

Item No:	2	Reference:	B/10/00677/FUL
Parish:	COCKFIELD		
Location:	Cures, Parsonage Green, Cockfield, Bury St Edmunds, IP30 0HB		
Proposal: and	Erection of single storey stable block with tack room and hay storage erection of cattle shed with concrete hard standing.		
Applicant:	Mr Bird		
Case Officer:	Chris Tivey	Date for Determination:	06/08/2010

This application is reported to the Development Committee at the request of the Ward Member.

RECOMMENDATION: Refuse

THE SITE

1. The application site comprises approximately 6 Hectares (15 Acres) of agricultural grassland situated to the rear (north west) of Cures, a timber framed and weather boarded detached dwelling, the subject of an extensive planning history (see below).
2. The land, the subject of this application, currently comprises three distinct parts: an area of open grassland including 2 no. sheds, greenhouse and vegetable patch, immediately to the rear of the lawfully defined residential curtilage of Cures (in accordance with the grant of B/10/00106/FUL); 3no. fenced off paddocks (bounded by timber post and rail fencing) and a stable building and yard, including dog kennel; and a landscaped fishing lake that runs up to the north western rear boundary shared with a public footpath.
3. The existing stable building comprises 6no. bays (3no. of which are independent stables, 3 no. open fronted for storage). It is a weather boarded structure with hipped slate roof situated parallel to and approximately 3.5 from the north east boundary; a bound shingle track intervenes that connects the dwelling to the fishing lake.
4. The agricultural land is classified as Grade II.

THE PROPOSAL

5. The existing stable building faces across its yard, along the north western side of which it is proposed to erect a further stable building at right angles to it. This new building would be 28.5m wide, 7.1m deep, with a ridge height of 5.3m. The external facing materials would match the existing stables. It would consist of 2no. stables with a hay store behind, a tack room and cattle food store; and a centrally located open underpass/carriage arch. The underpass/carriage arch would be 3.9m wide and 2.7m high (the height of the eaves) and would give access to a new yard area behind.
6. The yard would measure 17.6m deep and 23.5m at its widest (along the north western side) fronting onto a new cattle barn sited at 15° to the rear and adjacent to the western end of the new stable building.

7. The cattle barn would measure approximately 15m wide and 9.3m deep. It would have an eaves and ridge height of 3.9m and 5.5m respectively. The barn would be open fronted with metal gates across each of the 4no. proposed bays, vertical timber boarding would drop down from the eaves, down to a height of 2.65m above ground level. This boarding would be applied to the other three elevations, with 1.5m high concrete panels at ground level, enabling a mid-height gap of 1.2m for the through flow of air. The barn would have grey fibre cement sheeting to its roof.

RELEVANT HISTORY

8. Erection of 2 storey building (to be used as part dwelling/part barn) as amended by details received 25.4.02 - B/01/00907/FUL Granted.
9. Erection of 2 storey building (to be used as part dwelling/part barn) - B//02/02074/FUL Granted.
10. Variation of condition 11 attached to P. P. B/02/02074/FUL - to allow extended residential use of the building; external alterations and extension to the existing dwelling - B/07/00046/FUL Granted.
11. Erection of stable block, as amended by Drawings 624/07/01A and 624/07/02A - B/07/00947/FUL Granted.
12. Erection of single-storey rear extension with balcony over; erection of single-storey side extension; erection of detached double cartlodge; erection of entrance gates and alteration of existing vehicular access - B/07/01784/FHA Granted.
13. Erection of fishing hut (retention of) and construction of access driveway to the fishing hut - B/09/00951/FUL Granted.
14. Erection of changing room extension. Retention of clear oak stain to joinery of dwelling. Installation of satellite dish. Erection of external staircase to cartlodge. Removal of barn doors to front gable (mid-strey) Insertion of rooflights to rear elevation. Erection of boundary wall to northern elevation - B/10/00101/FHA Granted
15. Erection of Shed, Greenhouse and Dog Kennel (retention of) - B/10/00105/FUL Granted.
16. Change of use of land from agricultural to domestic garden. Erection of swimming pool, pump room, patio, patio area wall (Retention of) - B/10/00106/FUL Granted.

NATIONAL GUIDANCE

17. **PPS1** - (Delivering Sustainable Development)
18. **PPS7** – (Sustainable Development in Rural Areas)

PLANNING POLICIES

19. The Development Plan comprises saved policies in the Suffolk Structure Plan, adopted 2001, and saved policies in the Babergh Local Plan (Alteration No. 2) adopted 2006. The following policies are relevant to this proposal:

Babergh Local Plan (Alteration No. 2) 2006

- **CR01** (Landscaping Quality)
- **CR07** (Landscaping Schemes)
- **CN06** (Listed Buildings)

The relevant documents can be viewed on line. Please see page 3 for details.

CONSULTATIONS

20. PC - Cockfield Parish Council - The Parish Council state that they remain consistent in their opposition to the development of the site to the detriment of the surrounding listed buildings and rural scene. Specifically, they state that the application for the cattle shed is on the scale of a commercial enterprise on a site that is not listed as an agricultural holding and not supported by the infrastructure and grazing required for such an enterprise. Alternatively the scale of the proposed cattle shed is too large for the stated "enjoyment of the dwelling house" and completely inappropriate for a domestic environment in the rural setting of Parsonage Green.
21. LHA - County Highway Authority – Does not wish to restrict the grant of planning permission.
22. EA - Environmental Health - Other Issues – No objection subject to conditions prohibiting the burning of stable waste and controlling external lighting.

REPRESENTATIONS

23. Two letters of representation have been received and the comments are summarised as follows:
- The application is another attempt to over develop this sensitive area;
 - Impact on the setting of Grade 2 Listed buildings both sides of Cures from the footpath and the general local impact cannot be over emphasised;
 - It has no current agricultural justification, there are no livestock at present; cattle were installed for the Development Committee site visit which have since disappeared;
 - Motorway Maintenance vehicles and Breakdown lorries are currently in and out of the property on a regular basis, in addition to movements by heavy earthmoving equipment and other motorised vehicles gives no confidence that the building and hard standing would not in time become some alternative commercial venture;
 - Noise and disturbance is currently experienced by neighbours to the property;
 - No plans are cited for the safe storage or removal of animal waste;
 - The entrance to the site onto Howe Lane is situated close to a blind corner, with the entrance hidden from view when travelling from Cockfield Green towards the memorial.

PLANNING CONSIDERATIONS

Principle

24. As set out within paragraph 6.9 of the Babergh Local Plan Alteration No.2 (2006) Government guidance to local authorities in recent years has given increasing weight to the need to protect the natural environment, in terms of the quality of the landscape, and the conservation and enhancement of wildlife habitats and species (biodiversity). Such guidance also recognises the need to sustain the character and diversity of the countryside and to promote diversification of traditional rural economies.
25. The Government's objectives for rural areas that are relevant to Planning Policy Statement 7 (PPS7); and to this proposal are, inter alia:
- (i) *To raise the quality of life and the environment in rural areas through the promotion of:*
- *Thriving, inclusive and sustainable rural communities, ensuring people have decent places to live by improving the quality and sustainability of local environments and neighbourhoods;*
 - *Sustainable economic growth and diversification;*
 - *Good quality, sustainable development that respects and, where possible, enhances local distinctiveness and the intrinsic qualities of the countryside; and*
 - *Continued protection of the open countryside for the benefit of all, with the highest level of protection for our most valued landscapes and environmental resources.*
- (ii) *To promote sustainable, diverse and adaptable agriculture sectors where farming achieves high environmental standards, minimising impact on natural resources, and manages valued landscapes and biodiversity; contributes both directly and indirectly to rural economic diversity; is itself competitive and profitable; and provides high quality products that the public wants.*
26. Further, one of the key principles of PPS7 is that new building development in the open countryside away from existing settlements, or outside areas allocated for development in development plans, should be strictly controlled; the Government's overall aim is to protect the countryside for the sake of its intrinsic character and beauty, the diversity of its landscapes, heritage and wildlife, the wealth of its natural resources and so it may be enjoyed by all.
27. Paragraph 27 of PPS7 states that the Government recognises the important and varied roles of agriculture, including in the maintenance and management of the countryside and most of our valued landscapes. It states that planning policies should recognise these roles and support development proposals that enable farming and farmers to:
- (i) *Become more competitive, sustainable and environmentally friendly;*
- (ii) *Adapt to new and changing markets;*
- (iii) *Comply with changing legislation and associated guidance;*
- (iv) *Diversify into new agricultural opportunities (e.g. renewable energy crops); or*
- (v) *Broaden their operations to 'add value' to their primary produce.*

28. Although most of PPG7: 'The Countryside – Environmental Quality and Economic and Social Development' has been replaced by PPS7, Annex E (Permitted Development Rights for Agriculture and Forestry) of the former remains extant because it is not replaced anywhere in the latter. Although Annex E mainly provides information in relation to permitted development rights, it also provides useful guidance on agricultural buildings generally. The second bullet point under paragraph E3 requires such development to be reasonably necessary for the purposes of agriculture within the unit.
29. Paragraph E16 of PPG7 states that, in operating controls over genuine 'permitted development', local authorities should always have full regard to the operational needs of agricultural businesses, to the need to avoid imposing any unnecessary or excessively costly requirements, and to the normal considerations of reasonableness. However, it also draws attention to the need to consider the effect of the development on the landscape in terms of visual amenity. LPA's should weigh up these two sets of considerations.
30. In relation to siting, paragraph E27 of Annex E states that the siting of a new agricultural building can have a considerable impact on the landscape. Developments should be assimilated into the landscape without compromising the functions they are intended to serve. New buildings should normally form part of a group rather than stand in isolation, and relate to existing buildings in size and colour.
31. This is supported by Saved Policy CR01 of the Local Plan which states that "*The landscape quality and character of the countryside will be protected by restricting development to that which is essential [Officer emphasis] for the efficient operation of agriculture, forestry and horticulture and for appropriate outdoor recreation....Where development is allowed in the countryside it must [inter alia] :*
- *Be of a scale compatible with its surroundings and have due regard to the landscape characteristics and cultural heritage of the locality;*
 - *Be sensitively designed with high standards of landscaping, layout and careful choice of materials to minimise impact;*
 - *Not introduce a proliferation of buildings and structures..."*
32. There is no indication in national and local planning policy that in considering proposals for the erection of agricultural buildings there has to be a viable agricultural trade or business.
33. However, the fact that a particular development is acceptable in principle within the countryside does not mean that the consideration of any other material considerations such as landscape impact is set aside. In this respect it is a case of balancing any 'need' for the buildings against the harm and, bearing in mind that this proposal is for two further permanent buildings (one of which would be for agricultural use), it is considered that the viability of the enterprise is also a material consideration in the determination process.

The Agricultural/Equestrian Case

34. The Design and Access statement submitted with the application states that the proposal is for the increase/erection of a stable block with tack room and hay storage; and for the erection of a separate barn with concrete hardstanding to house cattle during winter months.

35. The site is small for an agricultural holding and no agricultural justification/business plan has been submitted with the application. Officers have requested further information on the case for buildings of the type and size being sought, but this had not been received at the time of writing the report; any further information will be reported to Members at the meeting.
36. Furthermore, with the exception of one occasion (the Member's site visit) when there were four head of cattle on the site, Officers have only seen one horse on site although it is acknowledged that the applicant may have intentions to increase stocking rates. However this is not apparent from the application details.
37. In addition it is clear that not all of the land within the red line application site could be used for the grazing of cattle/horses as approximately 1 hectare is devoted to the fishing lake and landscape area that surrounds it. Approximately 0.143 hectares is devoted to the existing and proposed yard and buildings; approximately 0.12 hectares are taken up by the access track which runs the entire length of the north eastern boundary; and the sheds and greenhouse, including the land to their rear (west), but excluding the path thereto (approved pursuant to B/10/00105/FUL) amounts to approximately 260m². Therefore in reality only approximately 4.71 hectares (11.6 acres) of land could be used for grazing which severely restricts the number of livestock units that could be kept on the land, which being of a heavy consistency will likely be lower than on better, more free draining soils.

Landscape Impact

38. The application site falls within the category of Ancient Rolling Farmlands within the Suffolk Landscape Character Assessment, key characteristics of which are:
 - *Rolling arable landscape of chalky clays and loams*
 - *Dissected widely and sometimes deeply, by river valleys*
 - *Field pattern of ancient random enclosure. Regular fields associated with areas of heathland enclosure*
 - *Hedges of hawthorn and elm with oak ash and field maple as hedgerow trees*
 - *Substantial open areas created for airfields and by post WWII agricultural improvement*
 - *Scattered with ancient woodland parcels containing a mix of oak, lime, cherry, hazel, hornbeam, ash and holly*
 - *Network of winding lanes and paths often associated with hedges create visual intimacy*
 - *Dispersed settlement pattern of loosely clustered villages hamlets; and isolated farmsteads of mediaeval origin*
 - *Farmstead buildings are predominantly timber-framed, the houses colour-washed and the barns blackened with tar. Roofs are frequently tiled, though thatched houses can be locally significant*
 - *Villages often associated with village greens or the remains of greens.*

39. The Public Byway which begins at Chapel Road where adjacent to the northern boundary of residential properties known as The Homestead and Gambrel (to the north of Cures) and then runs in a south westerly direction into the aforementioned public footpath is situated on the opposite side of an arable field that abuts the north eastern boundary of the application site. The location of the proposed stables and barn (along with the existing stables) can be clearly viewed from this byway. Whilst the existing building is reasonably substantial it provides (more than) adequately for the applicant's existing needs; any further development, particularly when combined with all of the other building works and structures that have taken place in recent years would give rise to an unjustified visual intrusion within this relatively open landscape, therefore contrary to PPS 7 and Saved Policy CR01 of the Local Plan.

Heritage

40. In the determination of application reference B/07/00947 concerns were raised by the occupants of The Long House over the location and scale of the now built (existing) stable building, which resulted in the reduction in its scale. The neighbours considered that it could have been sited further away from their Listed Building, bearing in mind the fact that the site slopes down away from them. This request was assessed, however it was considered that this was not acceptable as it would have rendered the structure more prominent in the landscape.
41. Pursuant to the above the distance between the proposed buildings and The Long House is such that it would be difficult to argue that the proposal would give rise to harm to the setting of The Long House; and therefore Officers are of the view that a reason for refusal based on adverse impact on the setting of the Listed Building could not be substantiated.

Conclusion

42. The proposal is for the erection of an additional stable block and cattle barn, on a holding where there are limitations in terms of physical land available; and furthermore where, after 3 years of being built, the existing stable building remaining under utilised.
43. Given the small size of the holding there is little scope for carrying out a range of farming activities. It has not been demonstrated that there is an overriding agricultural need for the buildings proposed such that it would justify the harm caused by the visual intrusion that would be detrimental to the open and rural character of the countryside within which the site finds itself situated.
44. Therefore whilst such forms of development are acceptable in terms of Saved Policy CR01, in the absence of any business case/justification it renders the proposal unacceptable and contrary to the general spirit and thrust of PPS7 and Annex E of PPG7.

RECOMMENDATION

That planning permission be refused for the following reasons:

- Unjustified and unnecessary intrusion within the rural landscape contrary to PPS7 and Annexe E of PPG7.