



# Kettleburgh Parish Council

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Natalie Webb  
Planning Officer  
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18<sup>th</sup> September 2023

Dear Natalie,

**Planning Ref: DC/23/3162/FUL – Formation of Care Farm with machinery store, workshops, teaching, communal spaces, produce hub, access and landscaping. Land NW of Moyes Cottage, Low Street, Kettleburgh, Suffolk**

I write for and on behalf of Kettleburgh Parish Council.

## 1. The Council's Primary Response

The Council considered the above planning application at its meetings on 05/09/2023 and 14/09/2023. It resolved to **object to it** in the strongest terms and having considered the relevant planning policies in depth sees no leeway for it be permitted in its current form.

In summary, the proposed development is in the countryside (being outside the village envelope), is in an unsustainable location, is not an agricultural use, and is so significant as to be out of all proportion to the neighbouring village.

The Council therefore expects the Planning Authority to refuse permission.

I have annexed the detailed specific material basis for the Council's objection.

## 2. Strategic Planning Considerations

The Council is fully aware of national mental health issues and the need for more provisions. But that is no justification for placing an unready new provision in entirely the wrong place. It is clear from the applicants' documentation that their 'plans' are still at an early stage and could fail or change substantially. They are sensitive to a wide range of risk.

If the applicants are determined to progress their concept, they have access to a large amount of land in family ownership and could look at developing either: on a farm diversification basis in association with an existing holding; or on a sustainable site compensated for in terms of agricultural production, by use of the currently proposed site.



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As currently proposed, should the plans and funding fail following a potentially long period of building disruption and operation, granting permission now would leave a brown field site, and an unacceptably changed basis for future planning considerations.

Beyond this, allowing the development would mean a de facto extension of the village boundary. This, together with the approved plan to build 16 modern houses on an unsuitable modern street plan, would encourage infill of the triangle of land encompassed by footpaths 18 and 19 and The Street. The combined effect would be to completely transform the nature of historic Kettleburgh, when all strategies and policies envisage it continuing as a small tranquil village like several others, in a quiet river valley setting.

Yours sincerely,

*Sonia E Frost*

Sonia Frost

Clerk to Kettleburgh Parish Council

Encl. (none)

*(If viewing this document online, please scroll down)*



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## ANNEXE - Specific material basis for the Council's objection to the current approach

Ref	Objection/Harm	Policy basis
1.	<p><b>Settlement Hierarchy Status and Spatial Location</b></p> <p>Kettleburgh is identified as a 'small village' within the Local Plan Settlement Hierarchy. <u>The development site is in the countryside for planning purposes and the scale of the proposed development is completely at odds with that status.</u> As a significant development (building area marginally under the level for a Major Development) it needs to be in a place that is or has the potential to be sustainable.</p> <p>The proposed site is neither and <u>is NOT required in order to meet a specific, local, need.</u> <u>Even if it was, it would not meet the other NPPF criteria.</u> It is located adjacent to the settlement boundary and likely to be a 'destination' visited by people from many locations, not just Kettleburgh and surrounding villages. <u>It is a medical (part funded by state care plans) and commercial facility (includes shop, café, yoga studio and rooms for hire) and therefore NOT agricultural. This is a change of use.</u></p> <p>While it is not essential for the development to be adjacent to an existing settlement, <u>this development will not meet the criteria of either safe access or connectivity back into a settlement.</u></p> <p>If 'Small Villages' policies were applicable, then policy SCLP4.5 Economic Development in Rural Areas might support the development. The criteria are not met however: a) no Neighbourhood Plan yet exists; b) the scale (built on 4ha+, development of the whole site, 1100m<sup>2</sup> of building floorspace, large areas of hard landscaping, parking for up to 58 vehicles, proposals both ostensible and potential for business activities) does not match either Village or Countryside status; c) as described at 2. and 3. below, landscape and heritage harms are significant; d) the land has not previously been developed; and e) does not apply. Further, no cultural, tourism or community development benefits are claimed.</p> <p><u>Therefore, the proposal fails to comply with SCLP4.5.</u></p> <p>Countryside development may include farm diversification (SCLP4.7) and new employment uses where need is demonstrated (SCLP4.2).</p>	<p>The National Planning Policy Framework (NPPF) 105 and 110. SCLP3.2, SCLP3.3, SCLP4.2, SCLP4.5</p> <p>The NPPF directs Local Plans and the relevant sections support a conclusion based on Local Plans to refuse to grant planning permission based on key principles. Significant development should be focused on locations that are or can be made sustainable. The NPPF does recognise that "sites to meet <i>local</i> business and community <i>needs</i> 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. However, in such circumstances development should be sensitive to its surroundings, should not have an unacceptable impact on local roads, and any opportunity to make the location more sustainable should be taken."</p> <p>SCLP3.3 directs that new residential, employment, and town centre development will not be permitted in the countryside except where specific policies in the Plan indicate otherwise. There is therefore a clear specific policy that unless supported by specific policies elsewhere in the Plan, the countryside must be protected, and permission needs to be refused.</p>



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	<p>The proposal is not a farm diversification scheme so that SCLP4.7 is inapplicable.</p> <p>SCLP4.2 is inapplicable because of the type of development and the scheme does not provide for material employment, only volunteering.</p> <p><u>In conclusion, no policies general or specific support development on the scale envisaged on the proposed site. An Area Policy would be needed.</u></p>	
<p>2.</p>	<p><b>Landscape Character/Harm</b></p> <p><u>The proposal would not comply with NPPF 174 at the most basic level because it would fail to recognise the intrinsic beauty and character of the affected countryside.</u></p> <p><u>It is not sensitive to its surroundings and would therefore also fail to meet SCLP4.5 criteria c) and d)</u> (the only policy that might support it) as it would result in an adverse impact to the landscape character ('Rolling Estate Claylands') in the Suffolk Landscape Character Assessment and 'River Valley Landscape' within the Suffolk Coastal Landscape Character Assessment and Settlement Sensitivity Assessment), where the site lies in a sensitive landscape and is not previously developed land.</p> <p>The site is closely associated with and highly visible from the Deben Valley AONB. It is elevated from the highway separating it and continues to rise to the north. Wherever the buildings were on the site, they would still be higher than the highway and very notable within the landscape, especially given the wide new access.</p> <p>There are no meaningful proposals to integrate the development or enhance connectivity. The applicants seem to have the misguided view that it will be an invisible self-contained unit, despite its size and position.</p> <p>A new steep entrance is needed, driven by the refusal of neighbouring landowners to grant access rights. It will need a very substantial safety splay given the nature of the road it will abut. This will lead to the loss of much more ancient hedgerow than so far declared, and in turn open a new wide and undesirable view across the development, with its buildings, cars, signs and the rest, in jarring contrast to the heritage buildings beyond, on the visually sensitive skyline.</p> <p>Given its scale - and depending only somewhat on final material finishes and placement of the buildings - the development would significantly impact nearby heritage assets.</p>	<p>NPPF16, 17. SCLP4.5. SCLP10.4. SCLP11.1</p> <p>Proposals for development should be informed by, and sympathetic to, the special qualities and features as described in the Suffolk Coastal Landscape Character Assessment (2018), the Settlement Sensitivity Assessment (2018), as outlined by Policy SCLP10.4.</p> <p>All proposals for development are required to secure the preservation and appropriate restoration or enhancement of natural, historic or man-made features across the plan area as identified in the Landscape Character Assessment, Settlement Sensitivity Assessment and successor landscape evidence.</p> <p>Proposals should include measures that enable a scheme to be well integrated into the landscape and enhance connectivity to the surrounding green infrastructure and Public Rights of Way network.</p> <p>This policy clearly states that development will not be permitted where it will have a significant adverse impact on <i>rural river valleys</i>, historic park and gardens, coastal, estuary, heathland and <i>other very sensitive landscapes [including sensitive skylines]</i>.</p> <p>The Council is concerned at the inadequacy of the District Council's own Landscape Assessment, and can only assume that the writer did not visit the site, took 'farm' to mean a traditional farm, and only considered the main buildings, assuming they would look like 'farm buildings'.</p>



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	<p>The setting of the development must be seen in the context of a combination of the perspectives from: the entrance road; from all the footpaths around it; and from and near the three listed heritage properties to the North. That context has been unchanged other than superficial agricultural changes, for centuries.</p> <p>The whole area of the currently open site will be filled with structures and equipment. The northern end of the site near the heritage assets for example will not be 'open' but will have various sheds, fences, supports, etc. The addition of hedging, which would naturally vary over the years, and which could be removed at any time later, around the boundaries will not mitigate this significant harm.</p> <p>Overall, there is no doubt that all in Kettleburgh and those passing would severely miss the loss of openness, rural quiet and aesthetic appeal of the current agricultural scene, which pleasantly frames the six important heritage assets impacted.</p> <p><u>The application would not comply with policies SCLP10.4 and SCLP11.1.</u></p>	
<p>3.</p>	<p><b>Heritage and Archaeology</b></p> <p>The northern section of the site is adjacent to St Andrews Church (GI), Church Cottage and the Cottage immediately southwest of Church Cottage (GII). To the south-eastern corner of the site, along Low Street are Peartree Cottage, Little Manor and Forge House (GII).</p> <p>There is a clear relationship between these assets and the rural countryside to their south and west, and footpaths 15, 16, and 19 allow residents and visitors to enjoy the quiet, open setting.</p> <p>On that basis it is critical to note that the development site in its current open form makes an important contribution to the setting of these historic assets, which are currently isolated and have always been so. <u>The proposed development would badly reduce the assets' significance - not only of and in itself - but by removing the current setting.</u></p> <p><u>The development would be contrary to SCLP10.4</u> as it will <i>seriously</i> impact the setting of those heritage assets, little mitigation is proposed and would not overcome the <i>significant</i> harm identified.</p>	<p>NPPF Chapter 16, and para. 194.</p> <p>SCLP10.4. SCLP11.1. SCLP11.4.</p> <p>Planning (Listed Buildings and Conservation Areas) Act 1990 (LBA) s66(1).</p> <p>Historic England Guidance GPA3.</p> <p>The NPPF tells us: "In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary."</p> <p>In line with this, SCLP11.3 requires proposals that have the potential to impact on heritage assets or their settings be</p>



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	<p>The development would be contrary to SCLP11.3. The applicant has failed to demonstrate a clear understanding of the significance of the buildings and their setting or an assessment of the potential impact of the proposal on that significance.</p> <p><u>The Listed Buildings Act, NPPF and SCLP11.4 are clear in directing rejection of an application in these circumstances.</u></p> <p><u>The heritage assessment material provided by the applicant does not meet the applicable Historic England standard and is clearly inadequate.</u> The lack of analysis relating to the setting of the neighbouring assets and their significance shows the applicant has not taken the issue seriously.</p> <p>On the basis of such compelling evidence, it is the more puzzling, to the point of incredulity, that the many similar concerns set out in Historic England’s Heritage Assessment lead to a conclusion not to object!</p> <p>Unsurprisingly given the site’s location above the historic river valley, the SCC Archaeological Service’s assessment states that <u>there is very likely to be important archaeology on the site [our paraphrase]. This is a further strong argument for not disturbing the site.</u></p> <p><b><u>It is predominantly the concatenation of harms to landscape, heritage and potentially archaeology that determines the proposal must not be approved.</u></b></p>	<p>supported by a Heritage Impact Assessment and/or an Archaeological Assessment prepared by an individual with relevant expertise. The level of detail of a Heritage Impact Assessment should be proportionate to the scheme proposed and the number and significance of heritage assets affected. In this case the setting of a Grade I asset is directly affected, as well as five Grade II assets.</p> <p>Policy SCLP11.4 is clear that applications can only be supported where “a clear understanding of the significance of the building and its setting alongside an assessment of the potential impact of the proposal on that significance” has been demonstrated.</p> <p>The LBA tells us: “In considering whether to grant planning permission for development which affects a Listed Building or its setting, the local planning authority or, as the case may be, the Secretary of State shall 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”. This principle is expanded in the NPPF to cover a range of heritage assets: Significance can be harmed or lost through alteration or destruction of the heritage asset or <i>development within its setting [our emphasis]</i>. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification”.</p> <p>This means that: <i>preserving the setting</i> of a listed building must be treated as a matter of “<i>considerable importance and weight</i>”; and there is a “<i>strong presumption</i>” against a grant of planning permission where harm to a designated heritage asset is identified.</p>
4.	<p><b>Residential Amenity</b></p> <p>Noise will be generated by cars, lorries, machinery, and people throughout every day, unlike current brief arable farming levels. It will impact many residents, in all three most populated streets. Increased noise and loss of visual amenity will also impact on tourism, which is a significant activity in our area – there are caravans and holiday lets in the village.</p>	<p>SCLP11.2. SCLP6.3</p> <p>The site is already in agricultural use and could be used for keeping livestock, but it is currently in arable use. Farming of the site could currently be undertaken at any time.</p>



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	<p>The historic centre of the village is particularly tranquil with very low ambient noise levels. This is enjoyed by many visitors to the village.</p> <p>Expected commitments on not adversely impacting the amenity of neighbouring properties and visitors are absent; not placing buildings near the eastern boundary; placing windows to avoid any overlooking; ensuring no noise or other unexpected stimuli that impact neighbouring properties including equestrian; having a management plan for managing surrounding habitat; prescribing and restricting hours and modes of operation (although there may be times where volunteers or vets may need to visit the site outside of hours).</p>	
<p>5.</p>	<p><b>Highways and Public Rights of Way</b></p> <p>Public right of way 16 runs along that western boundary of the site, with public right of way 15 being located on the northern boundary. Public footpath 19 runs along part of the eastern boundary. The Rights of Way, one used frequently by holidaymakers and residents, with excellent visual amenity, are adversely impacted by the development. <u>There are no proposals for protecting or enhancing the network or for adding public green space.</u></p> <p>The proposed steep new vehicular access will be on the southern boundary of the site, accessed from/to Low Street. There is negligible public transport provision. The application provides no volumetrics and <u>there is no Travel Plan or transport assessment as required by NPPF 113.</u> Kettleburgh has no pavements.</p> <p>There is space for perhaps 50 cars, if the parking shown were extended to the ‘open space’, and a need for regular deliveries by van and lorry of animal and human supplies. There will also be customers for the clinic, café, shop, studio and offices, plus fundraising events. From this, Council expects there will be many more road movements generated than immediately meets the eye.</p> <p>There are likely to be queues forming in Low Street at times. There are already noise and vibration issues and concerns about speed and volume of traffic so that the Council has had to carry out a speed awareness survey, Brandeston has put in place speed monitoring stations, and Easton has implemented hard traffic calming.</p> <p>Cars and delivery trucks will be going onto a narrow road with a national speed limit. Based on the very difficult access and egress to a fast, narrow and sometimes busy rural road, several traffic measures would be needed, including a 30mph limit, possibly ‘no right turn’</p>	<p>NPPF 100 (footpaths), 110, 111, 113 (Travel Plans)          SCLP7.1 - Sustainable Transport          SCLP7.2 - Parking Proposals and Standards</p>



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	<p>inwards or outwards, and traffic calming, to ensure safety. This would become a pinch point and source of annoyance to motorists and, with queuing, can be expected to lead to accidents.</p> <p><u>The applicant has not demonstrated compliance with NPPF 110, 111 and 113 and SCLP7.1. Expensive undesirable traffic management measures would be needed that might not be needed elsewhere.</u></p>	
<p>6.</p>	<p><b>Farm Diversification</b></p> <p>The applicant is not proceeding based on farm diversification, but for avoidance of doubt, <u>the proposal does not comply with SCLP4.7</u>. The site is to be disassociated with any existing holding and would not therefore support an existing agricultural unit, nor would it be well related to a built farmstead. It would create little if any employment.</p>	<p>SCLP4.7 specifically assesses proposals for farm diversification. Proposals for farm diversification schemes to support the continued viability of the farm will be supported where nine conditions are met.</p>
<p>7.</p>	<p><b>Ecology</b></p> <p>The applicant has provided a Preliminary Ecological Appraisal. Whilst the site itself is unlikely to be a habitat for <i>protected</i> species, the site hedgerows and trees provide good habitat for many species. The wilder eastern boundary hedgerow is important. There is no commitment to thickening it and making it more species rich. The car park should not be adjacent to a hedgerow.</p> <p>There are no commitments to keeping external lighting to a minimum and needing an external lighting strategy, protecting ecology, or dark skies, as there must be. There is no Sustainability Statement including sewer capacity analysis and wastewater discharge.</p>	<p>The NPPF and NERC Act s40</p> <p>Planning Authorities must aim to conserve and enhance biodiversity in and around developments and to “have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity”. Biodiversity is not confined to habitats and species of principal importance but refers to all species and habitats.</p>
<p>8.</p>	<p><b>Flooding</b></p> <p>An expert resident has pointed out that the proposed water strategy is based on infiltration, which is not likely to be viable on the site (underlain by boulder clay). No testing has been done or evidence supplied, and there is no acknowledgement that water must be channelled away from down-slope housing. The site IS near a watercourse that would be used if infiltration is impracticable at high risk of surface water flooding; the slope of 4.6% has not been included in design calculations regarding porous pavement and the calculations are overall incomplete. <u>SCC as Lead Local Flood Authority has placed a detailed holding objection.</u></p>	