

POLSTEAD – BOWER HOUSE FARM, BOWER HOUSE TYE

Erection of cattle shed.

Applicant: Mr A C Keeble

Case Officer: Gareth Durrant.

SITE

1. The application site is a small triangular shaped meadow (approx 0.42 hectares) situated adjacent to the existing Bower House Farm yard. The farm yard is situated adjacent to The Bower House, a grade II listed building. This dwelling was once the farmhouse for Bower House Farm, but is now in separate ownership. There are two areas of woodland situated to the south and east of the site and the north-west boundary is marked by a mature hedgerow. The site is accessed via a private road from the A1071. The road passes through Bower House Tye, a cluster of dwellings which includes The Brewers Arms public house.

PROPOSAL

2. The application proposes the erection of a cattle shed. The building would have a footprint of approximately 400m², a ridge height of 6.7metres and eaves height of 4.2 metres. The lower elements of the elevations of the building remain open to aid ventilation. Where the walls are solid, they are to be clad with dark green vertical boarding. The roof is to be clad with dark grey fibrous cement sheeting.
3. The application is accompanied by a design and access statement which explains and justifies the design and access components of the proposed building. The statement can be viewed in full in advance of the meeting by prior arrangement with the case officer.

RELEVANT HISTORY

4. 1978 – Planning permission granted for general purpose agricultural building (B/78/00098/FUL).
5. 2000 – No objections raised to a formal notification for the erection of a general purpose farm building as permitted development (B/00/00054/AGD).
6. 2006 – Outline planning permission refused for the erection of an agricultural workers dwelling (B/05/01837/OUT) .

NATIONAL GUIDANCE

7. **PPS1 (2005) Delivering Sustainable Development** - relates to achieving sustainable development and high quality layout and design.
8. **PPS7 (2004) Sustainable Development in Rural Areas** – sets out the Government’s policies for rural areas.
9. **PPG15 (1994) Planning and the Historic Environment** – includes Government Guidance regarding (inter alia) the setting of listed buildings.

PLANNING POLICIES

10. The following Development Plan policies are relevant to this application;

Suffolk Structure Plan 2001

- ENV1 (setting of listed buildings)
- ENV3 (design standards)
- ENV4 (the countryside)

Babergh Local Plan (Alteration No.2)

- CR01 (landscape quality)
- CR07 (landscaping of development in the countryside)
- CN01 (maintaining local distinctiveness)
- CN06 (setting of listed buildings)

** please note that details or extracts of policies are no longer included in reports - see page 4 of these papers*

OBSERVATIONS

11. PC – no objections to the application.
12. NE – no objections and provide advisory comments to the applicant regarding badgers.
13. SWT – we do not believe the proposal will have any impact upon protected species or designated habitat.
14. EA – submit advisory comments.
15. HoCAM – No objection to proposed location provided some tree planting/screening could be incorporated on triangle to north and on west side. The landscape to the west and north is very open and screening of the new building would be very appropriate.
16. Env. Health – In principle no adverse comment. The applicant indicates that the manure heap will be situated 400 metres from the nearest residential dwelling. I support this proposal to minimise the risk of loss of residential amenity. If possible, attach a condition making this a mandatory requirement.

17. Head of Community Development – fully support this application as a building for 100 head of cattle for local supply will undoubtedly have potential job creation prospects in the local community and a much needed extra supply of meat in the area.
18. Third Party Representations: One letter received from a local resident. Comments summarised as follows;
 - Refers to the recent refusal of planning permission for a dwelling (B/05/01837/OUT) and the applicants intentions in the future for a new dwelling.
 - Notes that the proposed building is within 400 metres of a dwelling which is not part of the agricultural unit.
 - Asks that, in the event the Council is of mind to grant planning permission, conditions should be imposed to i) ensure muck storage is more than 400m away from the nearest dwelling, ii) removal of permitted development rights for ancillary structures and iii) a S106 Agreement to ensure the building is only used for agricultural purposes, rather than the residential complex in the future as indicated in the application.

ASSESSMENT

19. The erection of a cattle building at this farmyard location is considered acceptable in principle. There are no opportunities to integrate the buildings into the existing farmyard because, i) there is no capacity (even to replace a building) and ii) the building would be too close to the nearest dwelling (Bower House). The positioning of the building on the application site, as identified, is the logical location for the building. Local Plan policy CR01 is the principle policy against which this application needs to be considered. This states that development in the countryside must (inter alia);
 - Be of a scale compatible with its surroundings and have due regard to landscape characteristics.
 - Be sensitively designed with quality landscaping
 - Not introduce a proliferation of buildings/structures
20. The key issues are i) impact upon the landscape and countryside, ii) impact upon residential amenity and iii) impact upon the setting of the listed building (Bower House).

Impact upon the landscape/countryside

21. The application site is situated adjacent to a woodland area which is situated to the east. There is also mature planting to the south, albeit more distant. Accordingly the building would be seen against the backdrop of this vegetation and/or the existing farmyard if viewed from the north and west. The building would be seen against the skyline when viewed from the south and west. There are public footpaths adjacent to the site and the building would be visible from these. Whilst there are hedgerows on the north-west and south-west boundaries of the application site, additional planting should be provided to help soften the impact of the building in views from the public footpaths. Any landscape impact will however only affect views in the immediate vicinity (i.e. from footpaths adjacent to the building). As such there would not be any significant detrimental impact upon the wider landscape that would justify refusal of planning permission. The design, scale and materials proposed (paragraph 2) are considered acceptable for the type of building proposed and its rural location.

Impact upon residential amenity

22. The application building would be situated approximately 117 metres away from the nearest dwelling at Bower House (measured building to building, or 86 metres from the new building to the dwelling boundary). There are no other dwellings that would be affected by the development. The dwelling would be partly screened from potential smell intrusion by an existing large agricultural building in the farm yard. The issue can be controlled to a large extent by positioning waste storage a reasonable distance from the dwelling. The Environmental Health officer has identified a need to control the location of waste storage and subject to such controls being imposed has not objected to the application (paragraph 15 above). The impact of the development on residential amenity can be adequately controlled by condition.

Impact upon the setting of the listed building (Bower House)

23. The proposed building would be separated from the grounds of the listed building by a large agricultural building within the existing farmyard. There are also other large agricultural buildings in the yard. Accordingly, the proposed building would not be detrimental to the setting of the listed building and would not be out of character with the setting the building currently has.

Other issues

24. The owner of Bower house has requested i) that GPDO rights for new buildings are removed and ii) that the applicant enters into a S106 Agreement to ensure the building is used only for agricultural purposes. Government advice to Local Planning Authority is that permitted development rights should only be withdrawn in exceptional circumstances and where it can be justified. In this case it would not be reasonable to withdraw permitted development rights, particularly as the same permitted development rights would remain in place across the remainder of the holding. Furthermore, it is likely the Council would be able to control the siting and appearance of buildings which could be erected as 'permitted development' via the formal notification procedure. The suggested S106 Agreement is not required in order to control the use of the future use of the proposed building because any use other than for agriculture would require planning permission and any unauthorised use would be subject to enforcement investigations.

REASONS FOR APPROVAL

25. The proposal for the erection of a cattle shed accords with the provisions of Development Plan policies ENV1, ENV4, CR01, CR07 and CN06. These seek to protect the landscape quality and ensure new development in the countryside is adequately landscaped. They also seek to protect the setting of listed buildings from inappropriate developments. In this case, the landscape impact of the building is acceptable with mitigation and the setting of the adjacent listed building (Bower House) would be safeguarded. Furthermore, the building would not have an adverse effect upon the amenities of the occupiers of the adjacent dwelling and would not impact upon biodiversity or interests of acknowledged importance.

RECOMMENDATION

Grant planning permission subject to conditions, including;

- Samples of materials
- Landscaping
- Location of waste storage pad/s

DECISION
