

Planning, Design and Access Statement to accompany a full planning application for the proposed change of use of land to B8, including retention of a container for B8 use on a small parcel of Agricultural Land off Green Walk, Potash Lane, Wyverstone, IP14 4SL



On behalf of: Mr S. Whomes
Prepared by: Ms E. Colombel
Date: 18/06/2021

NOTICE

This document has been prepared for the stated purpose in accordance with the Agreement under which our services were commissioned and should not be used for any other purpose without the prior written consent of Planning Direct. We accept no responsibility or liability for the consequences of this document being used for a purpose other than for which it was commissioned.

© Planning Direct. All rights reserved. No part of this document may be otherwise reproduced or published in any form or by any means, including photocopying, storage on computer or otherwise without the prior permission of the copyright holder.

Planning Direct is a trading name of Cicero Communication Ltd. Registered in England and Wales, no. 7986959.

July 2020



The Furnace, The Maltings, Princes St, Ipswich, IP1 1SB
Tel: 01473 407911
E: enquiries@planningdirect.co.uk
W: www.planningdirect.co.uk

Table of Contents

Introduction	4
Location & Site Description	7
Proposed Development	19
Planning History	23
Policy Justification.....	24
National	24
Local	26
Commentary	29
Principle of development.....	29
Impact on the character and appearance of the area	34
Impact on residential amenity.....	36
Impact on highways, traffic & the bridleway	37
Conclusion.....	39

Introduction

The application seeks the change of use of Land off Green Walk, Potash Lane, Wyverstone, IP14 4SL from agricultural to storage (B8) and the retention of the site's storage container for B8 use. It is submitted on behalf of the applicant Mr. S. Whomes.

The applicant is the owner/operator of a local business which specialises in driveway and hard surface construction.

His father operated this construction business for over 20 years from the nearby domestic property known as Yew Tree House. At that time, all business-related equipment was stored in the domestic curtilage of this property.

In circa. 2018, the dwelling Rowleys Rest was created following the subdivision of the domestic property known as Yew Tree House (DC/18/04990). Yew Tree House is now in third party ownership and use. The applicant resides at Rowleys Rest and it is within this domestic curtilage that all business-related equipment is currently stored.

The application site comprises a c. 0.18 ha parcel of a c. 1.88 ha agricultural field purchased by the applicant's father over 5 years ago. Access is provided via a 5-bar field gate and post-and-rail fencing demarcates the front boundary. An old section of crushed hardcore hardstanding is now somewhat overgrown and blended into the landscape.

On its purchase by the applicant's father, a number of sheep were introduced to the site for grazing. The container was installed upon the site's hardstanding in order to provide weatherproof storage for hay for the sheep. It is understood that this was done without planning permission.



Aerial view of the field purchased by the applicant's father and container with container in situ to provide weatherproof storage for hay for the sheep.

The applicant is now seeking permission for the container to be retained in order to provide a dedicated storage facility (B8) for the business-related equipment currently stored within the domestic curtilage of Rowleys Rest. The use class of the small land parcel would also change to B8 to accommodate this.

Section 38 of the Planning and Compulsory Purchase Act 2004 requires applications to be determined in accordance with policies in the Development Plan unless material considerations indicate otherwise.

Applications which are not in accordance with Development Plan policies should be refused unless material considerations justify granting permission.

Similarly, proposals which accord with Development Plan policies should be approved unless there are material considerations which would justify a refusal of permission.

This statement will demonstrate that the proposal is supported by Local Development Plan policies and therefore should be approved, taking into account all other material considerations.

The planning considerations understood to be relevant to the current application are as follows:

- Principle of development
- Impact on the character and appearance of the area / scale of activity
- Impact on residential amenity
- Impact on the highway.

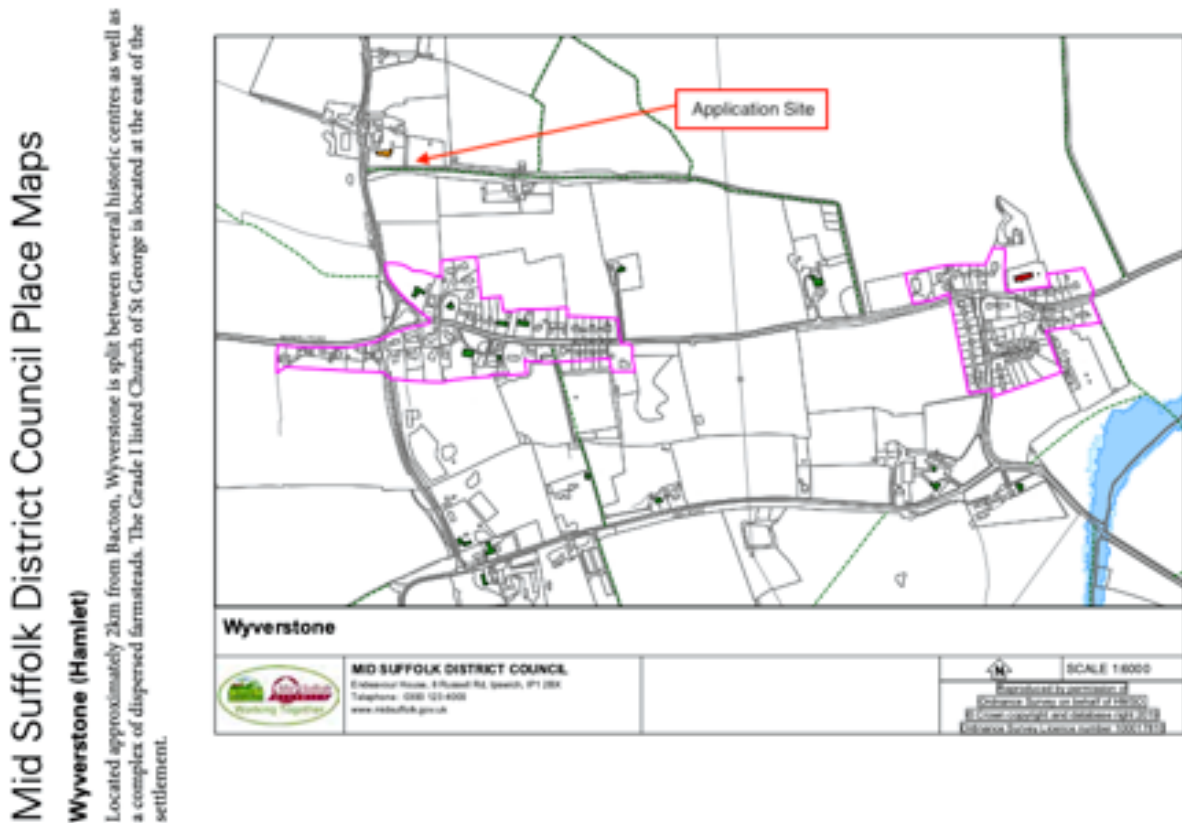
The documents submitted to support this application comprise:

- 0776-Whomes-PS
- 0776_Whomes drawings_E.pdf

Location & Site Description

Overview

The site is located in the civil parish of Wyverstone (see map below), 8 km north of Stowmarket and 2 km from Bacton. Wyverstone has three distinct points of settlement, two of which are provided with development boundaries in the Local Plan. The remainder of the parish is typified by dispersed farmsteads and industrial sites. As indicated by the map below, the application site is located only approximately 140 m north of the development boundary drawn for Wyverstone Street. The application site is located off Potash Lane along the bridleway named Green Walk (in green on the map below).



Approximately 100 m south east of the application site, there are 3 properties named Yew Tree House, The Cottage and Rowleys Rest. The latter is the applicant's residence and the location of all equipment proposed to be stored on the application site .

Approximately 150 m to the west of the application site is located Grange Farm, a grade II listed Farmhouse and Grange Farm Lodge Camping Site.



Aerial view of the application site locality



Application site in its wider context

Use and Character

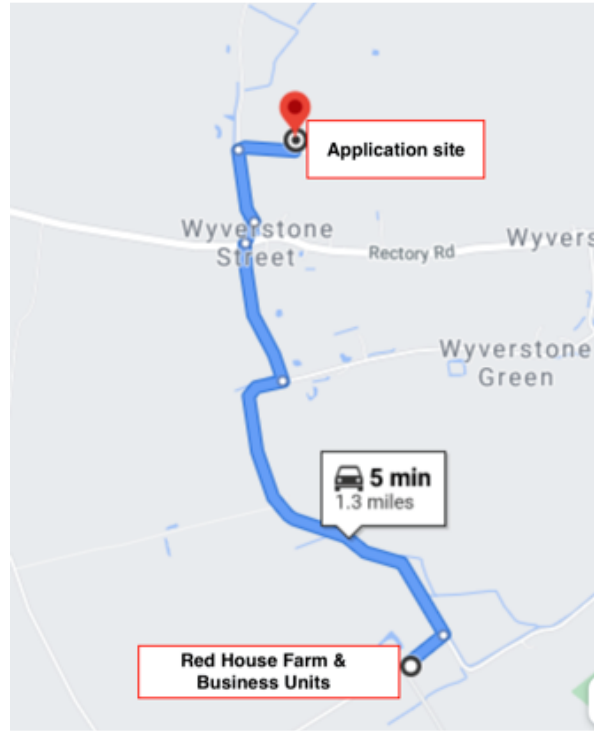
The application site and its environs have a predominantly rural use and character, with various rural businesses in the vicinity, including agricultural buildings converted to business units, camping sites and holiday lets.

One nearby example is Red House Farm & Business Units, located just 2 km south of the application site. This formerly agricultural site was converted to industrial/business use and now contains a vehicle repair shop, removal company, steel manufacturer, and joiner amongst others.

Below is a photograph of the entrance to Red House Farm & Business Units and a map indicating its proximity to the current application site.

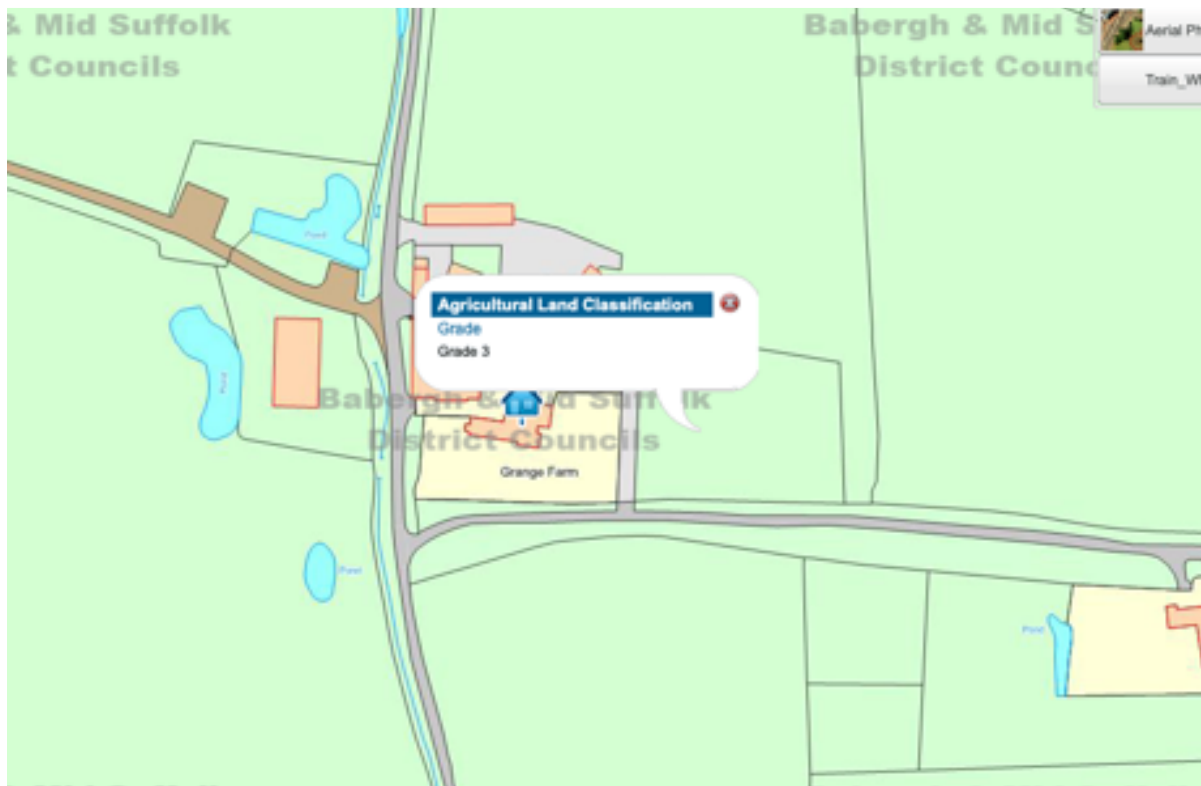


Entrance to Red House Farm and Business Units



Goole map extract demonstrating the proximity of the application site to Red House Farm and Business Units

The below extract from the Babergh and Mid Suffolk interactive map indicates that the application site's Agricultural Land Classification is Grade 3. DEFRA describes Grade 3 land as land which has moderate limitations that affect the choice of crops to be grown, timing and type of cultivation, harvesting or yield. The yield of more demanding crops grown on this land is generally lower or more variable than on Grade 1 and 2 land.



Babergh and Mid Suffolk interactive map above indicates that the application site Agricultural Land Classification is Grade 3.

The land is not currently cultivated but sheep were once kept in this field for grazing and their hay kept in the container.



Eastern perspective of the application site from its entrance



Western perspective of the application site entrance



Application site entrance



Container on the crushed hardcore hardstanding

Access & Connectivity

The piece of land is accessed via Green Walk bridleway off Potash Lane. Potash Lane is a dead end rural road serving only Potash Farm, a couple of dwellings, a camping site, Grange Farm and some fields.

Green Walk bridleway provides access only to the field enclosure in which the application site is located plus the 3 dwellings known as The Cottage, Yew Tree House and Rowleys Rest, where the applicant resides.

The lane is, accordingly, very lightly trafficked. Its rural nature also encourages low vehicle speeds.

Access to the site is gained via a 4m field gate which leads to an internal driveway composed of crushed hardcore, a material commonly used to provide field accesses which provides high permeability to drain surface water.



Potash Lane ending at Potash Farm and its farmstead



Entrance to the bridleway “Green Walk” which leads to the application site

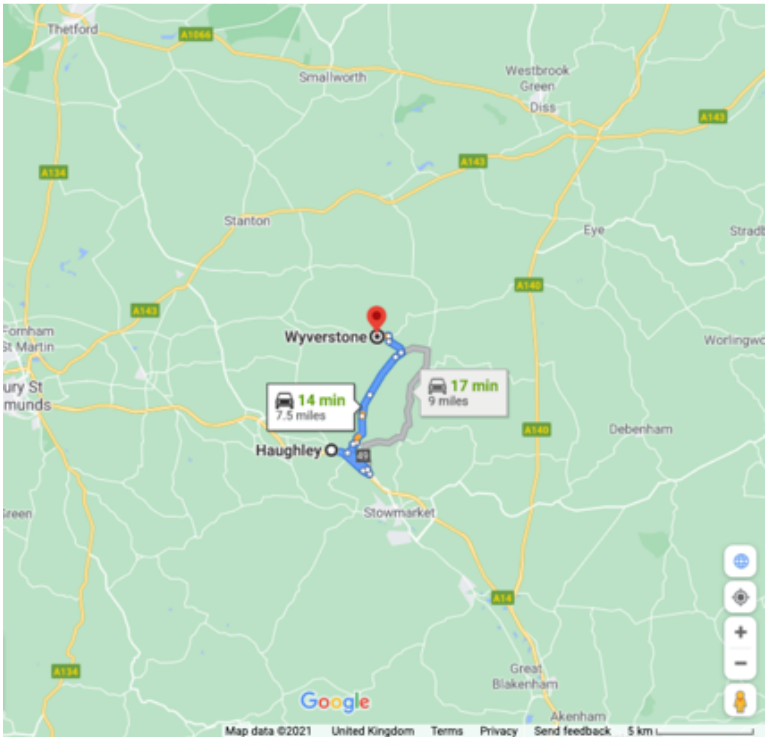


Northern perspective from the entrance to Green Walk



Southern perspective from the entrance to Green Walk

The map below demonstrates that access to major trunk roads such as A14, A143 and A140 can be gained within 15 min of the application site.



Map centred on the application site demonstrating its proximity to major trunk roads.

Proposed Development

Overview

The development proposals consist of the change of use of the application site from agricultural land to B8 and the retention of an existing container (L: 6 m - W: 2.44 m - H: 2.60 m) for B8 use. The site would be used to store materials and equipment required by the applicant to support his hardstanding construction business. All of the materials and equipment are currently stored at the applicant's domestic property, Rowleys Rest, located just across the lane from the application site.

The type of equipment to be stored externally on the application site includes a compact excavator, compact forklift tipping skips, Ifore Williams trailers and skips. Examples of these are shown in the photograph below.



Smaller equipment which cannot be exposed to the elements, such as rollers and waker plates, will be kept within the container.



Indicative examples of equipment to be kept in the container

Loose materials such as sand and hardcore will be kept in bags in the container (?), as per the picture below. This mode of storage means that loose material will be protected from the elements and will limit any wastage.



Indicative picture of the bulk bags of material to be kept in the container
for the use of the applicants business

Operating hours

The site will be in use between the hours of 9am and 6pm only, Mondays to Fridays.

Estimated daily vehicle movements are as follows:

2 out in the morning and 2 in at the end of the working day. The occasional extra movement may rarely occur if unexpected materials or pieces of equipment are required. This is avoided as much as possible as the applicant works on his own and this takes up valuable time.

The materials and equipment proposed to be stored on the site are currently stored at the applicant's domestic property, Rowleys Rest, which is located directly across the bridleway from the application site. As such, there would not be any change in the number or intensity of vehicle movements along either Green Walk or Potash Lane.

Details of the use

At present, the applicant's business operates as follows:

The applicant is hired to construct or alter a hardstanding. He will drive to the customer's site from his home (Rowleys Rest), taking all the equipment needed to complete the job. This usually requires either one or two trips. On completion, he will drive back to Rowleys Rest and return all the equipment to storage, ready for the next job.

It is proposed that this means of operation would continue. The only change would be that the business-related equipment would be stored at the application site and the applicant would collect and return it from here, on their way to and from Rowleys Rest.

Physical alterations

Permission is sought for the retention of the site's existing storage container and its change to B8 use. The dimensions of the container are L: 6 m - W: 2.44 m - H: 2.60 m. Its positioning and appearance are illustrated by the photographs on p.12-13 and the submitted plans.

No physical changes are proposed to the container which has been in situ for at least 5 years, albeit without formal permission.

Although the site is well shielded from Grange Farm and neighbouring dwellings by a tall mature hedge, the applicant is willing to install additional hedges or planting, as required by the Planning Authority. It is suggested that this could be secured by planning condition.

No other physical changes are required or proposed to the site.

Planning History

Reference no.	Description	Decision	Date
2683/11	Use of land for the stationing of a caravan (as defined in the Caravan Sites & Control of Development Act 1960 and Caravan Sites Act 1968) for residential occupation by an agricultural worker for a temporary period of 3 years	Refused	01.03.2011

Policy Justification

National

NPPF (2019)

Paragraph 10 (Achieving Sustainable Development)

So that sustainable development is pursued in a positive way, at the heart of the Framework is a *presumption in favour of sustainable development*.

Paragraph 80 (Building a strong, competitive economy)

Planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development. The approach taken should allow each area to build on its strengths, counter any weaknesses and address the challenges of the future. This is particularly important where Britain can be a global leader in driving innovation , and in areas with high levels of productivity, which should be able to capitalise on their performance and potential.

Paragraph 83 (Supporting a prosperous rural economy)

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;
- b) the development and diversification of agricultural and other land-based rural businesses;
- 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.

Paragraph 84 (Supporting a prosperous rural economy)

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.

Local

Mid Suffolk Local Plan (1998) (saved Policies)

SECTION 2.2 HERITAGE AND LISTED BUILDING

Protection of historic buildings:

Policy HB1

The District Planning Authority places a high priority on protecting the character and appearance of all buildings of architectural or historical interest. Particular attention will be given to protecting the settings of Listed Buildings.

SECTION 2.4 THE COUNTRYSIDE AND THE RURAL ECONOMY

Protecting existing woodland:

Policy CL5

Development which would result in the loss of or damage of woodland, particularly ancient woodland, or disruption to commercial forestry will be refused. The felling of commercial conifer woodland will be supported where it does not adversely affect the character and appearance of the landscape.

New industrial and commercial development in the countryside

POLICY E10

Applications for new industrial and commercial development in the countryside will not be permitted unless an overriding need to be located away from towns and villages can be demonstrated. Where such need can be demonstrated applications will be considered on their own merits having regard to the following:

-The impact of the development on the surrounding countryside, including its landscape and wildlife features;

-The prospect of pollution including the effect on nearby watercourses and groundwater sources;

-The amount of traffic generated and the likelihood of unacceptable traffic movements, particularly lorries, on non-principal roads;

-The loss of high quality agricultural land;

-The contribution to the rural economy;

-The employment opportunities created for nearby communities.

The district planning authority will, if considered necessary to protect the amenity and appearance of the surrounding countryside, consider the removal of permitted development rights under the general (permitted development) order 1995.

SECTION 2.8 RECREATION AND TOURISM

FOOTPATHS AND BRIDLEWAYS

Policy RT12

The district planning authority will through its responsibility for controlling the development and use of land, safeguard the footpath and bridleway network and, where appropriate, will support proposals to secure its improvement and modification, including extensions and extinguishments.

Core Strategy Focused Review (Adopted December 2012)

Policy FC 1

Presumption in favour of sustainable development

When considering development proposals the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. It will always work proactively with applicants jointly to find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area.

Planning applications that accord with the policies in this Local Plan (and, where relevant, with policies in neighbourhood plans) will be approved without delay, unless material considerations indicate otherwise.

Where there are no policies relevant to the application or relevant policies are out of date at the time of making the decision then the Council will grant permission unless material considerations indicate otherwise – taking into account whether:

Any adverse impacts of granting permission would significantly and demonstrably

outweigh the benefits, when assessed against the policies in the National Planning Policy Framework taken as a whole; or Specific policies in that Framework indicate that development should be restricted.

3.7 There are some key local considerations with a particular bearing on this balance, many of which Mid Suffolk shares with neighbouring Babergh District Council with whom we will be working jointly and sharing services in the near future.

For example:

Local circumstances mean that the achievement of environmental sustainability will often be limited in transport terms, due to the dispersed rural nature of the district.

Commentary

Principle of development

Saved policy E10 of the Mid Suffolk Local Plan 1998 details that “commercial development will not be permitted in the countryside unless an overriding need to be located away from towns and villages can be demonstrated”.

The 2012 Core Strategy Focused Review acknowledges at paragraph 3.7 that “local circumstances mean that the achievement of environmental sustainability will often be limited in transport terms, due to the dispersed rural nature of the district”.

The applicant has chosen the application site for the following reasons:

- It is not in use for any purpose, agricultural or otherwise, and this has been the case for a number of years;
- It is located only a few yards from Rowleys Rest, the site where all business-related equipment is currently stored and from which the business is operated. This means it would be highly convenient and there would be no increase or intensification in vehicle movements associated with the local business’s operation;
- Its discreet location and close proximity to the applicant’s domestic property means it would be well-overlooked and there would be limited to nil security concerns; and
- It is in the ownership of his mother (who would transfer ownership to the applicant if this application succeeds) and so provides a cost-effective storage facility which is financially viable for the small-scale local business.

These are considered to provide compelling support, as required by Policy E10, for the need for this storage facility to be located away from a town or village.

Where such a locational need can be demonstrated, as above, policy E10 also requires that a number of additional criteria are met. The development’s accordence with each of these criteria is set out below:

-The impact of the development on the surrounding countryside, including its landscape and wildlife features;

The application seeks permission to retain a single container which has been in situ

since circa 2015. As a temporary and modest structure which is not fixed to the land, the container would be very easily removed should the site be reinstated to agricultural use in future. This greatly limits its landscape impact.

Moreover, the site is in a discreet rural location and is well-screened behind a mature hedge. This renders the site virtually invisible from the highway or the bridleway. The applicant is willing to plant further screening hedges should the council deem it necessary.

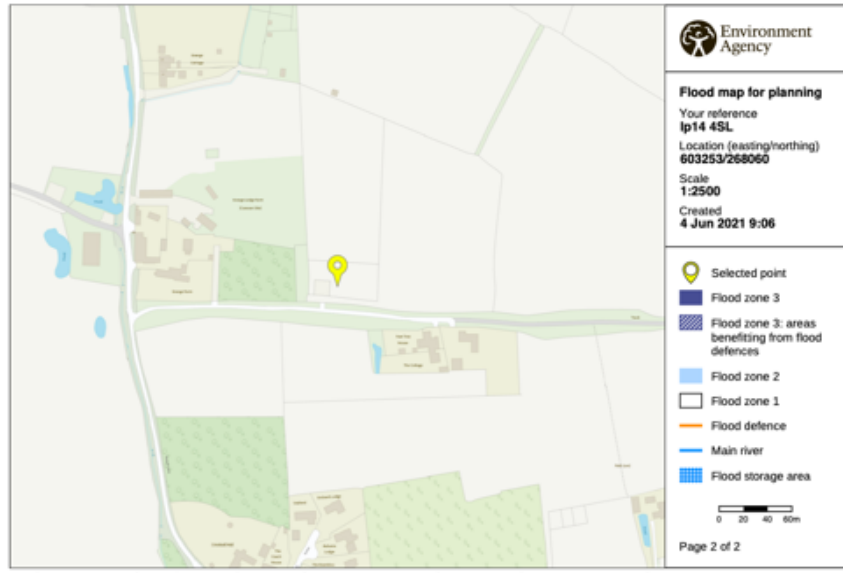
In terms of the machinery proposed for open-air storage, this is considered to be very similar in form, character and impact to items of machinery that would typically be found on agricultural land (e.g. tractors, spreaders/sprayers, rollers). They would also be moved off the site on almost a daily basis, meaning their impact on the landscape would be transient and very much in keeping with a typical agricultural use.

-The prospect of pollution including the effect on nearby watercourses and groundwater sources;

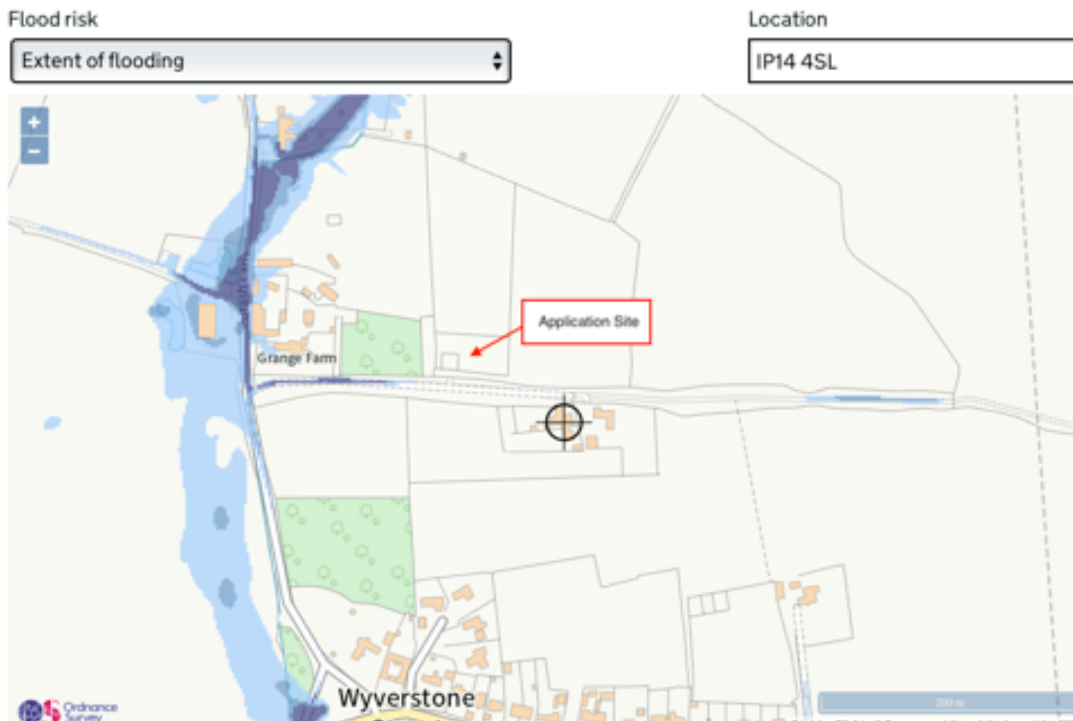
The proposal will not include any industrial processes. It will not introduce any new built features. It would make use only of existing site features - comprising the access, hardstanding and container - to provide a low-impact storage use.

None of the equipment/machines to be stored on the site would be operated within the confines of the site.

Moreover, the application site is in Flood Zone 1 which has the lowest probability of flooding. As such, the development is highly unlikely to have any detrimental effect on any nearby watercourses or groundwater sources.



Extract from Environmental Agency interactive map demonstrating that the application site is in zone flood 1.



Extract from Environmental Agency interactive map demonstrating that should surface water flood occurs the applications site would not be affected.

-The amount of traffic generated and the likelihood of unacceptable traffic movements, particularly lorries, on non-principal roads;

The equipment proposed for storage is currently stored at the applicant's domestic property, located only a few yards from the application site across the bridleway. Therefore, there would not be any creation of additional traffic, nor any increase in the length or duration of vehicular journeys associated with the business's operation.

The number of daily vehicular movements to and from the application site are also very low and are considered to be fewer than the number of movements that would generally be associated with the daily operation of a working farm, such as Potash Farm just north of the application Site.

-The loss of high quality agricultural land;

The application site Agricultural Land Classification is Grade 3. DEFRA describes Grade 3 land as a land which has moderate limitations that affect the choice of crops to be grown, timing and type of cultivation, harvesting or yield. The yield of more demanding crops grown on this land is generally lower or more variable than on Grade 1 and 2.

Therefore the application site is not considered to be of high quality.

It is also of a very limited size (measuring approximately 0.18 ha within a wider field enclosure of 1.88 ha) which makes it of similarly limited utility to productive agricultural use.

Notwithstanding this argument, no physical changes are proposed to the site and all features proposed for retention are of temporary, unfixed and easily removable nature. This means the site could be easily reverted to agricultural use in the future.

-The contribution to the rural economy;

The proposal would enable this particular rural business to "invest and adapt" as required by paragraph 80 of the NPPF. It is undeniable that thriving local businesses have a positive impact on the local economy.

-The employment opportunities created for nearby communities.

The business is small-scale and employs one person, the applicant, only. However, indirect job opportunities are also created for local construction material suppliers, construction machinery suppliers/repairers etc.

The proposed dedicated storage facility should support the applicant to expand his business, although it is envisaged that only 1 or 2 additional employees would ever be hired.

The following section will consider the impact of the proposal on the character and appearance of the area.

Impact on the character and appearance of the area

Impact on Listed Building Grange Farm:

Approximately 150 m west of the application site is located Grange Farm, a grade II listed Farmhouse (see photograph on page 8).

The Farmhouse and its historic courtyard is separated from the application site by a heavily treed land parcel. This land parcel is, itself, separated from the application site by a dense and tall mature hedgerow as demonstrated by the picture below.



The distance and intervening vegetation prevent any intervisibility between the heritage asset and the application site (see photograph on p. 13).

Moreover, there would be no increase in vehicular movements along the bridleway and no introduction of any other impacts (such as noises or smells) that would be likely to affect the setting or experience of the listed building.

Having regard for the negligible impact of the small-scale activity on the setting of the listed building, it is considered that the character and significance of this asset would be duly unaffected by the development.

Therefore, the proposal would be compliant with Policy HB1 which explains that the “District Planning Authority places a high priority on protecting the character and appearance of all buildings of architectural or historical interest. Particular attention will be given to protecting the settings of listed Building.”

Impact on the character and appearance of the area:

The application entails no physical development and all existing vegetation would be retained¹.

The container proposed for retention has been in situ since c. 2015. It is of a modest scale and appearance and adopts a discreet position within the rural area.

In terms of the impact of open-air storage of construction machinery, this would not appear visually dissimilar to agricultural machinery and so would be perceived harmoniously within its context.

It is also worth noting that the nature of the surrounding working rural landscape has changed in modern times, with the redevelopment of various formerly productive farmstead to uses not necessarily bound to a rural area. The converted Red House Farm business units described at p. 9 & 10 of this statement are a good local example of this trend.

For these reasons, it is not considered that the proposed change of use would impact negatively on the locality, its character or appearance.

¹ As stated previously, the applicant is willing to accept a planning condition which would require enhancement of the site’s existing planting

Impact on residential amenity

The proposal consists of the straightforward storage of equipment and machinery.

All machinery and equipment proposed to be stored on the site is currently located within the residential curtilage of the applicant's domestic property, Rowley Rest (whose position is described earlier in this statement).

The current storage location is, accordingly, in far closer proximity of residential properties than is the application site. The proposed relocation of these items to the application site would therefore only improve the residential amenities of nearby properties.

The application site is also very well screened from all nearby residences by hedgerows and tree planting.

The main amenity impact would be on the applicant's own domestic property, Rowley Rest, and this would be wholly beneficial. In particular, the removal of all business-related equipment from within the residential curtilage of this property would greatly enhance its amount and quality of useable amenity space.

On the whole, the proposed change of use will have a positive impact on residential amenity.

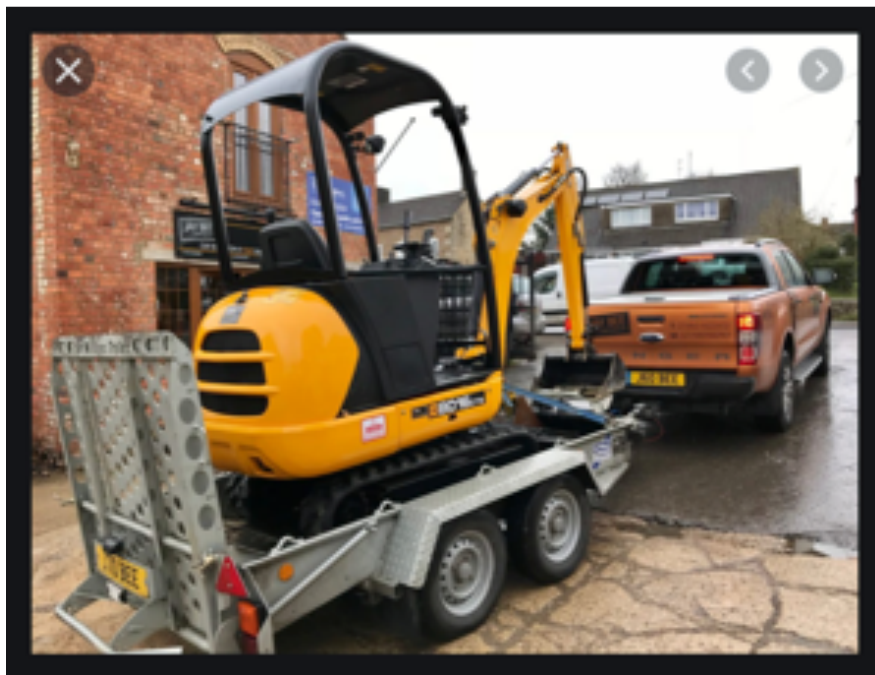
The impact on traffic and highways will be discussed in the next section.

Impact on highways, traffic & the bridleway

No intensification of traffic would occur along Potash Lane, the bridleway or the wider road network as the business's traffic is merely being moved from the applicant's residence (a few yards away) to the application site.

It is anticipated that only 4 total vehicle movements (2 out and 2 in) would occur each day. Those movements will only occur during the socially acceptable hours of 9 am to 6 pm, Monday to Friday. Only on rare occasions would extra, unexpected journeys occur and these would still be limited to only 1 or 2 extra movements per day.

The medium size equipment will be transported out of the application site by medium size vehicles such as a flat bed truck, pick-up truck or 4x4 vehicles. By today's standards, these vehicles are much smaller in size than most contemporary agricultural machinery/vehicles likely to make use of Potash Lane.



Indicative exemple of a mini digger transported by a flat bed pick up truck

As above, these vehicles already make effectively the same journeys, only from the applicant's domestic property a few yards away.

As such, the LPA can be satisfied that the development will not cause any detriment to

the host bridleway, as required by policy RT12.

Is there a generic highways impact policy as well? Could just cover off that it would accord with that.

Conclusion

The proposal will provide a convenient and more appropriate storage facility for the equipment required for the running of the applicant's small-scale and well-established local business.

This development will also materially improve the amenities enjoyed by the applicant's own domestic property and would likewise serve to reduce any negative impact of the business on the amenities of neighbouring residences.

As evidenced throughout this document, no unacceptable harms would be caused to the character, appearance or functioning of the area, including its highways and heritage assets.

Policy FC1 of the Core Strategy Focused review (2012) states that development should be approved if it "improves the economic, social and environmental conditions of the area". It is firmly considered that the development would achieve this, whilst avoiding any material harmful impacts.

In these respects, the development demonstrates due accordance with all relevant local and national policies and permission is consequently due.

The applicants expect the LPA to bring any potential issues arising with the proposal to the attention of Planning Direct at the earliest opportunity, in order that clarifications can be provided and/or solutions agreed where appropriate.