

POLSTEAD – PART OS 3928 LAND EAST OF STOKE ROAD.

Erection of 1 (no.) agricultural building.

Applicant: Mr C Proctor.

Case Officer: Gareth Durrant.

BACKGROUND

The application is referred to the Development Committee at the request of the local Member. A panel of Members visited the site on 12th September 2007 in order to assess the potential impact of the proposed building upon the landscape.

SITE

1. The application site forms part of a holding of 17 hectares of land on the Polstead Shelley border. There are currently no buildings on the holding, which is enclosed on three of its sides by highway. The west boundary of the holding is marked by mature trees and hedgerows. Cattle is currently being grazed on the fields. The site is situated within the designated Area of Outstanding Natural Beauty (AONB).

PROPOSAL

2. The application proposes the erection of an agricultural building to provide a cattle shelter. The building would have a footprint of approximately 220m², a ridge height of approximately 5.5 metres and eaves height of approximately 3.9 metres. The front and lower elements of the remaining elevations of the proposed building remain open to aid ventilation. Where the walls are solid, they are to be clad with green steel cladding. The roof is to be clad with the same material.
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. 2007 – Planning permission refused for erection of 2 (no.) agricultural buildings (B/07/00002/FUL).

NATIONAL GUIDANCE

5. **PPS1 (2005) Delivering Sustainable Development** - relates to achieving sustainable development and high quality layout and design.
6. **PPS7 (2004) Sustainable Development in Rural Areas** – sets out the Government's policies for rural areas.

PLANNING POLICIES

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

Suffolk Structure Plan 2001

- ENV3 (design standards)
- ENV4 (the countryside)
- ENV7 (conservation of designated landscapes)

Babergh Local Plan (Alteration No.2)

- CR01 (landscape quality)
- CR02 and CR03 (Areas of Outstanding Natural Beauty)
- CR07 (landscaping of development in the countryside)
- CN01 (maintaining local distinctiveness)

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

OBSERVATIONS

8. PC (Polstead and Shelley) – comments awaited.
9. Dedham Vale Society – object to the application on the following grounds;

The site lies in an unspoilt area of the AONB. It is already a mess and it could be argued that the construction of the cattle shed might tidy it up. However there must be considerable doubt as to whether there will not continue to be considerable additional delritus littering the area. We accept that farming is necessarily a messy business and that some degree of mess is inevitable but the establishment of a farm yard in what is so far attractive open countryside will do little or nothing to enhance the AONB. If the Council is minded to grant permission we hope you insist on the forest green colouring and suitable screen planting. You will also no doubt be alert to the possibility that this may be a prelude to a further application for a dwelling at the site.

10. Third Party Representations: Five letters have been received in objection to the application. The relevant material issues and objections raised are summarised as follows;
- The applicant is attempting to achieve an uplift in the value of the holding and the proposed enterprise is not sustainable in and of itself.
 - The building is not essential for the efficient operation of agriculture.
 - There is no over-riding national need for the development in the AONB and there alternative sites in the area.
 - Unacceptable blight on the landscape.
 - Long term intention to obtain a residential consent by a process of steps. This has already been achieved by the applicant at a holding in Newbourne.
 - The land is not adequate for grazing.
 - This would lead to further buildings in the AONB.
 - There are other very local farmers who manage to keep/rear cattle without a building to house them.

- The area is currently unsightly with old caravans, machinery, vehicles, rubbish, bad fencing and poor grazing showing no regard to the AONB.
- A hardcore driveway has been put in without planning permission.
- Applicant has a holding at Newbourne. The animals should be taken there if they need to be housed.
- There is no need to house the breed of cattle currently on the holding.
- If planning permission is granted, conditions should be imposed to;
 - i) remove all permitted development rights
 - ii) use of only one access to the site
 - iii) removal of the existing paraphernalia on the holding
 - iv) control position of muck storage
 - v) A S106 Agreement that no application for a residential dwelling will be made.

ASSESSMENT

11. This section will first explain the recent planning history, together with the findings and recommendations of the independent agricultural consultant commissioned by the council as part of that application. It will then go on to explore the key material planning issues which are considered to be, i) impact upon the landscape of the AONB, and ii) impact upon residential amenity. Finally comment will be made on issues raised by third party objectors.

Planning history

12. Planning permission was refused for the erection of two agricultural buildings on this holding in July 2007. The reasons for refusal were as follows;

The proposal for the erection of 2 no. agricultural buildings is considered contrary to the provisions of PPS7, policies ENV4 and ENV7 of the Suffolk Structure Plan 2001, and policies CR01, CR02 and CN01 of the Babergh Local Plan Alteration No. 2 (2006). These state that the landscape quality and character of the countryside will be protected by restricting development to that which is essential for the efficient operation of agriculture. Were the development is allowed in the countryside it must (inter alia) be of a scale compatible with its surrounding and have due regard to the landscape characteristics of the Area of Outstanding Natural Beauty.

The Local Planning Authority considers the applicant has not sufficiently justified a need for the erection of 2 no. agricultural buildings for the efficient operation of agriculture on the holding and therefore the development proposed is of an inappropriate scale detrimental to the countryside and the landscape of the Dedham Vale Area of Outstanding Natural Beauty contrary to the aforementioned policies.

13. During its consideration of the planning application, the Council commissioned an independent agricultural assessment of the application. This was carried out by Savills in July 2007. The report can be viewed in full in advance of the meeting by prior arrangement with the case officer. The key points and findings of the assessment are set out below;

- The farm is based on land east of Stoke Road near Polstead. In addition to this there is a small land holding with buildings at Newbourne near Woodbridge. The principal, Mr C Proctor provides the labour and management of the business.
 - It seems Mr Proctor has been practising various farming activities for a number of years having previously been involved in the building trade. He rents on an annual basis 60 acres of grass currently included within the Countryside Stewardship Scheme on which he makes forage for both use by his own animals and for sale. In addition to this he has in the past been baling straw in the locality and selling this to third parties.
 - The core of the farm business, to be based at Polstead, will be a pedigree herd of Red Poll cattle which he has been increasing in numbers over the last few years.
 - Mr Proctor owns a variety of machinery, only a small amount present at Polstead. The area of land being farmed does not warrant all of the items listed. I believe a number of items are kept for sentiment rather than their significant use.
 - The application proposes two buildings at Polstead; a cattle building and machinery store.
 - The cattle building is large enough to house all of the cattle currently on the farm but would leave no significant area for storage. The Red Poll breed however is a particularly hardy breed and the animals can remain out during winter however cold and wet, if properly fed. There is every likelihood that all of Mr Proctors animals will not necessarily need to be housed at one time although it would be possible in the proposed building at current numbers.
 - There is no need for a specific machinery store for the type of machinery that is either owned by Mr Proctor or required by a farm of this nature. Whilst storage is an issue on any farm with livestock, Mr Proctor does have existing storage at Newbourne for hay and straw. As large quantities will not be required at Polstead with the number of animals that are being housed I do not believe that a separate building is necessary for this purpose. A more sensible approach would be to increase the size of the livestock building by one additional bay in order to provide some forage storage without the need to provide an additional building.
 - The economics of a small herd of pedigree cattle would not enable significant capital investment to be warranted but with a herd in the region of 40 animals I believe the return before farmers own labour would be sufficient to support a modest investment in a building of this nature.
 - I believe the provision of two buildings as stated under the application to be unwarranted, but feel that the size of the unit and the size of the herd would warrant one livestock building of at least the size stated.
14. The decision to refuse planning permission for the erection of two buildings at the holding was consistent with the findings of the independent agricultural assessment. However, the assessment concluded that the erection of one cattle building was justified in agricultural terms.

Impact upon the AONB

15. In reducing the number of buildings proposed in the application from two to one building the applicant has addressed the reasons for refusing the previous application in principle. Following the refusal of planning permission the applicant sought informal officer advice regarding the location of the proposed cattle building before submitting this latest application. The optimum position on the holding for the building in landscape terms would be on or at the bottom of the sloping land to the north of the location currently proposed. Unfortunately this is not a practicable solution and has been ruled out because it would introduce operational difficulties and problems with land drainage (large parts of the holding drains to the bottom of the slope). Accordingly, the position currently proposed is the optimum on the holding in landscape terms because it would be set against the backdrop of a small wooded area.
16. There can be no doubt that the building will be visible in the AONB. The building will be seen from public vantage points along significant lengths of the highway which wrap around the north, east and south boundaries of the holding. It is unlikely the proposed building would be visible from beyond these roads because of good existing boundary planting. The visual impact of the building can be softened by the provision of adequate landscaping, particularly to the boundaries of the holding. The applicant has commented on landscaping proposals in the design and access statement as follows;

“Landscaping of the entire holding is intended to recreate hedgerows and woodland of the past using traditional species of thorn, viburnum, field maple, hazel, ash and oak. A detailed scheme will be submitted in due course and a condition to this effect would be an acceptable part of planning permission.

The hedgerows, where they exist – largely on the western boundary of the bridleway are of holly. Trees around the site are oaks with some poplars on the western and northern boundaries.

Small fields for Red Poll grazing will be post and wire fenced with traditional hedgerows.”

17. The proposed cattle building will not have a significant impact on the wider landscape of the AONB. Its main impact will be from within the immediate vicinity of the agricultural holding. With careful choice of materials, particularly colours and sufficient landscaping, the impact of the building on the AONB can be minimised. Given the findings of the independent agricultural assessment, the revised positioning of the building on the holding and the scope to ensure that the building is finished in suitable materials and colours and that landscaping is to be provided, the proposal is acceptable in the AONB.

Impact upon residential amenity

18. The location of the building is sufficient distance from the nearest dwelling (Mark Wood Cottage approximately 320 metres to the south) so that concerns of potential impact upon residential amenity do not arise. There would, however, be potential detrimental impacts from insensitively positioned waste storage areas/pads. Accordingly, if planning permission is granted, a condition should be attached to secure appropriate siting of these areas.

Other issues

19. The objectors to this proposal have raised a number of issues which are not directly linked to the determination of this planning application. However, some comment/clarification is required on some of the matters raised;

i) *potential for a workers dwelling to be proposed.* If such an application is submitted it will be determined on its own merits. This is not a valid reason to recommend refusal of the current planning application. A S106 Agreement certainly cannot be used to prevent such an application from being submitted. The applicant's intentions in this respect are unknown at this stage and not relevant to the alterations of the proposal.

ii) *Untidy condition of the site.* Again, this is not relevant to nor should it influence (either positively or negatively) the outcome of the planning application. The Council does have powers under S215 of the Town and Country Planning Act to take action if the condition of a site is adversely affecting the amenity of an area. Whilst the character of the site certainly has changed since the holding has become established and various structures/equipment have been brought onto the land (none requiring planning permission), it must be borne in mind that it has become a working farm. Accordingly, without buildings, there will be an element of external storage. The Council could potentially pursue an action under S215 should the condition of the land deteriorate, particularly given the AONB landscape designation. Such action is, however, often difficult to pursue in these circumstances.

iii) *Provision of the access track and vehicular accesses.* The access track has been formed by spreading out fine hardcore to create a consolidated surface. It is not apparent that this process involved the carrying out of engineering operations (i.e. levelling, regarding, hard surfacing etc) that would require a planning permission. The provision of accesses to the holding would not require planning permission onto the surrounding unclassified roads, but in any case, again there is no evidence of engineering operations having been carried out to form the accesses.

REASONS FOR APPROVAL

20. The proposal for the erection of a cattle building is in accord with Development Plan policies ENV4, ENV7, CR01, CR02 and CR07. These seek to protect the landscape quality and character of the countryside particularly designated Areas of Outstanding Natural Beauty and ensure new development in the countryside is adequately landscaped. In this case, the landscape impact of the building would be acceptable with mitigation. Furthermore, the building would not have an adverse effect upon the amenities of the occupiers of nearby dwellings or interests of acknowledged importance.

RECOMMENDATION

Grant planning permission, subject to conditions including;

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

DECISION