



Appeal Decision

Hearing held on 21 February 2023

Site visit made on 21 February 2023

by G Pannell BSc (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 9 March 2023

Appeal Ref: APP/X3540/W/22/3291082

Cosy Camping Suffolk, Tenth Road, Bucklesham, IPSWICH, IP10 0BP

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mrs R L Ramsey-Stewart against the decision of East Suffolk Council.
 - The application Ref DC/21/2638/FUL, dated 28 May 2021, was refused by notice dated 21 July 2021.
 - The development proposed is change of use to permit the siting of a temporary dwelling (a mobile home) to house a site manager to oversee the day-to-day management of the Cosy Camping Suffolk facilities.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue in this appeal is whether there is an essential need for a dwelling to accommodate a rural worker.

Reasons

Policy Context

3. Policy SCLP3.3 of the Suffolk Coastal Local Plan 2020 (LP) sets out that proposals for new development outside of the settlement boundary will be carefully managed in accordance with national planning policy guidance and the strategy for the Countryside. Policy SCLP5.3 sets out the strategy for the Countryside and permits rural workers dwellings where there is an essential need for a rural worker to live permanently at or near their place of work and is linked to policy SCLP5.6.
4. Policy SCLP5.6 sets out the Councils approach to rural workers dwellings. The parties agreed at the hearing that it provides a framework for the consideration of both temporary and permanent dwellings and is useful guidance. Whilst the LP policy refers to permanent dwellings and sets out a number of additional criteria beyond that required by the Framework, it is consistent with the considerations provided within the Planning Practice Guidance (PPG)¹.

¹ Paragraph: 010 Reference ID: 67-010-20190722

5. The PPG advises that considerations that may be relevant 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 a land based rural enterprise.
6. Therefore, I am satisfied that the policy provides an appropriate basis for establishing whether or not there is an essential need for a rural worker to live permanently on the site. Therefore, I consider the policy to be relevant and afford it considerable weight.
7. Paragraph 80 of the National Planning Policy Framework (the Framework) states planning decisions should avoid the development of isolated homes in the countryside unless there is an essential need for a rural worker to live permanently at or near their place of work in the countryside.

Essential Need

8. Cosy Camping Suffolk comprises tourist accommodation in the form of 9 self catering pods and 19 pitches for tents. A grain silo is also in the process of being converted which will provide a further unit of tourist accommodation. In total the site has permission for up to 25 pods, with the appellant indicating that it is intended that these are developed over a 10 year period.
9. The site is located close to the nearby town of Ipswich and the villages of Bucklesham and Nacton and these settlements are within a reasonable travel distance to the site. Whilst a search of properties for sale in the immediate area has taken place, the appellant has indicated that other properties within these nearby settlements are not available at a cost which would be affordable to the business. Furthermore, they would not be suitable as the requirement is for someone to live on the site and not nearby. I do not doubt the appellant's evidence that it is more difficult to manage the business remotely, than it would be if residing on site. I also accept that there would be positive impacts in terms of a work/life balance for the appellant and her family.
10. At the hearing, Mrs Ramsey-Stewart confirmed that she lives within 20 mins travel time of the site and gave oral evidence of responding to call outs after working hours, with an average of 6 call outs a year after 11pm. These were incidents relating to noise and requiring reassurances after hearing nearby police sirens. Other examples of welfare concerns were also given, such as the need to ensure a swift response to someone pulling the disabled alarm within the toilet block, and to the general safety aspects of having someone on hand in order to answer queries and concerns at all times of the day and night. It has been put to me that the presence of an on-site manager would act as both a deterrent and enable pre-emptive action to be taken to avoid an unfortunate event which could place visitors in danger. However, I am not persuaded that living on site is the only option available to the appellant to manage these risks.
11. The site has a reception building located close to the entrance to the site which doubles as a shop and office. A communal building has also recently been approved on site which will provide a café/bar, wet weather games area and enable the holding of events. When this building is operational it will mean that staff will be present on site between 7.30am and 10pm. Furthermore, a late night patrol could take place to ensure that there were no problems arising from noise and disturbance before the staff departed the site.

12. The appellant confirmed they had not considered employing a night watchman to provide security during the night and to oversee the site and any CCTV. But someone could be located in either the reception building or the communal building, including at the weekends and evenings to ensure that visitors arriving on change over days were met and taken to their accommodation and any problems arising dealt with.
13. Based on the evidence before me, it has not been demonstrated that even during the peak summer periods that the number of calls received would be so significant to warrant a permanent on site presence and that this could not be dealt with by an individual living within a reasonable travel distance of the site. Furthermore, the appellant confirmed that both her and her husband are fully employed by the business and as such the responsibilities for dealing with out of hours calls could be shared between them.
14. Therefore, I am not persuaded, on the basis of the evidence before me, that there is an essential need for a rural worker to live on the site given the availability of other options to the appellant to undertake the management requirements of the site and to manage and mitigate the risks associated with safety and security.
15. Whilst a temporary permission can be appropriate for new enterprises, this is so that confidence can be gained as to whether a viable business can be built, before allowing for a permanent dwelling. This does not remove the need to demonstrate a functional need for someone to live on the site in connection with the proposed rural enterprise.
16. In conclusion, there is insufficient evidence to demonstrate that there is an essential need for a rural worker to live at the appeal site for a period of three years. Therefore, in this regard the development conflicts with policies SCLP3.3, SCLP5.3 and SCLP5.6 of the LP.

Other Matters

17. The appeal site falls within the 'Zone of influence' for a designated habitats site. As the competent decision making authority, if I had been minded to allow the appeal following a consideration of the main issue, it would have been necessary to undertake an appropriate assessment before ascertaining if the appeal should succeed overall. However, as I am dismissing the appeal for other reasons, I have not taken the matter further.

Conclusion

18. The proposal would therefore conflict with the development plan and there are no other considerations, including the Framework, that outweigh this conflict. For the reasons given above, I conclude that the appeal should be dismissed.

G Pannell

INSPECTOR

APPEARANCES

FOR THE APPELLANT:

Mrs R L Ramsey-Stewart

Mr Philip Kratz GSC Solicitors LLP

FOR THE LOCAL PLANNING AUTHORITY:

Mrs R Smith