



SUPPORTING STATEMENT

In respect of a planning application for use of first-floor
of existing garage as a holiday let at;

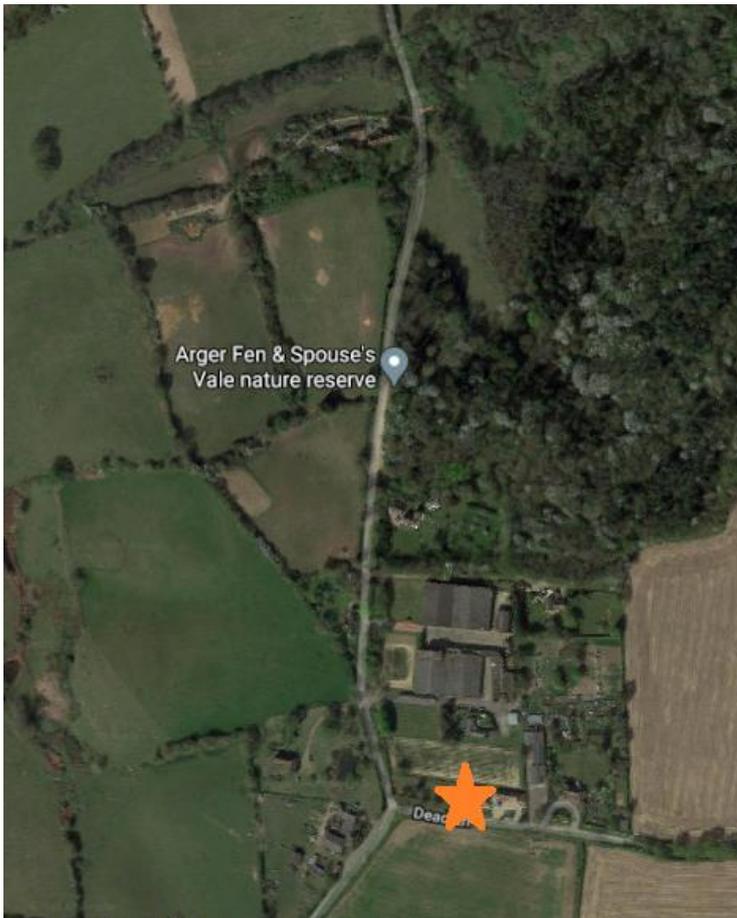
Buck Field House (formerly “High Fields”), Arger Fen,
Bures St Mary, CO8 5BN

CONTENTS

1.0	Introduction	3
2.0	The Site	4
3.0	The Proposal	4
4.0	Planning Policy	4
5.0	Relevant Planning History	5
6.0	Planning Considerations	6
7.0	Conclusions	12

1.0 Introduction

- 1.1 This statement is prepared on behalf of Mr G Fincham in respect of an application for the use of the first-floor of an existing garage building to provide a holiday let at Buck Field House, Arger Fen, Bures St Mary.
- 1.2 It will consider the planning policy position and provide an overview of the relevant material considerations relating to the proposed development.
- 1.3 The extract below shows the site's location relative to nearby development;



- 1.4 The building that is the subject of this application was approved as part of application B/14/01119 which approved a replacement dwelling and the detached garage with accommodation over. The permission included a condition restricting the use of this accommodation to ancillary and incidental to the main dwelling. Furthermore, a Section 106 agreement was also secured restricting the use of the very same accommodation to ancillary and incidental use and precluding it from being sold away separate to Buck Field House.

2.0 The Site

- 2.1 The application site is located to the north of Dead Lane and is accessed via a single width lane that serves the property, one other dwelling and some agricultural buildings. from The Street. The site is positioned to the south of Arger Fen and is located in the countryside for the purposes of planning policy.
- 2.2 As detailed above, the property is a modern replacement dwelling that replaced a former bungalow. It sits on a long plot with the dwelling sited to the far eastern end.
- 2.3 The building that is the subject of this proposal is a detached garage building with first-floor accommodation. It lies adjacent to the dwelling, just to its western side.
- 2.4 The site is not within any vulnerable flood zone but is within a designated Special Landscape Area. The property is not a listed building, though Over Hall Farm, lying to the west on the opposite side of the road, is a Grade II listed building.

3.0 The Proposal

- 3.1 The proposal seeks planning permission for the use of the first-floor accommodation over the garage as a holiday let. No changes are proposed to the external aspects of the building and the use can thereby be accommodated without changing the character of the building or the site as a whole.

4.0 Planning Policy

- 4.1 The National Planning Policy Framework (NPPF) contains the Government's planning policies for England and sets out how these are expected to be applied. Planning law continues to require that applications for planning permission are determined in accordance with the Development Plan unless material considerations indicate otherwise. The policies contained within the NPPF are a material consideration and should be taken into account for decision-making purposes.

4.2 The NPPF is supported by the Planning Practice Guidance (PPG), which assists applicants and decision makers to interpret the NPPF.

4.3 The development plan for Babergh District Council consists of the saved policies of the Babergh Local Plan Alteration No.2 (2006) and the Babergh Core Strategy (2014). The following policies within these documents are considered to be relevant to this proposal.

Babergh Local Plan Alteration No.2 (2006)

- CN01 Design Standards
- CR04 Special Landscape Areas
- CR07 Hedgerows
- TP15 Parking

Babergh Core Strategy 2014

- CS01 Applying the presumption in Favour of Sustainable Development in Babergh
- CS15 Implementing Sustainable Development
- CS17 The Rural Economy

4.4 Where relevant to the consideration of this proposal, these policies will be referred to within the 'Planning Considerations' section of this report.

5.0 Relevant Planning History

5.1 As detailed at paragraph 1.4 above, this application follows an application made for the erection of a replacement dwelling and associated garage building which was given reference B/14/01119.

5.2 That application was subject to a condition and associated Section 106 agreement which currently restrict the manner in which the first floor of the garage can be used and occupied.

6.0 Planning Considerations

6.1 Paragraph 10 of the Revised NPPF states *“So that sustainable development is pursued in a positive way, at the heart of the Framework is a presumption in favour of sustainable development”*.

6.2 Paragraph 81 of the National Planning Policy Framework (NPPF) advocates a flexible approach to economic growth, providing a platform for economic prosperity. It provides that planning policies should;

“d) be flexible enough to accommodate needs not anticipated in the plan, allow for new and flexible working practices (such as live-work accommodation), and to enable a rapid response to changes in economic circumstances”.

6.3 Furthermore, paragraph 83(a) states that planning policies and decisions should enable;

“a) the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed new buildings”.

6.4 Paragraph 83 (c) and (d) provide further support through;

“c) sustainable rural tourism and leisure developments which respect the character of the countryside; and

d) the retention and development of accessible local services and community facilities, such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship”

6.5 Paragraph 84 of the NPPF recognises that business and community needs in rural areas will require some flexibility, highlighting that;

“Planning policies and decisions should recognise that sites to meet local business and community needs 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. In these

circumstances it will be important to ensure that development is sensitive to its surroundings, does not have an unacceptable impact on local roads and exploits any opportunities to make a location more sustainable (for example by improving the scope for access on foot, by cycling or by public transport). The use of previously developed land, and sites that are physically well-related to existing settlements, should be encouraged where suitable opportunities exist”.

6.6 At the local level, policy CS17 reflects the aims of the NPPF and provides that;

“The economy in the rural area will be supported through a number of measures including:

a) through the encouragement of:

i) proposals for farm diversification;

ii) the re-use of redundant rural buildings;

iii) sustainable tourism and leisure based businesses (including those offering a diverse range of visitor accommodation, activities or experiences);

iv) businesses involved in the renewable energy / low carbon industry at an appropriate scale for the location;

v) rural ‘business parks’, and workshops, rural and community business ‘hubs’ that share facilities and other innovative rural enterprises, and innovative business practices such as co-operatives or microbusinesses based on shared facilities / services;

vi) and where appropriate, farm shops and farmers markets; and

b) support for / promotion of rural businesses”.

6.7 In recent pre-application advice provided by the Council in respect of holiday lodges in the nearby village of Polstead, the Planning Officer identified that;

“The development of holiday cabins is something that can be considered under CS17 of the Babergh Core Strategy. Policy CS17 deals with the rural economy. Babergh is a rural district with a rich and interesting past and relies on tourism as a means of economic growth. Accommodation for tourists is required to encourage further tourism. Polstead is well located to access Sudbury, Long Melford, Lavenham and Hadleigh. In addition to this, the holiday accommodation would also promote the public house and help to secure its future as a viable

business. The principle of holiday accommodation on this site is generally acceptable and if approved would be subject to a holiday let restriction”.

- 6.8 Policy CS17 recognises that Babergh is a rural district with a rich and interesting past and which relies on tourism as a means of economic growth. Accommodation for tourists is required to encourage further tourism, and thereby policy CS17 reinforces the aims of paragraph 83 of the NPPF in seeking to promote tourism in rural locations such as this.
- 6.9 The building is well situated, set within attractive countryside and close to historic local market towns and villages such as Bures, Assington, Boxford, Sudbury and Nayland, as well as numerous local villages and the facilities that they offer. This gives the area real potential as a tourist destination. Effective marketing of the unit, together with an appropriate pricing strategy, will aim to ensure occupancy levels are high across the year, throughout both the high and low holiday seasons.
- 6.10 This use will create employment with work being created for a cleaner, gardener, laundry services, window cleaner, building maintenance services, business manager and holiday cottage agency.
- 6.11 It is apparent, therefore, that the proposal would give rise to rural employment generation that is in line with the aims of paragraph 83 of the NPPF and with the Council’s aims to bring about an increased tourism offer in the rural parts of the Babergh district. The holiday unit will be available to let for 365 days of the year and effective promotion and appropriate pricing will help ensure occupancy is maintained throughout the high and low holiday seasons, thereby maintaining this employment benefit over the entirety of the year.
- 6.12 Furthermore, the holiday unit will attract visitors to the area who will spend money at local restaurants and shops, and opportunities would be taken to promote local tourist attractions and events to guests staying here. There would, therefore, be further economic benefits resulting from the creation of this holiday unit which would again accord with the aims of the NPPF and policy CS17.
- 6.13 Furthermore, it is considered that there is a significant gap in the local market where the provision of good quality accommodation is concerned, such that it is not anticipated that this

project will displace existing businesses. Rather it will support local tourist attractions and businesses that rely on visitors to the area.

6.14 Taking these factors into account, it is considered that this proposal will result in significant benefits which weigh in favour of the application as a matter of principle.

6.15 In considering the existing condition that restricts the occupancy of this accommodation, the condition states;

“This permission shall only authorise the use and occupation of the accommodation within the detached double garage for purposes incidental and ancillary to the principal dwelling known as High Fields and does not permit the use of the accommodation for a separate household”.

6.16 The reason for the imposition of the condition was;

“The proposed detached double garage constitutes a physically separate form of accommodation which would not be acceptable under the established policies of the Local Plan and NPPF in this countryside location and having regard to its particular relationship with the principal dwelling in terms of the potential for noise, activity and disturbance detrimental to the amenity of that principal dwelling were the development to be occupied as an unrelated dwelling”.

6.17 It is very clear that the Council’s concerns were in respect of a use completely unrelated to the occupancy of Buck Field House and, in particular, the potential disturbance that could occur. The applicant has no intention to separate off the holiday let and, indeed, is precluded from doing so by the Section 106 agreement (*please note: whilst an application has been made alongside this planning application to amend the terms of the Section 106 agreement, that amendment does not include removal of the restriction precluding the building being sold away from High Fields. As such, the building will remain in the ownership and control of the occupiers of High Fields*).

6.18 It can be seen, therefore, that the applicant would retain control over the occupancy of the unit and would thereby be able to ensure that no disturbance occurred to them through the terms of the management contract issued to people staying in the holiday let. The reason for

imposing the original condition would not be undermined or prejudiced by this proposal. The proposal simply seeks to find a use for the building that would bring some benefit to the applicant and to the local economy, where the accommodation currently serves no useful purpose to him and the unit currently attracts significant Council Tax liability without generating any useful purpose to the applicant.

6.19 There is, therefore, no good reason to prevent this use. It would generate a useable holiday let in an existing underused building, entirely in accordance with policy CS17 and the provisions of the NPPF. Such a development is thereby sustainable and in accordance with the development plan.

6.20 The applicant draws attention to three similar cases in the Babergh district, albeit that there are likely many other such examples that could be referenced here. The examples are;

DC/20/03802 – Pannington Hall Cottage, Wherstead

6.21 This application related to the removal of a condition following grant of planning permission B/15/00979 to enable the use of the first-floor annexe as a holiday let. In approving the application, the Planning Officer stated that;

“Please refer to the consolation response from Economic Development. The officer raises no objection to this proposal, subject to a condition. The officer states “The tourism and visitor economy is a key sector for both this Council and the whole Suffolk. The Babergh and Mid Suffolk ‘Open for Business Strategy’ works towards strengthening the visitor economy. The site is well located and the addition of new small scale accommodation in this rural location will assist this objective. In light of recent appeal decisions, we recognise the need for planning conditions to ensure tourism accommodation does not enable a residential type use. We therefore recommend the use of flexible occupancy restrictions that enable an all year round use but protect its use for tourism visitors only”.

6.22 The applicant raises no objection to the imposition of a condition restricting the use to a holiday let precisely as was utilised in this above case example.

6.23 This application proposed a first-floor extension to a garage to provide annexed/holiday let accommodation.

6.24 In approving this application, the Planning Officer noted that;

“Policy CS17 details how new development should be designed to support the important role of tourism and leisure within the district. The authorities Economic Development Team was consulted on the proposal and raised no objection to the proposal. This is due to the addition of small-scale accommodation in this rural location which will assist in this objective”.

B/16/00037 – Oak Lodge, Assington

6.25 In approving permission to convert the garage at this property to a holiday let, the Planning Officer found that;

“Given the benefits to the rural economy, especially if the holiday let is rented as opposed to owner-occupied, the occupation of the building needs to be considered so as to ensure (as much as is possible) that the project does indeed benefit the economy; the element which adds weight to the acceptability of the proposal. Furthermore, and most importantly, if the occupation of the holiday let is not controlled it could become an unrestricted and separate residential use which would be undesirable in this location given the nature of the site and the buildings relationship with the host dwelling.

The most reasonable and conventional way of controlling the use of a holiday let is to control the occupation rather than the ownership, as occupation can be enforced. Controlling the occupation can ensure that the holiday accommodation does not become a permanent dwelling and this can be controlled through condition”.

6.26 In the above case, it is noted that the restriction on occupancy through a condition was considered sufficient to control the use. In the case of Buck Field House, the Council have the additional control of the ownership restriction contained within the Section 106 agreement such that this proposal is more favourable than that at Oak Lodge.

7.0 Conclusions

- 7.1 The proposal seeks permission for the use of the first-floor accommodation in the garage as a holiday let.
- 7.2 The building will remain in the control and ownership of the occupants of Buck Field House. The holiday let use would deliver economic benefits that have been demonstrated to comply with policy CS17 and the NPPF. The direct and indirect employment resulting from this use, and the associated spend in the local economy from such occupation, would weigh in favour of the proposal.
- 7.3 The proposal can be operated without giving rise to any environmental harm. There would be no harm to residential amenity, landscape character or the locality in general. The proposal accords with policies CN01, CS15 and, most importantly, CS17 and the NPPF.
- 7.4 In light of this, and taking account of all of the considerations set out above, it is hoped that the Council will support this sustainable development by granting planning permission in the terms requested.