



SUPPORTING STATEMENT

In respect of the change of use of agricultural land to residential garden associated with Gebera House and erection of shed and greenhouse at;

Gebera House, Lower Farm Road, Ringshall, IP14 2JE

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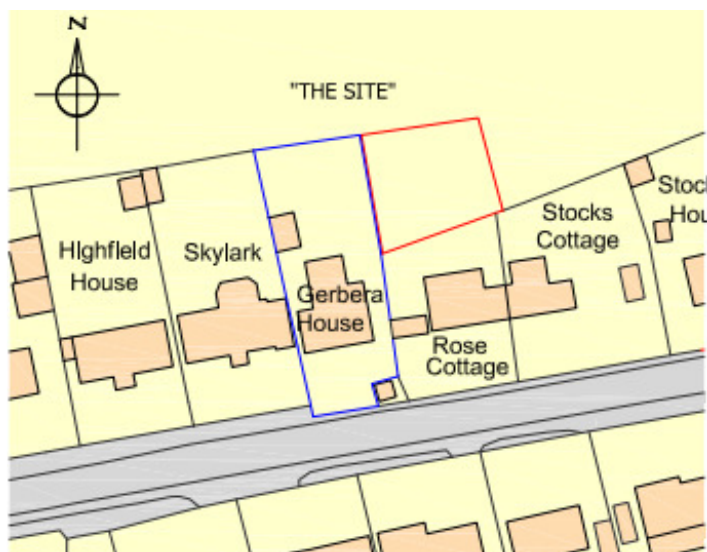
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1.0 Introduction

1.1 This statement is prepared in support of an application for planning permission for the change of use of a parcel of land lying to the north of Gebera House, Ringshall to garden land associated with this dwelling, and the erection of a shed and a greenhouse on this land.

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 location of the site relative to its surroundings and other nearby development.



1.4 Gebera House was constructed following the grant of planning permissions in 2006 and 2007.

1.5 In respect of the image shown at paragraph 1.3 above, the area shown in blue to the north of the house was permitted to be used as part of the garden as Gebera House following a grant of permission shortly after the dwelling was permitted. Previous proposals to use the area in red as garden were refused in 2006.

1.6 This statement will consider the current position on the site and the previous reasons for refusal.

2.0 The Site

2.1 Gebera House is a detached dwelling lying to the north of Lower Farm Road, and is set within a linear run of properties close to the village hall and school.

2.2 The site is unconstrained in terms of landscape designations, and is not set within a Conservation Area. There are also no listed buildings in the immediate vicinity of the site.

2.3 To the east and west are neighbouring properties and their gardens, with agricultural land to the north.

2.4 The land has formed part of the ownership of Gebera House for many years, as shown by the aerial images below. (Top Left: Current Position, Top Right: 2015, Bottom Left: 2012, Bottom Right: 2007).



2.5 The site lies entirely in Flood Zone 1, and is thereby not at risk of flooding.

3.0 The Proposal

- 3.1 The proposal seeks the change of use of part of the land owned by Gebera House to formalise its use as part of the garden to the property.
- 3.2 The applicants have planted native hedging and trees to the site boundaries to provide a soft green edge to the land. These are proposed to be retained.
- 3.3 A small shed and greenhouse (respectively measuring 1.9m x 3m and 2.61m x 2.61m) are also proposed.

4.0 Planning Policy

- 4.1 The National Planning Policy Framework 2019 (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 in interpretation the NPPF.
- 4.3 The development plan for Mid Suffolk District Council consists of the saved policies of the Mid Suffolk Local Plan (1998), the Core Strategy (2008) and its Focussed Review (2012). The following policies within these documents are considered to be relevant to this proposal.

Mid Suffolk Core Strategy and the Core Strategy Focused Review

- FC1 - Presumption in Favour of Sustainable Development
- FC1.1 - Mid Suffolk Approach to Delivering Sustainable Development
- CS5 - Mid Suffolk's Environment

Mid Suffolk Local Plan 1998

- GP1 - Design and Layout of Development
- H15 - Development to Reflect Local Characteristics
- H16 - Protecting Existing Residential Amenity

4.4 These policies will be referred to throughout this statement wherever relevant to this proposal.

5.0 Relevant Planning History

5.1 As detailed above, applications were made in 2006 and 2007 to establish the residential garden associated with Gebera House. These will be referred to within the 'Planning Considerations' chapter of this statement, which follows.

6.0 Planning Considerations

6.1 The Mid Suffolk Local Plan 1998 does not contain a policy that deals specifically with the change of use of land in the countryside to form extended gardens. As such, the relevant planning policies in this instance are those which relate to how proposals impact on the character of the countryside/the wider landscape, how they impact on the amenity of neighbouring properties and any requirements in respect of specialist matters such as the setting of listed buildings or other designations.

6.2 With that said, the emerging Joint Local Plan (JLP) is proposing a policy that deals expressly with such proposals. It states;

Policy LP23 – Agricultural Land To Residential Garden Land

- 1) The change in use of agricultural land to residential garden land or land ancillary to a residential dwelling may be permitted subject to:
 - a. The location, size and scale of the proposal would not have an adverse impact on the landscape characteristics and biodiversity of the locality;
 - b. The proposal would not result in the irreversible loss of best and most versatile agricultural land;
 - c. The site must not intrude into the open countryside, or result in the loss of trees and hedgerows which contribute to the character of the area;
 - d. The site must not threaten designated or Priority Habitats Sites or threaten the viability of farm holdings due to the breaking up of agricultural land;
 - e. The proposal must not be or become unacceptably intrusive through intensification and therefore damaging to the character of the countryside setting or nearby residential setting;
 - f. There must be no significant adverse impact on public rights of way or the areas of urban/rural transition that provides the setting of settlements in the countryside; and
 - g. In all cases the Local Planning Authority will consider the possible cumulative impacts of separate individual changes as a material consideration.
- 2) Where such proposal is considered acceptable, the proposed landscaping and boundary treatments must achieve a rural rather than urban or suburban character. Permitted Development Rights will be removed.
- 3) The Local Planning Authority may impose planning conditions and planning obligations/legal agreement to make the development acceptable in planning terms.

6.3 Whilst this policy does not currently hold weight in the decision making process, the criteria that it provides are a useful tool against which to assess this proposal. As such, what follows is an assessment of this proposal relative to each of those criteria.

a. The location, size and scale of the proposal would not have an adverse impact on the landscape characteristics and biodiversity of the locality;

6.4 The area of land proposed for change of use is a small area of land that sits comfortably against the backdrop of existing properties and their gardens. It is already screened off from the adjacent land with tree and hedge planting.

6.5 The size and scale of the land would not be harmful to the character of the landscape and it is of no significant biodiversity value that could not (at least) be replaced through its use as garden. Indeed, the native landscaping that has been planted to the site boundaries offers increased habitat relative to that which previously existed when the land was agricultural.

- b. The proposal would not result in the irreversible loss of best and most versatile agricultural land;
- 6.6 The land has formed part of the ownership and use of Gebera House for many years. It is apparent that it does not fall within the most valuable land classifications.
- c. The site must not intrude into the open countryside, or result in the loss of trees and hedgerows which contribute to the character of the area;
- 6.7 The proposal would not intrude into the countryside, being framed to the west and south by existing properties and their associated curtilages.
- 6.8 There are no trees or hedgerows proposed for removal. Indeed, the proposal seeks to retain the additional planting that has been planted to the site boundaries.
- d. The site must not threaten designated or Priority Habitats Sites or threaten the viability of farm holdings due to the breaking up of agricultural land;
- 6.9 The proposal results in no threat to designated or priority habitats, nor is there any reason to consider that the remaining field is unviable as part of the retained landholding. It has been in that form for many years without concerns as to viability of the farm holding.
- e. The proposal must not be or become unacceptably intrusive through intensification and therefore damaging to the character of the countryside setting or nearby residential setting;
- 6.10 The proposal does not result in intensification, with the surroundings remaining primarily agricultural.
- f. There must be no significant adverse impact on public rights of way or the areas of urban/rural transition that provides the setting of settlements in the countryside;
- 6.11 This is not a matter that is affected by this proposal.

g. In all cases the Local Planning Authority will consider the possible cumulative impacts of separate individual changes as a material consideration.

6.12 There is nothing to suggest that this proposal would result in a precedent.

Where such proposal is considered acceptable, the proposed landscaping and boundary treatments must achieve a rural rather than urban or suburban character. Permitted Development Rights will be removed.

6.13 The applicants have provided native landscaping to the site boundaries, thereby complying fully with this aspect of the policy.

6.14 It is noted that permitted development rights will be removed. The application includes provision for a small shed and greenhouse on the site which are considered separately later in this statement.

The Local Planning Authority may impose planning conditions and planning obligations/legal agreement to make the development acceptable in planning terms.

6.15 This is noted and the applicants welcome discussion with the LPA as to any conditions they consider are required in this regard.

6.16 The above provides consideration of the specific aspects of the emerging JLP policy. However, the following matters also require consideration, including the planning history of this site.

Settlement Boundary (JLP)

6.17 The extract below is taken from the emerging JLP map for Ringshall.



- 6.18 As can be seen, the character and appearance of the land is such that the Council propose to include it within the settlement boundary of the village of Ringshall.
- 6.19 The applicants consider that this is demonstrative of the fact that the land has a residential character and that the establishment of the boundary planting provides distinct separation (and a change in character) between the site and the surrounding countryside.

Refusal of Planning Application 2601/06

- 6.20 In December 2006, planning permission was refused for the extension of the garden land associated with Gebera House to include this parcel of land and that which was subsequently approved as garden in 2007. The reasons for refusal state that;

“The proposed extension of the domestic curtilage would be an unnecessary intrusion into the countryside that will harm the rural character of the area, the appearance of the landscape and would have an adverse impact on the amenity of the neighbouring property. As such it is considered that the proposal would be contrary to Policy ENV4 of the Suffolk Structure Plan 2001 and Policies CL1, GP1 and H16 of the Mid Suffolk Local Plan 1998”.

- 6.21 Since that time, the character of the land has changed with the established planting having taken effect, the subsequent approval and use of half of the refused site as garden and the planting of a significant tree buffer in the garden of Rose Cottage (to the south). The images below show the character of the land and this tree buffer.





- 6.22 The first image shows the view looking east across the land. The hedgerow in the background is that planted by the applicants, and the thick green hedge to the right of the image is that which has been planted in the garden of Rose Cottage.
- 6.23 The second image shows that hedge in more detail. Both images also show the extent of tree planting carried out on the site.
- 6.24 The proposal would not impact on the amenity of any neighbouring properties. The extended garden would lie adjacent to the curtilage of Rose Cottage, but proposes a use that is wholly compatible with the use of the garden of Rose Cottage. Rose Cottage is buffered from the site by their own hedgerow, their own fence and a further fence. The site is well screened and the use is not such that would give rise to unacceptable impacts on adjacent gardens or the surrounding countryside.
- 6.25 In this regard, it is considered that there have been fundamental changes in the situation which now exists as to when the decision was taken to refuse planning permission previously. Those changes are such that it is considered that the proposal now complies with the stated policies.

Shed and Greenhouse

- 6.26 The shed and greenhouse would provide domestic storage and plant/vegetable growing space for the personal use of the applicants.
- 6.27 Their scale is such that would have no impact on the amenity of neighbouring properties, and by siting these away from the external boundaries of the site, they would be viewed in the context of the fencing and hedging that lies adjacent to them.
- 6.28 Existing trees on the site would help to screen these structures from wider views, though the rear aspect of Rose Cottage already contains fencing of a domesticated form such that there would be no tangible change to the character of this land resulting from the erection of these structures.
- 6.29 As such, the shed and greenhouse are considered to accord with the provisions of policy GP1 and this proposal provides a comprehensive proposal that would enable the applicants to use the land as garden and to have the necessary storage to accompany that use.

7.0 Conclusions

- 7.1 The proposal seeks permission for the change of use of agricultural land to form an extended garden area to Gebera House.
- 7.2 Whilst there is no specific current planning policy provision for such proposals, the emerging JLP does bring forward a policy that specifically deals with such proposals. The criteria within this emerging policy provide a useful framework for assessing this proposal.
- 7.3 The assessment made in respect of this proposal finds that it meets with each and every one of the criteria. The applicants recognise the need for soft boundaries to the land and highlights the biodiversity benefits that this has already delivered.
- 7.4 The proposed use is, therefore, compliant with the development plan and would not give rise to any harm that would weigh against the proposal. 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.