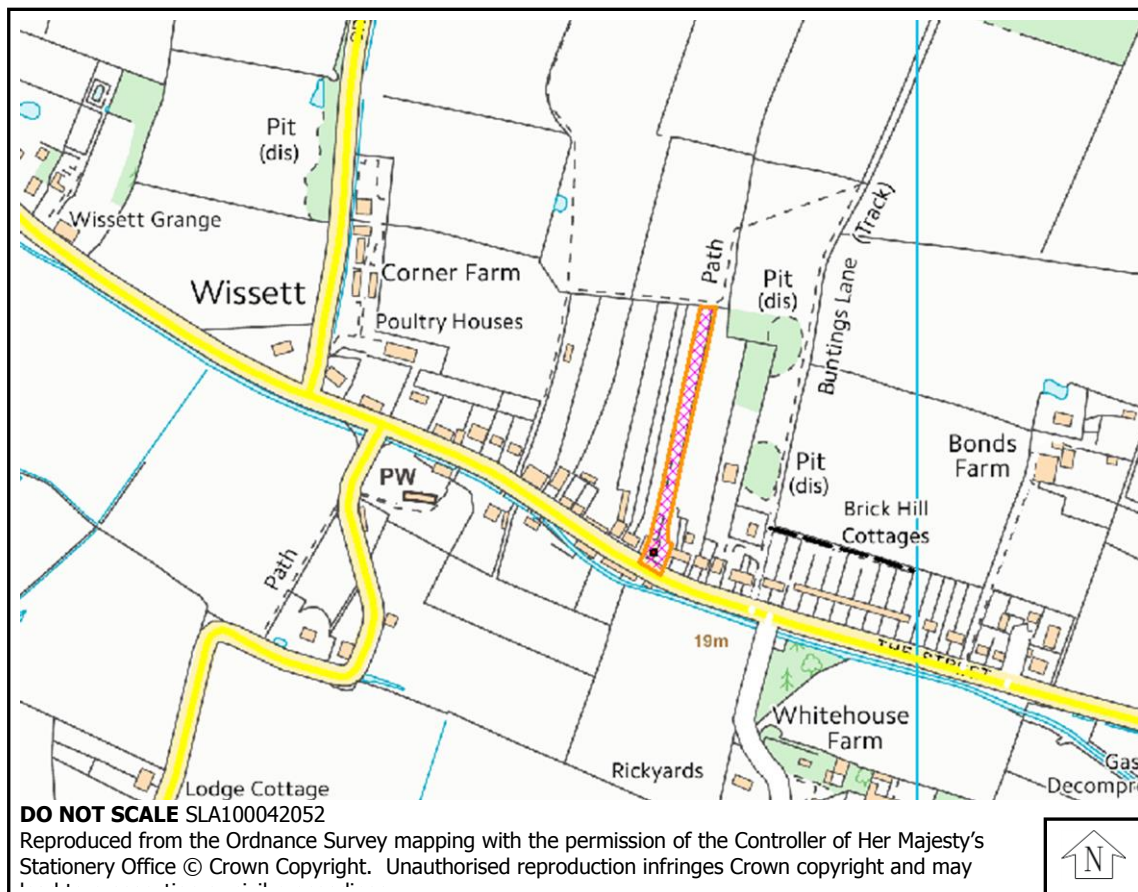


PLANNING COMMITTEE – 11 DECEMBER 2018**APPLICATION NO** DC/18/3395/FUL**LOCATION**8 The Street
Wissett
Halesworth
Suffolk
IP19 0JE**EXPIRY DATE** 16 October 2018 (Extension of time until 14 December 2018)**APPLICATION TYPE** Full Application**APPLICANT** Jordan Developments Ltd**PARISH** Wissett**PROPOSAL** Additional static mobile home to existing site.**1 SUMMARY**

- 1.1 Planning permission is sought for an additional static caravan at an existing caravan site situated to the rear of the Plough Public House in Wissett. The site is within the Wissett Conservation Area.
- 1.2 Planning permission was previously granted for a development of three caravans; this permission was tied to the pub to ensure that the site could not be sold or leased

independently from it and was time limited for five years. This was to support the re-opening of an important community facility and to reconsider the impact of this proposal at a later date.

- 1.3 This item has come before members as a Councillor call in. The application is recommended for approval.

2 SITE DESCRIPTION

2.1 The site comprises the Wissett Plough Public House, which has been substantially refurbished and has recently re-opened following a period of closure. To the rear of the properties in this location are garden areas which are in excess of 100 metres in depth which rise in height along their length. These long narrow garden areas are characteristic of the area and are included within the extent of the designated Conservation Area.

2.2 Following the grant of the previous permission the site to the rear has been laid out in a linear pattern going back into the site to provide three static caravans with an associated access track, parking areas and amenity areas for the PH and caravan areas.

3 PROPOSAL

3.1 The proposal is for an additional caravan to the rear of the existing three caravans, which would continue the pattern towards the rear of the site. The existing service track is proposed to be lengthened slightly to accommodate this proposal. All other aspects of the site would be as existing.

4 CONSULTATIONS/COMMENTS

4.1 Neighbour consultation/representations: Seven neighbour objections have been received covering the following points:

- Unauthorised occupation of existing caravans
- Work already commenced
- Invasion of privacy, due to no effective screening and use of adjacent land
- Inappropriate in a Conservation Area
- Light pollution is caused by existing caravans
- No financial justification for an additional unit
- Cumulative impact
- Traffic/parking/road safety
- Impact on rural landscape character
- Noise and disturbance
- Impact on property value

4.2 Parish/Town Council Comments: Approved – Subject to the following reservations:

- Application not advertised adequately
- Would the 4th caravan run concurrently with the previous permission?
- It has been alleged that the caravans are being used by workmen contrary to condition 2.
- Is the 4th caravan actually required as there is no real evidence that the existing three are in regular use.

- Planting on site boundaries does not provide a substantial planted screen.
- Neighbour amenity issues from noise from occupants, driving on gravel track, lighting, use of adjacent field
- Alleged that the land is of unknown ownership and does not belong to the applicant.

4.3 Suffolk County Council Highways - Notice is hereby given that the County Council as Highways Authority does not wish to restrict the grant of permission.

5 **PUBLICITY:** The application has been the subject of the following press advertisement:

Category	Published	Expiry	Publication
Conservation Area,	07.09.2018	28.09.2018	Beccles and Bungay Journal
Conservation Area,	07.09.2018	28.09.2018	Lowestoft Journal

6 **SITE NOTICES :** The following site notices have been displayed:

General Site Notice	Reason for site notice: Conservation Area, Date posted
	31.08.2018 Expiry date 21.09.2018
	Re-posted 31.10.18 Expiry date 21.11.2018

7 RELATED APPLICATIONS

Reference No	Proposal	Decision	Date
DC/16/4494/FUL	Change of use to caravan park for three static caravans for tourist use.	Approved	19.01.2017
DC/17/0745/DRC	Discharge of Condition Nos. 3, 6, 7, and 10 of DC/16/4494/FUL - Provide 3no static mobile homes for tourist use - Details of caravans, details of hedging, siting and levels of caravans, materials for caravan standings.	Approved	20.03.17

8 PLANNING POLICY

8.1 NPPF

8.2 NPPG

8.3 Waveney District Council Local Plan Policies: Core Strategy (Adopted January 2009) and development management policies (Adopted January 2011)

- CS01 – Spatial Strategy
- CS02 – High quality and sustainable design
- CS07 - Employment
- CS13 – Tourism
- CS16 – Natural environment

CS17 – Built and historic Environment
DM02 – Design principles
DM24 – Touring caravan, camping and permanent holiday sites
DM27 – Protection of Landscape Character
DM30 – Protecting and Enhancing the Historic Environment

8.4 Waveney Local Plan - Final draft (Regulation 19)

WLP8.15 – New Self Catering Tourist Accommodation

9 PLANNING CONSIDERATIONS

9.1 Section 38(6) of the Planning and Compensation Act 2004 states that application should be determined in accordance with the Development Plan unless material considerations indicate otherwise. In this instance, the development plan for the purpose of this application is the Core Strategy (2009) and the Development Management Policies (2011). Although the Draft Local Plan does not yet form part of the Development Plan some weight can now be given to the policies within it.

Principle of development

9.2 Policy CS13 highlights the importance of the tourist industry to the economy of Waveney and that it supports around 10% of all jobs in the District. Tourism is based on local assets such as the natural and built environments that can be sensitive to increased development and visitor numbers. Development should avoid adverse impacts on host communities and the natural, built and historic environments. The general presumption within Policy DM24 and emerging Policy WLP8.15 is for the support of small scale sites across the district subject to consideration of these important issues.

9.3 When consideration was given to the previous application the Public House was closed and the land to the rear was an open area. The application was justified on the basis that the development to the rear would help to subsidise the running of the pub. It was acknowledged that the original development would cause some harm to the character of the Conservation Area and landscape character and would have some impact on the amenities of neighbours in the vicinity of the caravan park. It was considered that the benefits to the local community by maintaining an important local community facility outweighed the harm. The approval was granted on the basis that it was tied to the Public House and could not be let or sold off separately. The planning permission was temporary for five years in order to see whether the Public House was viable and so that the impact of the proposal could be reconsidered at a later date.

9.4 There have been a number of objections to further development on this site as it is considered by members of the community that an additional caravan will exacerbate problems that have been experienced since the site has been in operation which are highlighted in section 4 of this report.

Heritage considerations

9.5 The site is situated in a designated Conservation Area. The NPPF states that 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). Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires special attention to be paid to the desirability of preserving or enhancing the character or appearance of that area.

- 9.6 It is considered that the addition of a 4th caravan will not significantly harm the visual amenity of the Wissett Conservation Area, although it is regrettable that the tradition of long rear gardens behind the properties fronting the Street, will be further eroded by the inclusion of an additional structure. However, the additional caravan would not be seen from the Street and the form of the development would not be significantly different from that which currently exists on the site.

Landscape Impact

- 9.7 The site does not sit within a designated landscape; however Policy DM27 seeks to protect landscape character; as previously suggested Policy DM24 requires developments to be well contained within the landscape. The Waveney Landscape Character Assessment (2008) identifies this site as being within character area H6: Blyth Tributary Valley Farmland of which Policy DM27 states development should not adversely affect. A key characteristic of which is the linear form of development along the road frontage in settlements such as Wissett. Although this would be out of character with this feature the impact would not be significantly worsened by this proposal. When Wissett is viewed from higher ground, the village is largely screened from view and the existing caravans are not visible within the landscape. Views of this site are limited from public footpaths in the vicinity. Overall this proposal would have minimal impact on landscape character.

Biodiversity

- 9.8 The site is within 13km of the following European sites:
- o Benacre to Easton Bavents (SPA) and Benacre to Easton Bavents Lagoons (SAC)
 - o Minsmere to Walberswick Heaths & Marshes Special Area of Conservation (SAC), and
 - o Minsmere - Walberswick SPA
- 9.9 Based on the development type and proximity to European designated sites, a judgement should be made as to whether the development constitutes a 'Likely Significant Effect' (LSE) to a European site in terms of increased recreational disturbance. In this case the provision of a single caravan, which will not have the level of use of a residential dwelling, would not have a LSE on the European sites highlighted above.

Impact on neighbour amenity

- 9.10 It is considered by nearby neighbours that currently the existing three caravans cause harm to residential amenity, therefore, an additional caravan will accentuate this impact.

One aspect is vehicular movements along the length of the access track and this is partly due to the gravel surface and the time of day that vehicles arrive and leave. Lights from vehicles and from the caravans themselves are also a factor which is suggested to cause a nuisance. It is alleged that the caravans are being occupied by workers rather than tourists, who are likely to have a greater impact in terms of noise and disturbance due to early departure times. This issue is being investigated as an enforcement complaint but will be discussed later in this report.

- 9.11 If the caravans are occupied in accordance with the occupancy condition this need not be an issue as tourists tend not to come and go at unsociable hours. There is lighting on the caravans, which although has not been agreed as required by condition 4 of the previous permission, does not appear to be excessive. The surfacing material was not controlled within the previous application and, as it was considered to be a temporary use, an overly engineered surface would not necessarily be appropriate, it is acknowledged that a bound surface would have reduced this impact. It has also been suggested that the visual impact on neighbours to the east side could be improved if the newly planted hedge was maintained to enable it to establish. A management plan was required by condition 8, which included management of the landscaping. Details of this have not been provided but are being pursued along with condition 2 (occupancy) and 4 (lighting).
- 9.12 It is acknowledged that there is some impact on neighbour amenity from the existing proposal, which should largely be eliminated through effective enforcement. It is not considered that an additional caravan would make this development unacceptable from an amenity perspective.

Highways

- 9.13 Suffolk County Council does not object to this application and do not require any additional works to take place. Parking and manoeuvring areas have been provided in accordance with the previous approval and additional parking is proposed for this caravan.

Justification

- 9.14 It has been suggested by objectors that there is no justification for an additional unit on this site. The initial application was approved on the basis that it was considered that the public benefit outweighed the harm, to the surrounding Conservation Area/landscape and neighbour amenity. The same process applies when considering whether an additional caravan is acceptable. Planning policy does not require a financial justification or details of occupation to be provided to justify a proposal. However, the applicant has suggested that at peak times demand exceeds the capacity of the site; the additional revenue that would be achieved at such times will help support the viability of the PH.

Enforcement issues

- 9.15 As discussed within this report issues relating to conditions 2 (occupation), 4 (lighting) and 8 (Management Plan) are being pursued with the applicant and we are expecting a discharge of condition application in relation to conditions 4 and 8. In terms of occupancy of the caravans, details of the occupancy of the caravans have been provided to the LPA. The vast majority of instances the caravans are being occupied by tourists on a short term basis (up to a week). There are some instances as highlighted by nearby neighbours where

one of the vans appears to have been occupied by a contract worker. Occupancy of this nature is in breach of condition 2. If this persists then the LPA have powers under section 187A of the Town and Country Planning Act 1990.

10 CONCLUSION

- 10.1 The local Plan highlights the importance of the tourist industry to the economy of Waveney and supports small scale tourism developments within the district where they are well contained within the landscape. Development should not adversely impact on host communities, the natural, built and historic environment of which it relies upon.
- 10.2 In this case it is considered that the addition of a further caravan would have minimal impact on the significance of the designated heritage asset of the Conservation Area. There would be some further erosion of the landscape character with the continuation of the uncharacteristic form of development within the long rear gardens to the rear of The Street.
- 10.3 Some disturbance to nearby local residents has been highlighted in response to this application and it is considered that this is likely to be the case in instances where workers have been in occupation and may have had an early morning start. It is considered that if this is monitored this need not cause a problem in the longer term.
- 10.4 The re-opening of the 'The Plough' Public House is an important asset to the community and the limited harm identified with the provision of an additional caravan on this site is considered to be outweighed by the public benefit of this proposal in maintaining the viability of this business.

11 RECOMMENDATION: APPROVE - subject to controlling conditions including the following:

- 1) The development hereby permitted shall be until 18 January 2022, to coincide with the temporary period specified on planning permission for the caravan park ref: DC/16/4494/FUL, after which time the caravan shall be removed and the land reinstated to its former condition to the satisfaction of the Local Planning Authority.

Reason: Having regard to the non-permanent nature of the structure.

- 2) The development hereby permitted shall be completed in all respects strictly in accordance with drawing nos. AWC/18/755-202 and 201; received 22 August 2018, 102C and 103B received on 21 November 2018 for which permission is hereby granted or which are subsequently submitted to and approved by the Local Planning Authority and in compliance with any conditions imposed by the Local Planning Authority.

Reason: For the avoidance of doubt as to what has been considered and approved.

- 3) The approved holiday unit(s) shall be occupied solely as holiday accommodation and for no other purpose whatsoever including residential use. No unit shall be occupied for more than 28 consecutive days in any calendar year by the same person or persons. The owner shall maintain, and keep available for inspection at all reasonable times, an up-to-date register of lettings.

Reason: The proposed units are suitable only for holiday accommodation and not suitable for permanent residential use.

- 4) Details of any lighting shall be submitted to and approved in writing by the Local Planning Authority before the first occupation of development. Development shall be carried out in accordance with the approved details.

Reason: in the interests of the amenity of the area

- 5) A plan indicating the positions, species, sizes and mix of hedging plants to be erected along the eastern boundary to supplement the existing planting shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details

Reason: In the interests of amenity and the appearance of the locality.

- 6) The boundary treatment shall be completed before the first occupation of the caravan or in accordance with a programme agreed with the Local Planning Authority. Any trees or plants which, within a period of 3 years from completion of the development, die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species unless the Local Planning Authority gives written consent to any variation; all works shall be carried out in accordance with the relevant provisions of appropriate British Standards or other recognised Codes of Good Practice.

Reason: In the interests of amenity and the appearance of the locality.

- 7) The additional caravan permitted shall form part of the caravan site, the site shall not be sold or leased independently of the property known as 'The Plough Public House' 8 The Street, Wissett.

Reason: To ensure the caravan park remains associated with the Public House in order to contribute to the viability of the PH to retain this important community facility.

BACKGROUND INFORMATION:

See application ref: DC/18/3395/FUL at

www.eastsuffolk.gov.uk/public-access

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