

LAND NORTH OF SKYLARK BARN, MILL ROAD, BROCKLEY IP29 4AR

1.0 Introduction:

- 1.1 This statement is provided in conjunction with the application drawings for the change of use from agricultural land to domestic garden (extending the existing domestic garden curtilage at Skylark Barn, Brockley).
- 1.2 This application is being submitted following the decision at appeal for the land adjacent DC/21/1637/ FUL for a new single storey dwelling.

The proposals are for an infill development on land that was previously agricultural (and part of the same holding as the application site) situated between Skylark Barn (east) and 'Ashlea' (west) on Mill Road.

It comprises of a single storey dwelling set within a generous domestic garden fronting onto Mill Road and extending at the rear into the agricultural land.

- 1.3 In concluding, the Planning Inspectorate found that 'that the proposed development would accord with the development plan for the area when read as a whole.' Specifically, policies DM5, DM27 of the JDMPD and policies CS1, CS4 and CS13 of the SEBCCS and policy RV3 of the RVD.
- 1.4 The outcome of this decision has a material consideration on the case for the extension of the garden at Skylark Barn. It is in this context that this application is being made.



2.0 Planning History:

- 2.1 The dwelling associated with this application, Skylark Barn, is one of two single storey semi-detached dwellings erected under DC/18/2469/VAR
- 2.2 A previous scheme for extending the domestic garden DC/21/0904/FUL change of use from agricultural land to garden space and extend existing fence was approved 21/07/21.
- 2.3 DC/21/0904/FUL was a retrospective application. The works included the erection of a 2m high close boarded fence on the East Boundary.
- 2.4 As part of the application process, the extent of the garden extension was revised following a negotiation with West Suffolk LPA. This mitigated the 2m high fence on the east boundary. The revisions sought to align the rear boundary between the domestic and agricultural land with the general development pattern along the rear of the dwellings along Mill Road (north).
- 2.5 By according with the general development pattern, the proposals to extend the garden were deemed to accord with DM25 of the JDMPD.
- 2.6 The development pattern in the locality has altered as a result of DC21/1637/FUL and as a result the contextual considerations that informed with negotiation in DC/21/0904/FUL have materially altered.
- 2.7 EN/21/0043 is ongoing notice from the LPA. The outcome of this investigation has, with the LPA's agreement, been delayed pending the appeal decision for the land adjacent.
- 2.8 This planning application is being submitted to remedy this situation.

3.0 The Application Site

- 3.1 The application site is a thin strip of land North of the domestic curtilage of Skylark Barn as defined in blue on the site plan.

This curtilage is the approved extent defined by DC/21/0904/FUL

- 3.2 The application site, defined in red, abuts the boundary with Skylark Barn approx. 5m in depth and running the length of the boundary (nom 40m).
- 3.3 The application site is defined as 'Undulating Ancient Farmland' in the Suffolk Landscape Character Assessment (SLCA).
- 3.4 It is situated at the field margin on the southern edge of an extensive arable field marked A on the image below. This field is 'annexed' off an even larger arable field that extends from Mill / Cooks Road in the south to Hawk's Lane north, marked in yellow below.
- 3.5 The prevailing landscape pattern is consistent with the landscape typology assessment given in the SLCA whereby 'the historic pattern of field boundaries has been degraded through 20th century agricultural rationalisation that has resulted in a large number of hedges being removed.'
- 3.6 Aerial images support this character assessment. The remaining landscape features including the woodland part of 'Ashlea' domestic curtilage separates A from the main field, but operationally it's managed as a single entity.



3.7 Within this context the application site:

As a percentage of Field A, accounts for less than 0.25% of the land.

As a percentage of the arable field – as the land is managed and operated, the application site accounts for less than 0.05% and is on the periphery.

3.8 The application site is situated within a wider landscape setting that is defined in terms of quality as Grade 2 under the Agricultural Landscape Categories (ALC).

4.0 Policy Considerations

4.1 DM25 of JDMPD concerns extensions to domestic gardens within the countryside and states that:

“Small, unobtrusive extensions of residential curtilages into the surrounding countryside, which will not adversely affect the character and rural amenities of the site and wider countryside will be permitted where:

- a The development will not involve the loss of the best and most versatile agricultural land;
- b the proposal will not involve the loss of an important hedgerow or other important landscape feature;
- c There will be no significant detrimental effect upon biodiversity interests;
- d that provision is made for suitable landscaping to ensure boundary treatment is of an appropriate rural character and appearance.

4.2 The proposed change of use by extending the domestic garden into the field involves a net change of 0.25% to the land use. The proposal is modest in depth at a nominal 5m and is defined in its width by the existing demise. In this regard the proposals can be considered to meet the definition of ‘small’ in DM25.

4.3 The development of the land due west of the application site and the associated dwelling has changed the settlement pattern and boundary between domestic and agricultural land. Whilst previously the garden to Skylark Barn was bounded by agricultural land to the north and west, the new development alters this configuration. The proposals will join to the corner of the new domestic curtilage adjacent and extend along this line, running parallel with the building massing, but maintaining a similar set back.

4.4 As a result, the proposed extension will not ‘project’ into the field, rather it is set out to follow through with the neighbouring development creating a logical boundary

line across the northern boundary with the field. The proposals are not obtrusive in this regard.

- 4.5 The net impact on the change of use on the application site to the overall operational efficiency of the agricultural land is insignificant. Furthermore, the practical restrictions of the application site's position at the periphery of the field, on an undulating boundary, where C21st farm machinery is unable to optimise productivity, all limit is productivity potential.
- 4.7 It should be noted that in the case of DC/21/1637/FUL (development west of the application site), the Inspectorate found that the scheme complied with DM5 and defacto, does not amount to to the loss of the 'best and most versatile agricultural land'. Nor did the LPA cite the Grade 2 ALC status as a justification for DM5 non-compliance in the reasons for refusal. During the appeal process, neither the Inspector or the LPA raised this ALC grade as matter of interest.
- 4.8 If it was not a material consideration on the site adjacent, then it is even less the case on this application site when considering the proposals in regard to DM25
- 4.9 The change of use in this case will not amount to the loss of the 'best and most versatile agricultural land' and in this respect the policy criteria is complied with.
- 4.10 There are no landscape features of any kind that will be lost as a result of these proposals. In this respect the policy constraints are fully complied with.
- 4.11 The land is used for arable / grain production. This is a monocrop, where the use of pesticides and biocide agents – biodiversity inhibotors - is industry practice. There will be no significant change to biodiversity interests by the change of use proposed.
- 4.9 Paddock timber fencing, 1.2m high forms the rear boundary along the domestic curtilage of Skylark Barn. This was previously agreed as an appropriate boundary treatment as part of the original development DC/17/2482/FUL.
- 4.10 It is proposed that the rear boundary treatment is retained as paddock fencing as this continues to be an acceptable boundary treatment that retains a rural character and appearance.
- 4.11 It is proposed that the 2m high close boarded timber fence that forms the east boundary is removed and the boundary is planted with a British native hedgerow species (evergreen) mix of Hawthorn (*Crataegus monogyna*) interplanted with:
- Hornbeam (*Carpinus betulus*)
 - Dog Rose (*Rosa canina*)
 - Field Maple (*Acer campestre*)
 - Blackthorn (*Prunus spinosa*)

- Wild Privet (*Ligustrum vulgare*)

This native hedging range of species offer visual interest and a varied habitat and food sources for wildlife, enhancing the overall biodiversity interests at large.

4.12 To the West the boundary is created by the development adjacent and forms part of DC/21/1637/FUL.

5.0 Conclusion

The proposed extension of the domestic garden at Skylark Barn complies with all the key criteria of DM25 of the JDMPD and the NPPF. It is small and unobtrusive, does not constitute the loss of '*best and most versatile land*', nor any landscape features. The proposals will actively enhance the biodiversity interests of the site through the planting of native hedgerow species and provide appropriate boundary treatments preserving the rural character.



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