisfaction of the Chief Planning Officer:
 - Standard 3-year time limit for commencement
 - Development carried out in accordance with approved plans
 - Parking provision to be created as shown on plan
 - Passing place to be created along Metfield Lane
 - Ecology appraisal implementation
 - Wildlife sensitive lighting design scheme

3. And subject to the following informative notes as summarised and those as may be deemed necessary:
 - Pro-active working statement in line with NPPF
 - SCC Highways notes
 - SCC Floods notes
 - Any associated items that are attached to mobile homes (such as decking, hardstanding, paths etc) may require additional planning permission.
 - Environmental Health foul water drainage notes

4. And that in the event of the Legal Agreement or Undertaking referred to in Resolution 1 above not being secured or accepted to the satisfaction of the Chief Planning Officer that they be authorised to refuse planning permission for such reasons as may be appropriate.