



St Edmundsbury
BOROUGH COUNCIL

Development Control Committee 4 February 2016

Planning Application DC/15/1915/FUL Pattles Grove, Chedburgh Road, Whepstead

Date: 12 October 2015 **Expiry Date:** 7 December 2015
Registered: E.O.T agreed

Case Officer: Charlotte Waugh **Recommendation:** Approve

Parish: Whepstead **Ward:** Chedburgh

Proposal: Planning Application – (i) Change of use of land to horse stud farm (ii) Proposed Stables, Barn, Office, Yard, Horse Walker and Lunge Ring (iii) Associated Landscaping and access road as amended by plans and details received 16.12.15

Site: Pattles Grove, Chedburgh Road, Whepstead, Suffolk

Applicant: Pattles Grove Stud Ltd

Synopsis:

Application under the Town and Country Planning Act 1990 and the (Listed Building and Conservation Areas) Act 1990 and Associated matters.

CONTACT CASE OFFICER:

Email: charlotte.waugh@westsuffolk.gov.uk

Telephone: 01284 757349

Background:

This application is referred to Committee following consideration at the Delegation Panel. It was presented to the Panel due to the objection received from Whepstead Parish Council which conflicts with the Officer recommendation of approval.

Proposal:

1. Planning permission is sought for the change of use of land to a stud farm as well as the erection of stables (20 boxes contained within a single block), barn, office, yard, horse walker and lunge ring.
2. The application has been amended since the original submission to remove the proposed parade ring, re-locate the lunge ring and horse walker, add the retention of an existing road and move the entire site further west. Furthermore, a landscape impact assessment has been submitted as well as a proposed landscaping scheme.

Application Supporting Material:

1. Information submitted with the application as follows:
 - Proposed plans and elevations
 - Planning Statement
 - Landscape Impact Assessment

Site Details:

2. The site is located within the settlement of Whepstead (albeit outside the settlement boundary) within a shallow valley which slopes away from Chedburgh Road. Currently the land is used as paddocks and is bounded by a tree plantation to the south, a fenced and hedged boundary to the east and open paddock land to the north and west.
3. Pattles Grove House is located 140 metres to the south and comprises a large two storey dwelling with surrounding paddocks, stables, menage, outbuildings and office. The overall holding comprises 32 acres of land.

Planning History:

4. Various extensions have been approved on the host dwelling in addition to the following applications which are considered relevant to the current application:

SE/09/0957 - Planning Application - (i) Change of use from agricultural land to stud farm; and (ii) two storey extension to Pattles Grove House to form stud worker's annexe without complying with conditions 4,6,7,8 and 9 of SE/04/3745/P – Approved

SE/04/3745 - Planning Application - (i) Change of use from agricultural land to stud farm; and (ii) two storey extension to Pattles Grove House to form stud worker's annexe – Approved

Consultations:

5. Highway Authority: No objection subject to condition.
6. Public Health and Housing: No objection.
7. Rights of Way Officer: No objection.
8. Tree, Landscape, Ecology Officer: (verbally) No objections subject to submission and approval of detailed landscape scheme.
9. Natural England: No comment.
10. Fire and Rescue Service: Offers advice to applicant.

Representations:

11. Whepstead Parish Council: (In response to amended plans) Councillors recognised that some effort had been made to mitigate the concerns raised by the original application and they agreed that it was a better layout than that originally proposed. However, despite the amendments, they still felt that it was an overdevelopment of the site. Concerns were raised about the lighting – and the lack of detail given on the issue. According to one neighbour who already finds the lighting intrusive, there has been no compliance with a previous lighting agreement.

It was also strongly felt that the whole site should be subject to a Section 106 agreement which would tie the whole property together and prevent future splitting. It must surely be required to maintain the commercial viability and use of the site.

12. Letters of objection have been received (to the original and amended scheme) from 3 adjacent occupants raising the following summarised comments:
 - Proposal exceeds covenants
 - Development needs to be close to the farmhouse – livestock supervision
 - Will affect flora and fauna/Tree survey needed
 - Site can flood in heavy rainfall
 - Impact on biosecurity due to adjacent equine uses
 - Why not develop existing facility before new stud? – if combined total of 40 stables used would be over-development
 - Sufficient space for mares within existing site
 - Unauthorised developments within the site
 - Viability
 - Location and construction of muck container
 - Lighting details should be subject to approval
 - No public transport and therefore, how is it sustainable?

- Where is treatment plant outfall?
- A section 106 agreement should be used to prevent future division
- Proposed trees will take min. 5 years to be established
- Not clear how far away from the drive the development is moved

Policy: The following policies of the Joint Development Management Policies Document and the St Edmundsbury Core Strategy December 2010 have been taken into account in the consideration of this application:

13. Joint Development Management Policies Document:

- DM1 Presumption in favour of Sustainable Development
- DM2 Creating Places
- DM5 Development in the Countryside
- DM13 Landscape Features
- DM32 Business and Domestic Equine Related activities in the Countryside

14. St Edmundsbury Core Strategy December 2010

- CS3 Local Design and Distinctiveness
- CS13 Rural Areas

15. Rural Vision 2031

- RV1 Presumption in favour of Sustainable Development

Other Planning Policy:

16. National Planning Policy Framework (2012) core principles and paragraphs 28 (Supporting a prosperous rural economy), 56 – 68 (Requiring good design)

Officer Comment:

17. The issues to be considered in the determination of the application are:

- Principle of Development
- Visual Amenity
- Other Issues

Principle of Development

18. Whilst generally both adopted and national policies seek to restrict new development in the countryside, Policy DM32 offers support to proposals for domestic and commercial equestrian development. This support is offered subject to a number of criteria:

- The size, scale, design and siting (including lighting) does not have an adverse effect on the locality
- Proposals would not result in irreversible loss of most versatile agricultural land
- Proposals should re-use buildings where appropriate with new buildings located in or adjacent an existing group of buildings and have minimal visual impact within the landscape
- Landscape mitigation measures are included

- There is no significant detriment to residential amenity
- There is appropriate parking and access and traffic movements do not compromise highway safety
- Sufficient land is available for grazing and exercise
- There is a satisfactory scheme for the disposal of waste
- Where a new equine use is proposed with no dwelling available proposals must demonstrate site selection procedure and arrangements for animal supervision
- There is no significant detriment to biodiversity or surrounding landscape.

19. In this case, the site currently has an equine use with the land in question being used as paddocks. Planning permission has previously been granted for stud use in 2004 and 2009, however, neither of these permissions were implemented. Whilst the use of the site was previously considered acceptable these applications have now expired and this use therefore, needs to be examined again. In this case, policy, DM32 is largely supportive of the principle of new equine uses and the acceptability of the proposal relies largely on the landscape impact of the scheme, which is considered below.

Given the above policy and the support given to rural enterprise by the NPPF the proposal is considered acceptable in principle subject to compliance with the remaining policies as listed above.

Visual Amenity

20. Policies DM32, DM2 and DM5 seek to ensure development does not adversely affect surrounding landscape and mitigation measures are included within schemes where appropriate.

21. A landscape impact assessment has been submitted to support the application and provides public viewpoints of the site from near distance, middle distance and long distance, including public footpaths, in order to assess the potential impact of the development. As described within this assessment views of the site are constrained by the surrounding topography which includes a series of ridges enclosing the site on three sides, in addition to boundary vegetation this gives rise to a relatively small visual envelope. On this basis, the limited viewpoints where the site is visible it is generally filtered by vegetation. The assessment concludes that the landscape character of the area, which is undulating ancient farmland, is able to accommodate development, provided that additional landscaping and tree retention is ensured. This has informed amended plans which detail a 15 metre tree belt between the east boundary of the application site and the access drive to Plumpton Hall. A further line of trees is indicated to the north of the buildings offering filtration of short range views and the horse walker and lunge ring have been re-located.

22. The tallest building proposed is 5.8 metres in height, when this is considered against the drastic change in land levels with the site itself approximately 9 metres lower than Chedburgh Road to the north, the development will not be visible from this public highway.

23. Several trees were removed prior to the submission of this application. These trees were not protected by any preservation order and as such, there is no objection to these works. A survey has been undertaken of adjacent notable trees and root protection areas identified. A condition will be imposed on any approval ensuring tree protection measures are adhered to and landscaping is appropriate. With this mitigation it is considered that the proposal will have a very limited impact on the landscape character of the area.
24. The overall layout of the site is considered appropriate; the buildings proposed are typical of this type of development comprising shallow pitched roofs with timber boarded elevations and corrugated sheet roofs with the use of clay pantiles for the office. The scale, appearance and clustered form of these buildings is considered acceptable and appropriate in this rural location. Whilst the facility proposed is not planned immediately adjacent to existing development at Pattles Grove, it is close to the site and due to its position within a corner of the paddock does not result in a large array of isolated buildings.
25. External lighting has the ability to disrupt the rural nature of an area and provide disturbance when it is not adequately directed and controlled. In order to ensure a sensitive scheme is implemented this will be controlled by a condition requiring details to be submitted to and approved by the Local Authority prior to installation.

Other matters:

26. Neighbouring residents have expressed concern regarding biosecurity and the ability for cross contamination between sites due to the close proximity of the site to adjacent equine facilities. Whilst understandably this is a serious issue, the area already accommodates horses right up to the boundary with the access road to Plumpton Hall and further paddocks on the opposite boundary. Therefore, as a result of this development the horses are not moving any closer to adjacent sites. Certainly no business, whether newly established or not wants to suffer the risk of infection. The site already works with a vet and they will be retained to advise on these matters. A condition is recommended to agree a waste strategy for the site, however, these concerns are not considered sufficient to warrant refusal of the application.
27. The highway authority has confirmed that they are satisfied with both the existing access and parking provision proposed subject to the imposition of a condition.
28. In terms of the ability to provide care and supervision to the horses on site; Pattles Grove House is 140 metres away and easily accessed by a bridge over the stream. Furthermore, closed circuit television covers the entire site and provides the owner with constant access to the sites' activities. It is unlikely that a greater level of supervision would be achieved by a dwelling on-site and as such, no objections are raised in this regard.

29. Whilst a section 106 agreement has been requested by the Parish Council and neighbouring occupants to ensure the site is not sub-divided this is not considered appropriate. The application concerns the erection of buildings rather than a change of use and as such, tying the use of the whole site to these buildings is outside of the scope of the application. On this basis, it does not meet the tests required for S106 legal agreements. Furthermore, the NPPF states that planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition. In this case, the scheme is not considered unacceptable in this regard.

30. Issues raised regarding covenants are not material planning considerations. Additionally, enforcement enquiries within the site are being dealt with independently to this application and do not impact on its determination.

Conclusion:

31. In conclusion, the principle and detail of new stud buildings within the rural area is considered acceptable given their scale, form and sunken position. The accompanying documents show that the surrounding landscape will not be adversely affected by the proposal and on this basis, the development is considered to comply with development plan policies and the National Planning Policy Framework.

Recommendation:

It is **RECOMMENDED** that planning permission be **Approved** with the following conditions:

1. Development to commence within 3 years
2. Prior to commencement of development hereby approved details of the proposed landscaping works shall be submitted to and approved in writing by the Local Planning Authority. The landscaping plan shall be drawn to a scale of not less than 1:200 and include planting plans; schedules of plants noting species, plant sizes and proposed numbers/ densities as well as tree protection measures. The approved scheme of soft landscaping works shall be implemented not later than the first planting season following commencement of the development (or within such extended period as may first be agreed in writing with the Local Planning Authority). Any planting removed, dying or becoming seriously damaged or diseased within five years of planting shall be replaced within the first available planting season thereafter with planting of similar size and species unless the Local Planning Authority gives written consent for any variation.
3. No external lighting shall be provided on the application site unless details thereof have first been submitted to and approved in writing by the Local Planning Authority.

4. Use of the development hereby approved shall not commence until a waste strategy for the site has been submitted to and approved in writing by the Local Authority. The strategy should include details of the removal of waste from the site including storage, frequency and removal methods.
5. Use of the development hereby approved shall not commence until the area within the site shown on plan no. 1507-PA1/E for the purposes of parking and manoeuvring of vehicles has been provided and thereafter that area shall be retained and used for no other purpose.
6. The development shall be carried out in accordance with plans.

Documents:

All background documents including application forms, drawings and other supporting documentation relating to this application can be viewed online.

<https://planning.westsuffolk.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=NUVPBEPDKI600>