



WILKINSON
PLANNING

Planning Statement

SITE

Land East of Pettaugh Lane, Gosbeck

PROPOSAL FOR

Change of use of agricultural land to equestrian use, including erection of associated stable block and construction of menage

PROPOSAL BY

Miss L Hillyard

April 2023

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1.0 Introduction

- 1.1 This statement is produced for and on behalf of Miss L Hillyard in respect of an application for; Change of use of agricultural land to equestrian use, including erection of associated stable block and construction of menage at Land East of Pettaugh Lane, Gosbeck.
- 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:

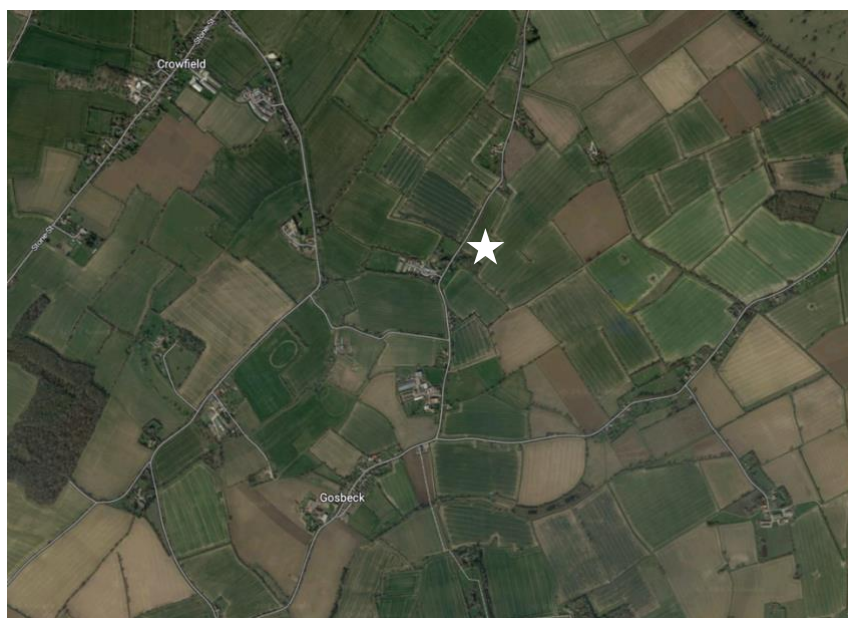


Figure 1.3.1 Aerial View

2.0 Site and Surrounding Area

- 2.1 The application site comprises of Grade 3 agricultural land, located east of Pettaugh lane, Gosbeck. Access is gained into the site via the western boundary from Pettaugh Lane. To the north and east of the site are agricultural fields delineated by mature hedgerows. To the south is a mature woodland, with a small run of residential dwellings south-west. Immediately west is Pettaugh Lane, with agricultural fields beyond.

2.2 The site is located within Flood Zone 1 and is also not vulnerable to pluvial flooding. The site is not located within proximity to any Listed Building nor is it constrained by Conservation Area status. There are no Public Rights of Way (PROW) running through the site. The site is not within a Special Landscape Area (SLA). There are no trees on site protected by Tree Preservation Orders (TPOs). There are no known land contamination issues on site.



Figure 2.2.1 - Site Location Plan

3.0 Proposal

3.1 The proposal is for; Change of use of agricultural land to equestrian use, including erection of associated stable block and construction of menage. The proposed plan provides context:



Figure 3.1.1 - Proposed Site Plan

3.2 The application is supported by a suite of plans and documents including:

- Application Forms
- Planning Drawings
- Planning Statement

4.0 Planning History

4.1 The site has not been subject to any form of planning application submission when assessed against the LPA's planning system.

5.0 Planning Policy

5.1 The National Planning Policy Framework 2021 (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.

5.2 The NPPF is supported by the Planning Practice Guidance (PPG), which assists applicants and decision makers in interpretation the NPPF.

5.3 The site does not fall within an emerging or adopted Neighbourhood Plan area.

5.4 The development plan for Mid Suffolk consists of:

Mid Suffolk Core Strategy Core Focused Review (2012)

- FC1: Presumption in Favour of Sustainable Development
- FC1.1: Mid Suffolk Approach to Delivering Sustainable Development

Mid Suffolk Core Strategy (2008)

- CS2: Development in the Countryside and Countryside Villages
- CS5: Mid Suffolk's Environment



Mid Suffolk Local Plan (1998)

- CL2: Development within Special Landscape Areas
- CL8: Protecting wildlife habitats
- CL21: Facilities for horse riding
- GP01: Design and layout of development
- H16: Protecting existing residential amenity

Supplementary Planning Documents

- Suffolk Parking Guidance (2019)
- Suffolk Design Guide (2000)

National Planning Policy Framework (2021)

- Para 7: Achieving sustainable development
- Para 8: Three dimensions to sustainable development
- Para 11 – 14: The presumption in favour of sustainable development
- Para 47 – 50: Determination of planning applications
- Para 124 – 132: Achieving well-designed places
- Para 85: Local business and community needs
- Para 174: Natural Environment

5.5 The proposed development has been primarily assessed having had regard to core policies FC1, FC1.1, CL21 and GP01.

5.6 This statement will consider other material planning policies in turn.

6.0 Material Planning Considerations

6.1 Principle of Development

6.2 At a local level, development plan policies FC1.1 and CL21 operate inter-alia, with FC1 offering a general presumption in favour of development.

- 6.3 Furthermore, the presumption in favour of sustainable development is set out in policy FC1 of the Development Plan and seeks to replicate the terms of the presumption as found within paragraph 11 of the NPPF. It is clear, therefore, that the presumption is set out within the development plan and, as such, the application of the presumption is not simply weighed as a material consideration within the NPPF but is a consideration against which all proposals must be determined. The LPA cannot choose not to apply it because they consider they have a five year land supply, as that test does not exist in policy FC1. The development plan has primacy and the LPA would be incorrect in law if they chose not to apply it.
- 6.4 Policy CL21 identifies that the use of land for keeping of horses and other equestrian activities is acceptable provided that there is no adverse effect on landscape, wildlife habitat, road safety or residential amenity.
- 6.5 At a national level, 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”*.
- 6.6 Paragraph 85 is intrinsically focussed on supporting a prosperous rural area:
- “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”*.
- 6.7 The proposal site would accommodate 12 no. horses in total, all of which would be kept privately with no commercial or livery element attached to the use.
- 6.8 The management, welfare and maintenance duties include:

- Inspecting stabled horses early morning before the normal working day, during the day and at least twice after the normal working day
- Feeding all stabled horses
- Bedding-down and cleaning out stables
- Checking all horses late at night for any problems and bringing in any horses turned out in controlled environment if poor weather conditions
- Monitoring susceptible horses for signs of colic
- Monitoring all stabled horses for incidents of becoming cast
- Bringing in any horses that are turned out if an air balloon flies over, or there is a sudden thunder and lightning storm (day and night)
- Administering routine treatments and medication with assistance of veterinary professionals
- Checking all stock late at night for any problems and shutting in if poor weather conditions
- Monitoring groups of mares and young stock for signs of bullying
- Changing and dressings and flushing wounds where necessary
- Grassland management operations such as harrowing, rolling, topping and fertiliser spreading
- General maintenance duties

6.9 The applicant is an experienced horse handler with over 40 years' experience in horse care and welfare. The proposal site offers a suitable parcel of land for the proposed end use, which would be managed through strict equine measures. The result would be a bespoke equine site operated on a private basis:

- Total of 12 no. horses (native breeds)
- 1 no. stable block with tack and tea room
- 1 no. menage (unlit)
- Private use only
- Combination of grazing and working use
- Post and rail fencing (electric lines where necessary)
- Siting of 1 no. horse trailer to be used incidentally
- Extensive planting to the eastern and southern boundary

- 6.10 It is not uncommon for agricultural land in rural areas to be used for equine purposes. Certainly, the working of horses on the land is limited, and would be entirely acceptable within the landscape. The proposal would not have a menage, showing equipment or any other form of jumping / equine exercise paraphernalia. The site is purely for field grazing, shelter and light training. The equine element of the scheme is proportionate to the area and does not extend above and beyond the realms of the rural character.
- 6.11 The LPA have been supportive of the principle of development through other applications within the district, including sites in Hemingstone (DC/22/00728) and Akenham (DC/22/03380). The principle of development is therefore robustly supported by policy CL21 and the NPPF, and there is nothing before the LPA to suggest otherwise.
- 6.12 Highways Access, Parking and Safety
- 6.13 Policies T09 and T10, paragraphs 110 and 111 of the NPPF and the supplementary Parking Standards require that all new development will allow for safe and sufficient highways access, including adequate parking provision relative to the scheme proposed.
- 6.14 The proposal utilises an existing site access to LHA standard. On site, a type 1 gravel access driveway would provide sufficient space to allow a vehicle to manoeuvre within the site and re-enter the highway safely. The primary access is suitably set thus not to create unacceptable highways risk and in any event is proposed to be upgraded and improved.
- 6.15 The proposal responds well to local and national policy as well as parking guidance. There is nothing before Officers to suggest the scheme should be refused upon Highways grounds.
- 6.16 Design, Layout and Impact on the Character of the Area
- 6.17 Policies GP01 seeks to encourage good design and layout in new development. The LPA will grant permission for proposals which meet the design criteria. Furthermore, the NPPF places a strong emphasis on good design, in particular through Chapter 12 'Achieving well-designed places' containing a number of policies which can support the delivery of good design and stating that planning decisions should ensure that developments at paragraph 130; "*are visually attractive as a result of good architecture*".

6.18 The scheme harmonises with the character and form of the area and would consist of:

- 1 no. stable block with tack and tea room
- 1 no. menage (sand based)
- 1 no. canopy for feed
- Post and rail fencing to menage
- Devoted parking area with turning space, surfaced with type 1 gravel
- Associated planting to eastern and southern boundary edges

6.19 The proposed appearance of the site would be entirely appropriate and modest within the area, and would result in a scheme which settles and blends within its immediate vicinity, whilst reflecting their functionality. Certainly, the visual appearance of the proposal would not be unacceptable.

6.20 The proposal responds favourably to policy GPO1 of the development plan and Chapter 12 of the NPPF. There is little before the LPA to suggest the scheme should be refused upon design and layout grounds.

6.21 Residential Amenity

6.22 Policy H16 seeks to ensure development harmonises with the amenity of its surrounding areas taking into account privacy, overlooking, outlook, noise, smell, light, visual impact, pollution, daylight and sunlight. Paragraph 130 of the NPPF also holds regard to the protection and preservation of residential amenity, which the scheme wholly delivers.

6.23 The site is suitably set out with appropriate management thus not to create any form of residential amenity harm. The proposed fencing and associated equine use would not impinge upon the private amenity levels of neighbouring property. The location of the built form set towards the south-eastern corner of the site affords appropriate separation distances to neighbouring property. The proposed use, scale, form and layout of the proposal responds well to residential amenity requirements of inter-alia policies.

6.24 Specific mitigation would be applied to prevent nuisance and detriment to neighbouring amenity:



- No burning of waste and manure, all manure is to be loaded and moved off site
- No post mounted lighting
- No more than 12 no. horses on site at any one time
- Flat work only (no jumps)

6.25 The proposal responds favourably to policies H16, CL21 and GP01 and Paragraph 130 of the NPPF. There is little before the LPA to suggest the scheme should be refused upon residential amenity grounds.

6.26 Landscape

6.27 Policy CS05 and CL02 underpin the notion of preserving and enhancing landscape and character areas through appropriate design.

6.28 Whilst it is noted that there is a PROWs nearby north, the proposed landscaping would limit any adverse views from public vantage points. It is difficult to accept that the character of the landscape would be adversely affected. Even if harm were identified from this principally rural operation in a principally rural area, appropriate mitigation has been incorporated and could in any event be applied through condition(s).

6.29 The associated temporary field shelters, stable block, storage barn and driveway would be located around the western and northern edges of the site so as to prevent any dominant or intrusive appearance within the locality and landscape. The site is to remain largely open and undeveloped. The applicant would welcome discussions with the LPA to restrict equestrian paraphernalia noting such paraphernalia was expressed as a potential concern.

6.30 The proposed boundary treatments would be characteristic of the rural locality and other equestrian development within the locality and district. A post and rail fence would be erected around the boundaries of the site, alongside a mixture of hedgerow and trees that will be planted between the highway and post and rail fence abutting Main Road to retain a rural character to the site. It is also noted that immediately adjacent to the site is an existing post and rail fence, which appears subservient within the street scene. The scale and form of

the scheme is designed to generate a limited to low impact upon the surrounding rural locality and would not result in any overriding landscape harm.

6.31 The applicant acknowledges that the site is set within an area of open landscape, however this site is not open when assessed on the ground. The site is not set within any AONB, Conservation Area or National Park, or a high quality agricultural land type. There is nothing which would staunchly oppose the development in landscape terms given the limited constraints identified on the Council's planning constraints map.

6.32 Flood and Water

6.33 The site is not located in a vulnerable flood zone or area, therefore the risks of flooding (pluvial and fluvial) are considered to be low. In any event the site would remain largely undeveloped, and the gravel driveway would be permeable to encourage natural surface water discharge.

6.34 Land Contamination

6.35 There is no known land contamination issue, with an extremely low contamination potential. The site is not considered to present risk to future owner / occupier through land contamination.

7.0 **Planning Balance**

7.1 The proposal seeks planning permission for; Change of use of agricultural land to equestrian use, including erection of associated stable block and construction of menage.

7.2 Policy supports the principle of development with demonstrable social and environmental benefits accruing. The applicant acknowledges the LPAs position concerning planning conditions and welcomes discussion around agreement of conditions.

7.3 The meticulous design and layout is offered in direct response to the open rural locality. The proposal is a wholly deliverable prospect, making effective use of land, without undue harms.



The scheme is robustly supported at a local and national level offering a truly sustainable scheme which is heavily aligned to local and national planning policies.

- 7.4 In light of this, and taking account of all the considerations set out above, it is hoped that the LPA will support this sustainable development by granting planning permission in the terms requested.