



St Edmundsbury
BOROUGH COUNCIL

DEV/SE/18/043

Development Control Committee 6 December 2018

Planning Application DC/18/1018/FUL –
Land at Queens Hill, Chevington

****THIS APPLICATION HAS BEEN WITHDRAWN BY
OFFICERS****

Date Registered:	25.05.2018	Expiry Date:	24.08.2018 (EOT 7.12.18)
Case Officer:	James Claxton	Recommendation:	Approve Application
Parish:	Chedburgh / Chevington	Ward:	Chedburgh
Proposal:	Planning Application - (i) change of use of site from agriculture use (Sui Generis) to equine educational establishment (Class D1); (ii) conversion of existing agricultural storage barn to stables, tack room and storage; (iii) 1no. manege; (iv) 1no. rural worker's dwelling and (v) 1no. classroom building		
Site:	Land at Queens Hill, Chevington		
Applicant:	Ms Julie Brega - The Open College Of Equine Studies		

Synopsis:

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

Recommendation:

It is recommended that the Committee determine the attached application and associated matters.

CONTACT CASE OFFICER:

James Claxton

Email: James.Claxton@westsuffolk.gov.uk

Telephone: 01284 757382

Background:

The application is reported to the Development Control Committee at the request of local Ward Member Mike Chester (Chedburgh) given the level of public interest in the proposal.

Proposal:

1. The proposal comprises of 5no. elements as listed below.

- (i) Change of use of site from agricultural use (Sui Generis) to equine educational establishment (Class D1)

The change of use covers the entire site which is approximately 6.80 hectares in area. As detailed in the "Planning Statement and Definitive Statement of Operations" the proposed equine educational establishment specialises in the delivery of courses relating to; equine management, equine science, equine therapy and equine veterinary nursing courses via tutor-supported e-learning.

The courses run from a foundation level through to advanced, using a similar learning model to the Open University. There are online tutor-supported studies using for example e-learning materials, combined with live and pre-recorded webinars and online lectures. The courses are also supported by practical and clinical skills study days which provide tutorials, lectures and practical sessions. The delivery of those practical and clinical study days are proposed to be delivered from this site.

- (ii) Conversion of existing agricultural storage barn to stables, tack room and storage

As detailed on the drawing Conversion to barn - Proposed plans and elevations referenced 1718-201 REV B, no extensions to the existing building are proposed. The extent of the works would be limited to the internal works to provide a mezzanine level for storage, tack room and 11 loose boxes on the ground floor with space to store a horse box.

A new roller door is proposed on the southern elevation, and a replacement roller door on the north elevation, both with grating along the bottom. A new window is proposed on the second floor of the southern elevation, and two further windows are proposed on the ground floor of the west elevation.

- (iii) 1no. manege

The ménage as detailed on drawing 102 REV B titled ménage plan and Construction Notes measures approximately 40 metres in length by 25 metres in width, with post and rail fencing. A woven membrane material is proposed, forming the base and sides which are approximately 0.80m high, to retain the surface materials in the event of flooding. The proposed surface materials are waxed silca sand (10cm) with 5cm of top surface over laid. No flood lighting is proposed.

2. The following elements of development are proposed to be delivered as a single building which is roughly "n" shaped. Proposed materials are Pan roof tiles, Black weather timber boarding over brick plinth, with uPVC windows

and doors. The first leg of the “n” is approximately 7m wide by 14.3m long and contains the accommodation for the rural workers dwelling. The span between the two legs is approximately 17.6m across the base and 10.5m wide for the internal width. The second leg is approximately 11.9m wide by 18m long and contains the rooms associated with the educational use of the site.

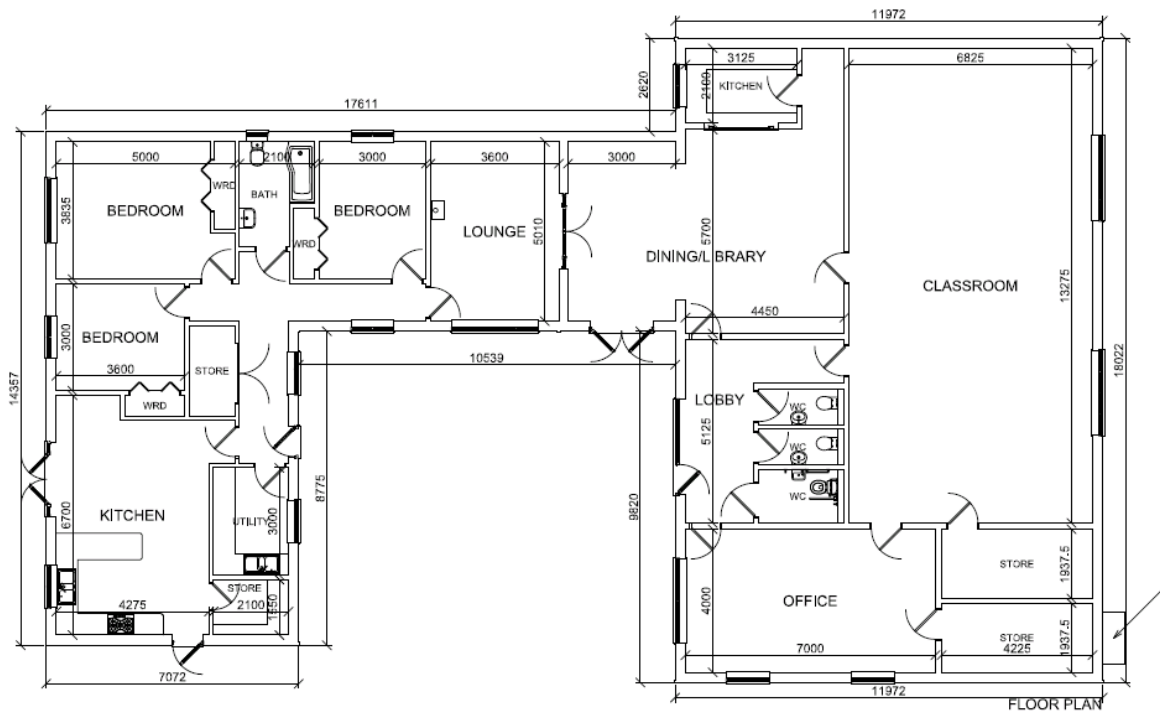
(iv) 1no. rural worker dwelling

The rural workers dwelling forms the most southerly part of the building, and consists of 3no. bedrooms, kitchen, utility room, bathroom and lounge.

(v) 1no.classroom building

The educational element of the building consists of the classroom, 2no. stores, office, lobby area with toilets, combined dining and library, and kitchen.

The drawing below shows the layout of the building for elements (iv) 1no. rural worker dwelling and (v) 1no.classroom building, and provides dimensions for the rooms and the building.



Application Supporting Material:

3. As listed in the definitive document list:
 - Application Form
 1. Definitive Document List
 2. Location Plan
 3. Existing Block Plan
 4. Site Location Layout Plan
 5. Access Plan and Improvements

6. Visibility Splay Drawing
7. Multipurpose Building Plan
8. Ménage Plan and Construction Notes (2)
8. Flood Risk Assessment (Addendum to Menage Plan)
9. Existing Building (Barn Floor Plans and Elevations)
10. Proposed Barn Conversion
11. External Lighting Plan (2)
12. Signage Plan
13. Equine Planning Solutions Planning Statement
- 13a. Planning Statement and Definitive Statement of Operations
14. Topographical Survey
- 14a. Finished Slab Levels
15. Alternative Premises - Search Evidence and Rationale
16. Rural Enterprise Dwelling Appraisal
- 16a. R Payne MRCVS Letter of support for Rural Enterprise Dwelling Appraisal
- 16b. R Frost MRCVS Letter of support for Rural Enterprise Dwelling Appraisal
17. Landscape and Visual Impact Assessment (May 2018)
- 18a. Professional Landscaping Scheme and Schedule of Species
- 18b. Landscaping Scheme and Schedule of Species (2)
19. Ecology Report
20. Ecology Report GCN
21. Ecology Report Reptile
22. Transport Statement
23. and 24. Transport and Highways Supporting Document
25. Flood Risk Assessment
26. Land Contamination Survey Report
- 26a. Land Contamination Appendix A1
- 26b. Land Contamination Appendix A2
- 26c. Land Contamination Appendix B
27. Value of TOCES' Business to the Local Rural Economy
28. UKPN Electricity Supply Construction Plan Not required
28. Site Drainage Plan
29. The Jockey Club
30. Rosssdales Equine Hospital and Diagnostic Centre
31. Hawkedon and Homefield Vets Ltd
32. The British Racing School

Drawing detailing piped bund

Ecology report for Non-Licensed Method Statement Greater Crested Newts

Summary and context of The Open College of Equine Studies business.

4. The proposed use for the site is for an equine education centre that provides courses on equine science and management. The Open College of Equine Studies (TOCES) was established in 1988, and provides training to those already employed, or aspiring to work, within the equine industry. This established and local business is seeking to relocate from rented premises in Higham due to the constraints that this imposes on the business because of limited accommodation and field space. Activities that would be happening on the site are office administration, study weeks, and horse management.
5. Further investigation confirms that the endorsements and accreditation for the standards of the education courses detailed within the planning

statement, which include The Royal Veterinary School, Lantra, Register of Animal Musculoskeletal Practitioners Recognised Education Provider, Pearson Edexcel BTEC, The British Horse Society, Accreditation Committee for Veterinary Nurse Education, and City and Guilds, are up to date and current.

6. The courses cover topics such as equine management, equine science, equine therapy and equine veterinary nursing courses, using tutor-supported e-learning akin to the model used by the Open University, with some courses requiring practical and clinical skills tuition via attendance at study days.
7. As stated in the "Planning Statement and Definitive Statement of Operations" courses/programmes are the training programmes that lead to the award of the qualification, and are not study weeks. Study weeks are four day blocks of attended practical training which form part of some courses/programmes. For example the training programme that leads to the award of the City and Guilds Level 3 Diploma in Veterinary Nursing (the course) includes nine four-day study weeks. Study weeks generally run for four days, Monday to Thursday or Tuesday to Friday. Students attend lectures based in the classroom where clinical and laboratory skills are learnt and practiced. Some courses do not have study weeks, and they are studied only via tutor-supported e-learning.
8. TOCES is currently providing training to equine related groups such as the Ministry of Defence's Equine Veterinary Nurses of the Royal Army Veterinary Corp, the Household Cavalry, University of Edinburgh Royal School of Veterinary Studies, Rossdales Equine Hospital, Newmarket Equine Hospital, the Animal Health Trust, Department of Veterinary Medicine, Cambridge Veterinary School (University of Cambridge) and the Royal Veterinary College.

Site Details:

9. The site is located approximately 1.3km to the east of Chevington, on the southern boundary of Queens Lane. The site has an area of approximately 6.80 hectares, and consists of three areas, two are fields of cultivated grassland of roughly equal size which represent the main area of the site. Both fields have mature hedgerows along their external boundaries. Across the middle of the site is a boundary formed from a loose and sparse row of trees. The mature hedgerows are continuous and extend around the entirety of the site broken by single field gates for each field providing access from Queens Lane. The third section of the site is located on the north eastern boundary of the site, and consists of an access, drained hardstanding area, agricultural building and ponds. In the north eastern corner is a pocket of trees. The road known as Queens Hill runs along the northern boundary from west to east, and in this immediate location marks the southern edge of the Special Landscape Designation in this area. The main access for the site is also from Queens Hill and is located in the north eastern corner of the site.
10. The immediate area around the site consists of agricultural fields. Scattered around the site are dwellings. The following distances are measured in a straight line from the centre of the agricultural building located on the site. To the north at a distance of approximately 235 metres is a single dwelling known as Shoemeadow Cottage (Grade II heritage asset). At a distance of

approximately 400 metres to the east is a loose collection of four dwellings known individually as Weathercock Farm, Weathercock Hill House (Grade II heritage asset), Braziers Barn, and Braziers farmhouse (Grade II heritage asset). To the west of the site at a distance of approximately 250 metres, is a small pocket of five dwellings which follow Queens Lane and Queens Hill. Three dwellings run south to north along Queens Lane. This row of dwellings starts with the dwelling known as Ufford, then heading north, Mallaby House, and Kings View. Two further dwellings are located facing onto the road known as the Old Post Office road which heads west towards Chevington, and are known as Easter Cottage and Fieldside Cottage.

11. The village of Chevington is approximately 1km north west of the site, and the site sits on the parish boundary between Chedburgh and Chevington.
12. The site is located at the bottom of a "u" shaped valley, the western flank is convex in profile, and the eastern flank is of a similar profile albeit slightly flatter. Within the site area there is approximately 10metres height difference between the lowest section of the site along the eastern boundary, and the highest point along the western boundary as it follows Queens Lane.
13. The diagram below is taken from the authority's GIS and details an aerial view of the site which is outlined in red.



Key



Address points



Special Landscape Area.

Existing development on site

14. There is an existing building on site approved under application referenced SE/10/1075 with an associated area of hardstanding. In association with this is an existing access approved under application referenced SE/07/1590.
15. The existing building is approximately 8.4 metres high at the ridge, 5.7m at the eaves, 24.8m long and 18.4m in width, and is constructed from metal cladding. The building orientated along its ridgeline is roughly north south, with a roller door and separate pedestrian door on the northern elevation.

Planning History:

16. SE/07/1590 – Planning Application - Construction of agricultural access onto a Class C highway – Approved

SE/10/1075 - Determination in Respect of Permitted Agricultural Development - Erection of 18m x 24m building for the storage of hay and machinery – Approved

DC/17/1267/FUL - Planning Application - (i) Change of use of site from agricultural use (Sui Generis) to equine educational establishment (Class D1); (ii) conversion of existing agricultural storage barn to stables, tack room and storage; (iii) 1no. manege; (iv) 1no. rural worker dwelling (v) 1no. classroom building. As amended by the definitive list of drawings and reports received 13th March 2018 – Application Withdrawn

Consultations:

17. Ecology and landscape Officer

Comments submitted for assessment of previous application DC/17/1267/FUL still apply, however objections have been removed due to the submission of supporting detail in this application. As confirmed in discussions with the Ecology and landscape Officer on the 15.11.2018.

18. Environment Agency

Comments received 15.10.2018

No objections, recommend conditions securing flood plan, and that mitigation measures listed in the FRA and Ménage plan are adhered to.

19. Environment Team

Comments received 25.06.2018

No objections, no conditions recommended.

20. Highways

No objections, recommend conditions securing parking, advanced warning signs, a bus stop, vehicular access to the appropriate standards, the use of bound surface materials, locations for bin storage, submission of details for works associated with the ditch under the access, details of the position of

any gates located within the access, the submission of a construction and deliveries management plan, provision of cycle storage, and the creation of appropriate visibility splays.

21. Kernon Countryside Consultants limited

- There is a marginal functional need for a resident worker, based on the information provided. As previously mentioned in our appraisal of DC/17/1267, there may be other benefits from a resident worker relating to the overall running of TOCES. The Applicant's proposals have evolved since the original application, to increase the number of horses stabled on-site. It remains unclear however, whether and to what extent there will be foaling on site each year. Were there to be more than one mare foal down a year, this would significantly increase the argument for a resident worker
- Overall, we conclude that an essential need for a resident worker will exist;
- No other dwelling can meet that need;
- The overall TOCES enterprise is established and viable. The horses are part of the TOCES enterprise, and whilst they are not commercially viable in their own right, they are a key part of TOCES;
- The siting is acceptable;
- The size and nature of the proposed dwelling is commensurate with the needs of the enterprise concerned.

22. Planning Policy

Comments submitted for assessment of previous application DC/17/1267/FUL still apply, which detail no objections.

23. Public health and Housing

Comments received 11.06.2018

No objections, recommend conditions securing hours of construction, prohibition on burning of waste materials on site, acoustic insulation of dwelling.

24. Natural England

Comments received 11.10.2018 - Natural England has no comments to make on this application.

25. Suffolk Wildlife Trust

Comments received 05.07.2018

Any new planting should be comprised of native species.
Proposed bird boxes to be mounted on mature trees rather than buildings
Submission of surveys for:

- Greater Crested Newts
- Badgers

Recommendations made within the ecological survey reports are implemented in full, via a condition of planning consent

Comments received 18.10.2018

Request the submission of further assessment in relation to Great Crested Newts resulting from proposed works to bund.

Great Crested Newt Method Statement submitted by applicant 12.11.2018

Comments received 15.11.2018

No objections. Recommend condition securing all of the recommendations in the Ecological reports submitted as part of the application.

26.Surface Floods and Water

Comments received 08.10.2018

Holding objection, but only in relation to flooding matters, which are within the remit of the EA, and which have been resolved to the EA's satisfaction - recommend conditions securing submission of a surface water drainage scheme for site, including infiltration testing and modelling, and management and maintenance plan for site.

27.Strategic Housing

No contributions required.

Representations:

28.Chevington Parish Council

Comments Received 22.06.2018 – Object:

- Traffic
- Flooding
- Business working anti-social hours
- Provision of appropriate access
- Impacts on landscape and environment from development
- Potential impacts on bus service

Comments Received 12.10.2018 – Neutral:

The Council were discussing the new amendment to the flooding situation and managed to have a useful discussion with both parties. However, the Council felt that they could not make a decision for or against the amendment as they did not have sufficient technical knowledge and agree that Suffolk County Councils' Flood and Surface Water Engineer probably had more of an idea and he had liked the changes.

29.Chedburgh Parish Council

Comments Received 16.08.2018 – Support:

- Subject to the implementation of the relevant recommendations of the Environment Agency concerning flood risk mitigation being included as conditions in any approval granted by the planning authority.

- Noted the level of concern amongst residents relating to existing road safety along the stretch of Queens Hill from the junction with Queens Lane to beyond the bend on Weathercock Hill. Request reduction in the speed limit on Queens Hill to 30mph.

Comments Received 09.10.2018 – No objections subject to consultation Responses.

As you are aware, the Parish Council considered the original application in August and resolved to support it, subject to the implementation of the relevant recommendations of the Environment Agency concerning flood risk mitigation being included as conditions in any approval granted by the planning authority.

I understand that the amendment to insert pipe work through the bund, to counteract the water retaining effect that it might otherwise have, arises from advice from the County's Flooding Officer. I also understand that the whole flood- mitigation strategy will now be re-assessed by the relevant agencies and that their comments will form part of the Planning Authority's considerations. That being the case (and I would be grateful if you would advise me if any part of my understanding is incorrect) further consideration by the Parish Council is unnecessary as this eventuality is covered by its previous response.

Accordingly I would simply reinforce the Parish Council's previous response, and re-state for clarity, that the application has the Parish Council's support, subject to the relevant recommendations of the Environment Agency concerning flood risk mitigation being included as conditions in any approval granted by the planning authority.

30. Comments were received from the addresses detailed below, and the material planning considerations detailed in them have been summarised and bullet pointed below. Full copies of those representations are available and can be viewed on the Local Planning Authority's website.

31. Neighbour responses:

BRAZIERS FARMHOUSE	Object
22 GRANGE MILL	Object
WEATHERCOCK HILL HOUSE	Object
HIGHBURY COTTAGE	Object
16 GRANGE MILL	Object
CEDAR COTTAGE	Object
FIELD SIDE COTTAGE	Object
2 HARGRAVE ROAD	Object
CLOCK COTTAGE	Object
UFFORD	Object
KINGS VIEW	Object
MALLABY HOUSE	Object
RIDGEMOUNT	Object
ROWAN HOUSE	Object
22 MAJORS CLOSE	Object
CONAMORE HOUSE	Object
WEATHERCOCK FARM	Object

LAVENDER COTTAGE	Object
MAJORS	Object
CONAMORE HOUSE	Object
HOLLY COTTAGE	Object

32. Objections related to the following:

- Road safety – roads are narrow and dangerous. There are increased risks of further accidents from additional cars and larger vehicles resulting from this proposal using this road, especially during periods of bad weather. In addition to the speed of traffic along this section of road which includes blind corners.
- Traffic and construction traffic will cause further movement difficulties on Queens Hill.
- Landscape impacts due to inappropriate or inadequate landscaping, risks on the setting of the National Trust Obelisk and grounds, and the Special Landscape Area.
- Impacts to bus service which has indicated concerns about the route and existing traffic using the road.
- Flood risks rising from the sections of the site being in flood zone 3, in addition to the existing surface flood that is experienced on the site. Lack of information submitted with the application detailing data that models flood impacts created by the proposal.
- Contamination to land and wildlife, and the river Linnett which
- Impact on shops in current location of proposal
- Legality of existing building which has not been erected in accordance with its planning permission which details open sides rather than closed, and was previously used for a commercial rather than agricultural business.
- Impacts on neighbouring amenity resulting from the proposed use of the site and its associated operating hours.
- There are alternative sites available for this business to move to.
- Site does not have access to mains sewer, and an onsite treatment system will be required.

2 GRANGE MILL	Support
---------------	---------

33. Support

One letter of support was received from 2 Grange Mill:

- Provides employment for young people
- The proposed business activity is entirely consistent with existing local businesses of agriculture and a number of small studs in the village.

34. A letter was received from Stephenson's of Essex who run the local bus company which has been summarised below:

- Pleased my original concerns regarding large vehicle movements from the property impacting on our bus service in the area have been taken on board.
- Current issues along road with other large vehicle road uses.
- How will vehicle movements be managed and will someone be appointed to be contactable if issues arise with vehicles using the site.
- Concerns regarding the viability of the bus service due to ongoing and previously experienced problems.

35. Further letters of support have been received from local businesses which have been summarised below.

RosSDales Veterinary Surgery	<p>Support</p> <ul style="list-style-type: none"> • Excellent fit and could certainly add value to the attraction and appeal of Newmarket as a centre of equine excellence. • Supporting an equine educational facility which ultimately improves the supply of knowledgeable qualified and experienced personnel would be a benefit to our local equine community.
Hawkedon and Homefield Vets	<p>Support</p> <ul style="list-style-type: none"> • Continued need for colleges such as TOCES to provide distance learning for the equine industry. • College has so far managed in rented premises but the needs of an equine college are so specific and so far have not been fully accommodated by landlords.
Jockey Club	<p>Support</p> <ul style="list-style-type: none"> • Two main equine veterinary practices in Newmarket (RosSDales and Newmarket Equine Hospital), have both been involved in courses run by the College. • Jockey Club Estates is satisfied that the applicant provides training services that have been beneficial to the Horseracing Industry.

36. Representation letters

The following letters were received and have been categorised as representation letters because they have been submitted on behalf of clients objecting to the proposal.

Sound Footing	<p>Object</p> <ul style="list-style-type: none"> • The location of the proposed arena is at the most vulnerable zone of the site. This is by no means an ideal location for this type of installation. • The construction of the arena, including the permanent fencing and other materials which are deemed porous will have to impede the flow of water on the site. • It is recommended that an investigation is made regarding the drainage efficiency of the existing hardcore base to meet the requirements of such an installation. • Not only porous materials are included in the installation process. • Confirmation is required that the surface additives are all environmentally friendly if submerged in water, with no leachates.
---------------	--

Winthrop Planning	<p>Object</p> <ul style="list-style-type: none"> • Existing buildings on site unlawful. • Re-use of existing building does not use it to its full potential • Evidence of completed searches for other dwellings not comprehensive. • Inaccurate information submitted in support of the application • Further assessment of site drainage and the impacts on the wider area required. • The consultation process has failed to adequately inform local residents and consultee's. • The proposal is contrary to adopted planning policy
GH Bullards	<p>Object</p> <ul style="list-style-type: none"> • Increase in traffic and impacts on road safety. • Inaccuracy in number of predicted vehicle movements. • Provision of bus stop. • Provision of parking on site.
Christy Kilgour	<p>Object</p> <ul style="list-style-type: none"> • There are not enough horses to meet the essential need for a rural workers dwelling. • The premises are not currently equipped with suitable facilities to undertake a breeding operation. • Generated traffic levels • Environmental implications of the flood zone 3 designation • Alternative accommodation is available • The design of the stables is heavily compromised by the re-use of the existing barn. • Impacts of manége and risk of flooding
Suffolk Preservation Society	<ul style="list-style-type: none"> • Impacts to landscape and rural location from development. • Increase in traffic movements

37.A local petition was also received detailing the names and addresses of 69 properties, however this has been treated as one representation. The objections detailed on the petition have been summarised as follows:

- Increased traffic through the parish of Chevington.
- Building on a green field site, and visual and physical impacts to environment
- Increased flood risk.
- Impacts to local bus service

Policy:

38.The following policies of the Joint Development Management Policies Document, the St Edmundsbury Core Strategy 2010, the Rural Vision 2013 documents have been taken into account in the consideration of this application:

39. Joint Development Management Policies Document:

- Policy DM1 – Presumption in Favour of Sustainable Development
- Policy DM2 – Creating places
- Policy DM5 – Development in the Countryside
- Policy DM6 - Flooding and Sustainable drainage
- Policy DM7 – Sustainable Design & Construction
- Policy DM11 – Protected Species
- Policy DM12 - Mitigation, Enhancement, Management and Monitoring of Biodiversity
- Policy DM13 – Landscape Features
- Policy DM14: Protecting and Enhancing Natural Resources, Minimising Pollution and Safeguarding from Hazards
- Policy DM22 – Residential design
- Policy DM26 - Agricultural and Essential Workers Dwellings
- Policy DM32 – Business and Domestic Equine Related Activities
- Policy DM33 – Re use or Replacement of Buildings in the Countryside
- Policy DM45 – Transport assessments and travel plans
- Policy DM46 – Parking Standards

St Edmundsbury Core Strategy December 2010

- Policy CS2 – Sustainable development
- Policy CS4 – Settlement Hierarchy and Identity
- Policy CS13 – Rural Areas

Rural Vision

Policy RV1 Presumption in Favour of Sustainable Development

Other Planning Policy:

39. NPPF 2018. The NPPF was revised in July 2018 and is a material consideration in decision making from the day of its publication. Paragraph 213 is clear however that existing policies should not be considered out-of-date simply because they were adopted or made prior to the publication of the revised NPPF. Due weight should be given to them according to their degree of consistency with the Framework; the closer the policies in the plan to the policies in the Framework, the greater weight that may be given. Where there is general alignment then full weight can be given to the relevant policy. Where there is less or even no alignment then this would diminish the weight that might otherwise be able to be attached to the relevant Policy. The policies used in the determination of this application are considered to accord with the revised NPPF and are afforded full weight in the decision making process.

Officer Comment:

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

- Principle of Development
- Design and layout
- Amenity
- Highway safety
- Landscape
- Flooding
- Ecology
- Land Contamination

- Other matters
- Use of building on site.

Principle of development

41. Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that applications must be determined in accordance with the plan unless material considerations indicate otherwise. Within this plan-led system, at the heart of the National Planning Policy Framework (NPPF), there is a presumption in favour of sustainable development. Whilst this does not change the statutory status of the development plan as the starting point for decision making, it is an important material consideration that carries significant weight in the planning balance.
42. The application site is located approximately 900m east of Chevington which is defined in policy CS4 as an Infill village. However the site is located outside of the settlement boundary, in the countryside as defined in the Core Strategy.
43. Given the countryside location, key considerations in the determination of this proposal are set out in the provisions of policies DM5 and DM32. Policy DM5 states *"...areas designated as countryside will be protected from unsustainable development. A new or extended building will be permitted, in accordance with other policies within this Plan."* Relevant in the assessment of this proposal is criteria C of that policy which states where development is for *"...development relating to equine related activities and the horse racing industry"*. Policy DM32 sets out the considerations for business and domestic equine related activities in the countryside. The following assessment is made against those policies with relevant criteria stated in brackets.
44. Furthermore policy DM32 provides further assessment on the characteristics of proposed development, and where appropriate additional assessment of the criteria within DM32 are provided in the relevant sections of this report as detailed in the issues to be considered in the determination of the application.
45. It is considered that the proposal meets the requirements as set out in criteria C of DM5, as it is an equine related activity which is inherently rural in character that in itself would help maintain and manage the countryside which is a principal element of the character of West Suffolk. This is due to the size, scale, design and siting of new development not having a significant adverse effect on the character and appearance of the locality. This same consideration is assessed under criteria (a) of policy DM32. Further assessment of the proposal against this criteria has been made in the sections of this report titled "Design and Layout" and "Landscape".
46. In addition to that, criteria E of DM5 states that *"...a dwelling for a key worker essential to the operation of agriculture, forestry or a commercial equine-related business in accordance with the requirements of Policy DM26"* will also be permitted. This element of the proposal is addressed in the section below titled "Rural Workers dwelling".
47. Policy DM5 also provides support for proposals for economic growth and expansion of all types of business and enterprise that recognises the intrinsic

character and beauty of the countryside. Specifically detailing that there should be no significant detrimental impact on the historic environment, character and visual amenity of the landscape or nature conservation and biodiversity interests. These remaining considerations are assessed in further detail in the sections of this report titled Landscape, and Ecology. In regards to historic environment, there are no archaeological records or buffer zones effected by the proposal. The nearest heritage asset is Shoemeadow Cottage (Grade II) located to the north of the site, however given the distances between this dwelling and the site, and the intervening topography and vegetation, it is considered that there would not be any significant impacts to its character or setting.

48. Policy DM5 also provides further support to the proposal where development would not result in the irreversible loss of the best and most versatile agricultural land. Whilst the site has an Agricultural Land Classification of grade 2, the proposal is not considered to result in the significant irreversible loss of agricultural land, which is a requirement detailed in policy DM5. This is because the built development is located and contained within the north east corner of the site. The new building has a footprint of approximately 374 metres² which would result in the loss of agricultural land, however this would represent a loss of a very small proportion (0.55%) of the entire site. The ménage has a foot print of approximately 1000m² however it is located on top of the existing drained hard surfaced area, and its construction does not involve the loss of agricultural land. The remainder of the site is subject to a change of use from agricultural land to equine educational establishment (Class D1) which in itself would not create an irreversible loss of agricultural land, because it could be physically farmed again if desired. This also accords with subsection (b) of policy DM32 which seeks to ensure that proposals do not result in the irreversible loss of best and most versatile agricultural land and it is demonstrated that there are no suitable alternative locations.
49. Whilst equine related activities may be permissible in the countryside, this is subject to compliance with other policies within the Plan. Policy CS13 – Rural Areas states *"Development outside the settlements defined in Policy CS4 will be strictly controlled, with a priority on protecting and enhancing the character, appearance, historic qualities and biodiversity of the countryside while promoting sustainable diversification of the rural economy."*
50. Policy DM33 sets out the considerations for the re-use or replacement of buildings in the countryside. The following assessment is made against that policy with the relevant criteria detailed in brackets. The reuse of the existing building as stables on site is considered to accord with the thrust of adopted local policy DM33.
51. It is considered that the reuse of the existing building accords with the further requirements of DM33; the building is capable of conversion without the need for significant extension, alteration or reconstruction (a); the proposed use, associated operational area and provision of services would not harm its appearance or adversely affect the setting of the existing building as it is utilitarian in appearance, and it is considered that further soft landscaping can be secured to help assimilate the development into its surroundings (b); the equine nature of the proposal is compatible with the rural location (c); the proposal would create approximately 3no. full time

and 2no. part time jobs. The local bus route runs along Queens Hill and there is an opportunity to secure the installation of a bus stop at this location which has been offered by the applicant to support the use of public transport as part of the proposal (d); the proposal does not include tourist accommodation, however what private curtilage is proposed is shown to be suitably screened in the accompanying scheme of soft landscaping (e); the highway safety element of this proposal is assessed in the section titled 'Highways' below, however in regards to influence of the proposal on the rural character of the road, it uses an existing access and is not considered to create significant harm (f); no extensions to the existing building are proposed (g).

52. Criteria (c) of policy DM32 requires proposals the re-use of existing buildings where appropriate, which as detailed in the above assessment against DM33, it is considered the proposal achieves this.

53. It is considered that the provision of a bus stop at this location as detailed in part (d) of DM33 provides some positive weight to the proposal where it may conflict with the requirements of DM5 that otherwise seek to prevent unsustainable development. Given that proposals for economic growth and expansion of businesses that recognise the intrinsic character and beauty of the countryside will be permitted where they accord with the requirements as set out in the assessment above, which this proposal is considered to do, and noting of course that this business is already located in the countryside in West Suffolk, albeit elsewhere, this must be a balanced issue. The element of conflict that does arise from this proposal and the considerations of DM5 where development may be unsustainable, is, for example, through the siting of an educational facility in an otherwise remote area away from sustainable means of transportation, with consequential effects on the travel methods adopted by those studying at the site. The provision of a public bus stop, and the details in the Transport & Highways Supporting Document for the encouragement of users of the equine education centre to use public transport, are considered to provide positive weight that is of equal weight to that conflict, again recognising therefore the balanced nature of this consideration.

Rural Workers Dwelling

54. As confirmed in the independent report provided by Kernon Countryside Consultants, overall it is concluded that an essential need for a resident worker exists to support the overall TOCES enterprise, which is an established and viable rural business that is relocating from rented premises in the village of Higham due to the limits that location imposes on course delivery and business development. Details of searches completed by the applicant have been submitted as part of this application which are considered to appropriately demonstrate that there are no other dwellings available that would meet the need of the business. By virtue of the nature of the business delivering equine science and management courses, the horses are recognised as part of the TOCES enterprise. Whilst they are not commercially viable in their own right i.e. if the proposal was a stud, they are a key part of the business. In addition the provision of a workers' dwelling on site, as recognised in Kernon's report, would provide TOCES with the potential to take in other horses for use in teaching, for example with injuries that could not be taken in if there was no residential presence.

55. Through revisions to the application the overall size of the proposed dwelling has been reduced. As confirmed in the Kernon's report it is considered to be of a size and nature which is commensurate with the needs of the enterprise. Furthermore, by virtue of its location, contained in close proximity to the existing building and access on site, whilst also conforming with the flood zone constraints of the site, the proposed dwelling is not considered to represent intrusive development in the countryside and will not therefore have a significant impact on the character and appearance of the area.

56. It is therefore considered that the need for a rural workers dwelling tied to the business through the use of a condition is justified, and that the need is in accordance with DM26, and criteria (i) of DM32 which states where there is no dwelling available on the holding, proposals must demonstrate the site selection procedure and arrangements for animal supervision and welfare.

Manege

57. Policy DM32 sets out the considerations for Business and Domestic Equine Related Activities in the Countryside. The following assessment is made against the policy with the relevant criteria detailed in brackets.

58. Assessing the proposed equine college against the requirements of this policy, it is considered that the size, scale, design and siting of new development would not have a significant adverse effect on the character and appearance of the locality, further assessment of the proposal against this criteria has been made in the sections of this report titled "Design and Layout" and "Landscape" (a). In addition the proposal is not considered to result in the irreversible loss of the best and most versatile agricultural land, as detailed in the assessment and it has demonstrated to the satisfaction of the local planning authority that there are no suitable alternative sites on lower grade land.

59. It is considered that the proposal accords with criteria (g) of policy DM32, which seeks to ensure that sufficient land is available for grazing and exercise where necessary.

Conclusion on Policy Matters

60. Assessing the proposal against policy, it is apparent that there is a degree of conflict with policies that seek to deliver sustainable development (CS2, CS4 and DM1 and DM5). However the nature of the intended use is inherently rural and would not be appropriate in other locations such as within settlement boundaries, or in commercial or industrial locations. It is also recognised that this proposal is an expansion of a current enterprise already located in the countryside, albeit elsewhere. There are policies which offer conditional support for development in the countryside (DM5, DM26, DM32, DM33) and it is considered that the proposal accords with these, making this, therefore, a balanced matter. This results in a significant level of positive weight in favour of the development, which it is considered outweighs the negative weight identified where there is conflict with policies regarding sustainable development. Therefore the principle of development is considered acceptable.

Design and Layout

61. The design and layout of the proposal is considered to be appropriate for the location. It has been steered by the requirement to re-use the existing development to its full extents, deliver a usable layout that supports the proposed use on site, whilst working with constraints that are applicable to the location (for example flood zones).

Class room and rural workers dwelling building

62. When considering the individual uses within the proposed building, its overall design and layout is of an appropriate scale. The dwelling proposes an appropriate level of accommodation, of a scale that is considered in keeping with the size and operation of the site. This is further confirmed within the assessment made by Kernon Countryside Consultants.

63. The educational element of this development is also of a scale that is considered to be appropriate to the site and the level of use that is proposed as part of this application. Considering it is possible that by 2019 there will be approximately 42 weeks of training per year, and the nature of the courses running from the site are equine management, equine science, equine therapy and equine veterinary nursing. Consisting of modules such as anatomy, husbandry, veterinary nursing, stable management, nutrition, biomechanics, exercise physiology, behaviour, welfare, reproductive technology and stud management. The overall design and layout of the proposal is conservative in relation to the amount of space proposed, balancing the requirements of TOCES against potential negative impacts to the character of the site and the surrounding landscape.

64. The positioning of the combined classroom and dwelling by the main entrance to the site ensures that a level of security is provided, but not in a way that is otherwise considered intrusive noting the topography of the site and the existing mature boundary treatments. In addition, this location reduces the overall footprint of development on the site, creating a small cluster in the north eastern corner. It is not considered that the building should be moved from its currently proposed location due to on-site constraints resulting from flood zones and possible visibility within the landscape. The building in its currently proposed position, when viewed from public vantage points (such as the gates located along Queens Lane, or via glimpses from Queen's Hill) the mass of the proposed building would blend into that of the existing.

65. The proposed materials, pan roof tiles, timber weather boarded elevations over a brick plinth are also considered to be appropriate for this location, being of a style that is commonly seen in rural locations. However to ensure appropriate types are used the submission of material samples is recommended to be secured via condition.

Re-use of the existing building

66. The re-use of the existing building on site was, in previous versions of this proposal, more extensive. However the re-use of this building had to be revised by moving the classroom element into a separate building as detailed above, due to the flood zone constraints of the site.

67. Internally proposed changes include the installation of a first floor mezzanine level to provide storage, and redesign of the ground floor to provide stable boxes and a storage area for a horse box.
68. Externally three windows are proposed, two serving the ground floor, overlooking the proposed ménage, and a third located on the first floor serving the mezzanine level located on the southern elevation. The installation and renewal of doors are also proposed, but these are of a scale that is commensurate with the building, and in addition, no extensions or major changes to this building are proposed. As such the design and layout of this building is also considered to be acceptable, and the proposed changes are not considered to impact significantly on the character of the site or surrounding area.

Manege design

69. The proposed ménage is of a design and scale which is typical of such development. As assessed in this report under the section titled "Flooding", through the use of a woven permeable membrane to hold in the surface materials, the detailed design is considered appropriate for the site.
70. The position of this element is located behind the existing building on site and is considered to be well related with the layout of that and the proposed dwelling and classroom building. From public views afforded into the site, it is not considered the manege would create significant impacts. This is in part due to the rural nature of the development, the existing mature hedgerow located along the eastern boundary of the site, and that the overall form of the manege which would again blend into the mass of the existing and proposed buildings.
71. To conclude, the proposals, when assessed as individual elements or as a whole, it is considered to accord with policies DM2, DM22, DM32 subsection (a) and CS13, in that the design and layout are considered to be of an appropriate size and scale for their purpose. In addition to those characteristics, the new development is located adjacent to the existing building, the use of which has been assessed against policy DM33, and concluded that no significant impacts to the immediate character of the site, and that of the wider area would arise. Conditions securing the submission of materials are recommended to ensure that the development is aesthetically sensitive to the locality.

Amenity

72. It is considered that the proposal would not create significant negative impacts to residential amenity by virtue of its design and location within an existing extensive site. There are no immediate neighbours to the site. Distances between the proposed buildings where the majority of onsite activity would be located and the closest dwellings to the north and west, at approximate distances of 235m and 250m respectively, are considered to be sufficient not to create any significant negative impacts. In addition by virtue of the layout of the proposed development, the manege for example, which provides outdoor space for teaching of courses, is screened to a degree by the buildings on site, the existing boundary treatments, and the pocket of trees located in the north east corner of the site. In addition no flood lights are proposed to be installed.

73. However, to safeguard the wider amenity of the locality, Public Health and Housing have recommended conditions regarding hours of construction, the burning of waste material (which is not necessary to condition as it is controlled through other legislation), external lighting, & the disposal of stable waste. Given the requirement of DM2 and DM32, all of these conditions are considered reasonable and necessary. In addition a further condition is recommended requiring the details of any external lighting (for example security lighting) is submitted for approval to ensure that light spill is kept to a minimum.
74. The proposal may result in an increase of traffic visiting the site. However this is not considered to be of a level that would create significant negative impacts to the amenity of nearby properties. Firstly given the distances from the location of the proposal and the nearest dwelling, and that the traffic would not be moving along roads any nearer to those dwellings than where existing vehicles already travel. In addition to this, as detailed within the application, there is no office/classroom business activity at weekends or on bank holidays, which are the times that can be considered to be the most sensitive to impacts on amenity.
75. Further assessment of vehicle movements is provided in the section below titled 'Highway Safety'.
76. To conclude, it is considered that the proposal accords with subsection (e) of policy DM32, which seeks to secure development that does not result in significant detrimental impacts to residential amenity in terms of noise, odour, light pollution or other related forms of disturbance. Conditions securing the details of any proposed lighting to be submitted for approval by the Local Planning Authority also provide further opportunity to control any possible impacts to neighbouring amenity.

Highway safety

77. The criteria for the assessment of proposals on highway safety is set out in this instance by criteria (f) of policy DM32, which seeks to secure development that provides appropriate parking and access, and that associated traffic movements do not compromise highway safety.
78. As confirmed in the Highway consultation response the proposal is not considered to be harmful to Highway safety due to the reuse of the existing access (approved in the application referenced SE/07/1590) and by virtue of the nature of the proposal, and the types of vehicles that would be using the access on a daily basis.
79. As stated in the "Planning Statement and Definitive Statement of Operations" the proposed timings of the business have been calculated to avoid possible conflicts between cars and buses on Queens Hill. The following proposed opening times have been detailed for the office on non-study week days as 9.15am - 4.45pm, and study week days as 8.45am - 5.35pm. Study week timings for students have been proposed as 09.20am - 5.35pm and these can be conditioned.

80. Study weeks generally run for four days, Monday to Thursday or Tuesday to Friday. There is no office/classroom business activity at weekends or on bank holidays.
81. The number of movements and timings have been detailed in the Transport Statement and the Transport and Highways Supporting Document submitted by the applicant, the details of which are considered to be acceptable by the Highway Authority.
82. As confirmed in the consultation response provided by the Highway Authority, the proposal would use an existing access, which has approval for agricultural use. The use of this access is considered to be acceptable for this proposal, and standard conditions have been recommended for securing visibility splays, alongside bound surface materials. In addition further conditions have been recommended which seek to improve the current standards of water management that have been incorporated into the access, through the submission of works detailing either a piped or bridged approach to the ditch in this location.
83. Confirmation has also been provided that an appropriate level of parking can be provided on the site for the proposed use as per the application details, and it is considered that the proposal accords with the requirements of DM46. A condition has been recommended securing those details.
84. The submission of a Construction Management Plan for approval has also been suggested as a condition, with further recommendations set out by the Highway Authority detailing that a scheme of advance warning signs is secured. In addition the provision of a bus stop at or near the access is required. It is considered that the provision of this additional stop supports the use of public transport and strengthens the existing bus network, which accords with the provisions of DM32 and DM45.
85. In the assessment of this site, the Highway Authority, noting that the proposal would use an existing access which has approval for agricultural use, is considered to be appropriate, subject to conditions, for the provision of a safe access for this development. This is linked to there being no accidents recorded at this location, and that the Suffolk County Council has received no customer complaints regarding the road width, visibility or road safety at this location. Furthermore, the additional vehicle movements cannot be considered so significant that they could have a detrimental impact on highway safety to justify refusal.
86. To conclude, it is considered that the proposal accords with subsection (f) of policy DM32, which seeks to secure development that provides appropriate parking and access and associated traffic movements should not compromise highway safety. This has also been achieved through compliance with policies DM45 and DM46 in that the proposed development provides a robust approach to the management of vehicles movements associated with the use of the site, and delivers an appropriate amount of onsite parking to support that.
87. Conditions have been recommended by the Highway Authority securing the provision of advanced warning signs, a bus stop, vehicular access to the appropriate standards, the use of bound surface materials, locations for bin storage, submission of details for works associated with the ditch under the

access, details of the position of any gates located within the access, the submission of a construction and deliveries management plan, provision of cycle storage, and the creation of appropriate visibility splays.

88. Alongside these recommended conditions, it is suggested that a further condition is imposed securing the installation of an electric vehicle charging point, given the nature of the proposal which will create additional vehicle movements. This strengthens the network and provision of such charging points within west Suffolk, and also provides further weight offsetting the identified conflict with policies that seek to secure sustainable development. In addition to this it also accords with the requirements of DM14 which seeks to protect and enhance natural resources, by minimising pollution.

Landscape

89. The site is located on the edge of a Special Landscape Area which starts on the northern edge of Queens Hill. Policy DM32 states that proposals for equestrian development in the countryside should meet criteria which are set out in policy. Those criteria seek to secure the size and scale of new development so that it does not have a significant adverse effect on the character and appearance of the locality, re-using existing buildings where appropriate and locating new development within close proximity.
90. As confirmed by the Landscape and Ecology Officer, their consultation response submitted for the previous application referenced DC/17/1267/FUL for this site, is appropriate in the assessment of this application. The key physical change between the previous application and the current is that the educational building and the dwelling are now proposed to be delivered as one building, rather than two as per the original application. However where concerns were detailed in that consultation response, that a robust scheme of landscaping was required, it has been confirmed that the detail submitted as part of this application, appropriately address those concerns.
91. The site is within the landscape character types of Undulating Estate Farmlands. The key forces of change in this landscape are change of land use to horse paddocks and other recreational uses, and conversion and expansion of farmsteads for residential uses. It is considered that there would be some impact from the proposal on the landscape, however the visual envelope for the site is relatively restricted given the topography of the site and the existing boundary treatments, and this would not create significant negative impacts to the Special Landscape Area located to the north of Queens Hill. Given that the classroom building and dwelling are combined into one building, and which is single storey and also in close proximity to the existing building to be re-used in this proposal, the built development is confined to a relatively small area. This is a moderately sensitive landscape and the proposals would be most noticeable from the properties on Queens Lane. From this location the proposals could create an element of negative impacts to the existing visual amenity presently enjoyed in the short term. However those impacts are not considered to be significant, and can be mitigated through the delivery of the scheme of soft landscaping, submitted as part of the landscape assessment, by condition
92. The change of land use to horse paddocks, could result in the proliferation of post and rail fencing and subdivision of land into small paddocks using temporary tape which could have a significant landscape impact. However,

impacts can be mitigated through measures such as: appropriate planting schemes; securing the type and extent of fencing to be used including the colour; a field layout that is in keeping with the local field pattern or the historic pattern of boundaries; and the location of field shelters and material storage areas. It is considered that further mitigation and enhancement required can be secured via the conditioning of the scheme of landscaping submitted as part of the proposal.

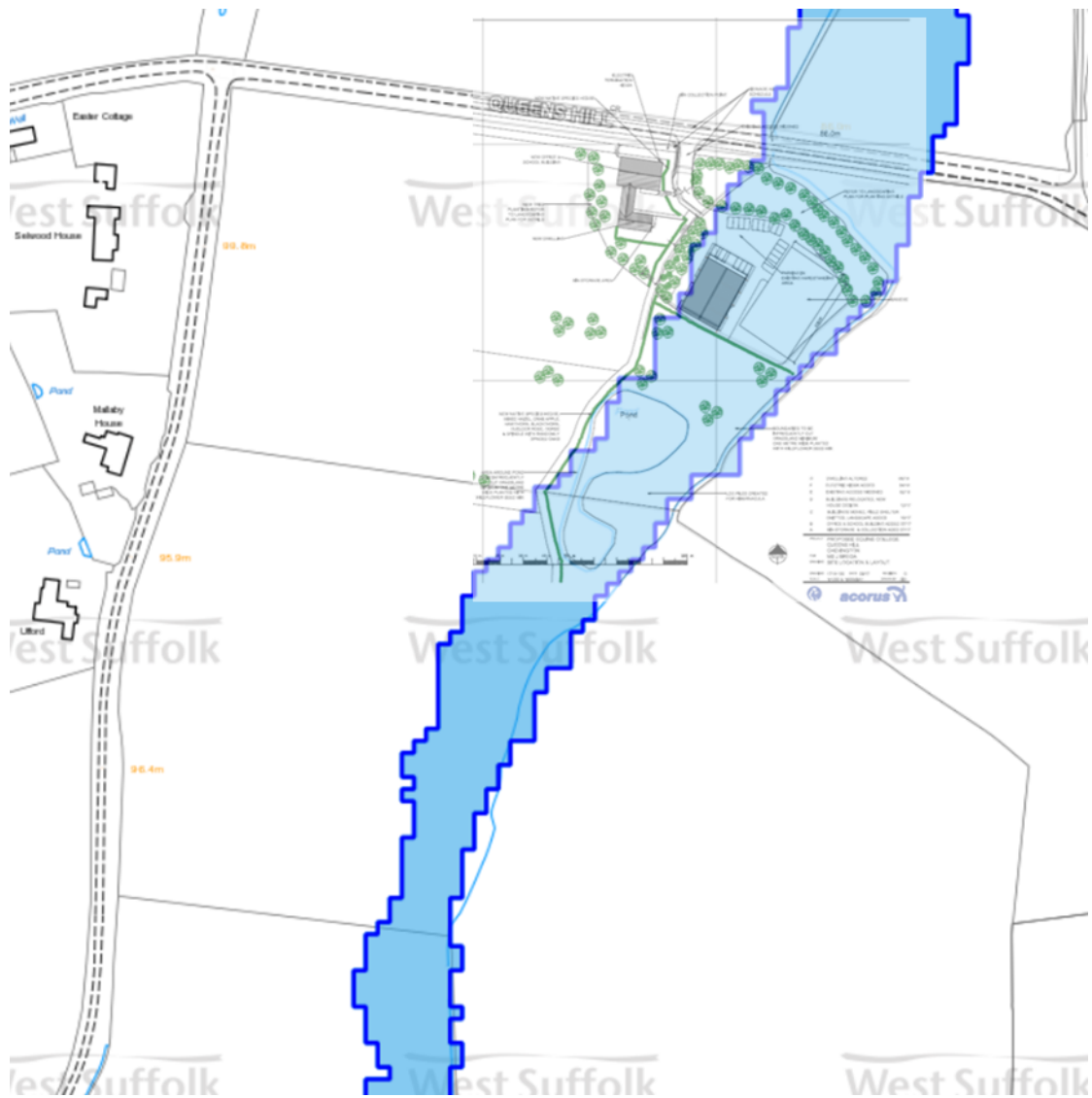
93. To conclude, subsection (c) of policy DM32 also requires any new buildings should be located in or adjacent to an existing group of buildings and have minimal visual impact within the landscape, which it is considered the proposal achieves and can be enhanced through the securing the implementation of the proposed scheme of soft landscaping by planning condition which accords with subsection (d) of the same policy. Policy DM13 permits development where it will not have an unacceptable adverse impact on the character of the landscape, landscape features, wildlife, or amenity value. As confirmed by the Landscape and Ecology Officer, and through further assessment by the case officer, the proposal is not considered to create significant negative impacts to the landscape, and accords with the provisions of DM13. In addition the conditioning of the scheme of soft landscaping would also provide further opportunity to offset any impact the proposal may create in the short or long term.

94. Further assessment of the possible impacts created by the proposal on wildlife are detailed in the section titled "Ecology" below.

Flooding and related matters

95. Policy DM6 - Flooding and Sustainable drainage states "*Proposals for all new development will be required to submit schemes appropriate to the scale of the proposal detailing how on-site drainage will be managed so as not to cause or exacerbate flooding elsewhere.*" As confirmed in the Environment Agency's consultation response, they do not object to the proposal. This was achieved by changing the location of the proposed class room and house so that it was located outside of the flood zone areas.

96. The extent of the flood zones are shown on the diagram below, which also details the layout of the proposal. The diagram confirms that the manège and the barn are located within the areas of the site that flood in accordance with flood zones 2 and 3, and that the classroom and dwelling are located outside of those flood zones. In addition the extents of flood zones 2 and 3 are the same.



Key

Flood zone 2



Flood zone 3



97. The manège is considered to be water compatible development suitable for locations within flood zone 3. Amendments to the design of the manège were required, through the use of a permeable membrane shaped to create a deep tray which holds in the surface materials but also allows water to pass through. It is acknowledged that students would enter areas in the floodplain for lessons, for example when using the manège, but they would not be riding the horses, which would be classed as a leisure use and not compatible with the flood zones.

98. The proposed use of the existing agricultural building on site was previously more extensive in previous applications, with the educational elements of the development located on a proposed first floor. However buildings used for dwelling houses and educational establishments are classified as being more vulnerable uses where there is flooding and are not considered appropriate uses within flood zone 3. Therefore the upper floor use of the existing building was revised and is proposed to be used for storage only, with the stables located on the ground floor. However, the main teaching

facility where the majority of the classes will be held is located within Flood Zone 1. In addition it is very likely that teaching would not operate if the site does flood. If a flash flood event occurred students, horses and staff do not have far to go to get outside of the floodplain. Therefore it is considered that the proposal accords with policy DM6 and the statutory guidance for development within flood zones.

Foul Drainage

99. The site is not serviced by a mains foul sewer, however it is considered that a private foul drainage system following appropriate guidance for environmental protection, that adheres to environmental permit requirements would be an acceptable solution to this.

100. As confirmed in the Environment Agency's response, this method is considered to be acceptable. To ensure the development is flood resistant, resilience measures as detailed in the Flood Risk Assessment are recommended to be secured via condition, alongside a scheme of drainage plans for foul water collection. It is considered that this element of the proposal accords with the relevant sections of policy DM14.

Stable waste and manure

101. The Environment Agency has confirmed that Foul water from stables and water from hay washing must not enter any watercourse. Requiring Manure/dung heaps to be sited in areas where they will not cause pollution of any watercourse or water source by the release of contaminated run-off. The proposed location of the manure heap is considered to be appropriate and the measures as set out in "Planning Statement And Definitive Statement of Operations" are considered to be acceptable and in accordance with the "Protecting our Water, Soil and Air: A Code of Good Agricultural Practice for farmers, growers and land managers". The details of that report are recommended to be conditioned. That position is further supported by the consultation response received from Public Health and Housing which confirmed the procedures set out in that report as being acceptable, and they too have recommended conditions. It is considered that this element of the proposal accords with the relevant sections of policy DM14 which to secure safeguarding from pollution through mitigation measures.

Surface Water

102. As confirmed in the Surface Floods team consultation response, the proposal is considered to be minor in terms of development footprint (>1000m² residential floorspace), however Queens Hill road and part of the site is within a high risk surface water flood zone and it is recommended that a form of Sustainable Drainage System is secured, i.e. soakaways or rainwater harvesting techniques (i.e. Skeletanks) to drain the new classrooms and workers dwelling via condition to reduce additional runoff towards these areas of flood risk.

Bunding on site

103. An element of earthworks are located along the edge of the ditch that runs along the north eastern boundary of the site, and are considered to result from the construction works associated with the agricultural building.

The bund is approximately 1.30m in height by approximately 65m in width. The General Permitted Development Order (GPDO) does afford permitted development rights for excavation or engineering operations within agricultural units of 5 hectares or more. It is considered that the bund accords with this element of the GPDO, notwithstanding the passage of time. There is an element of conflict with the provisions of the GPDO in that a section of the bund is within 25 metres of a classified road, it too can be regularised through the granting of this permission.

104. This is a reasonable approach considering additional information has been supplied with the application detailing a series of pipes to reinstate this section of the flood zone. This approach as confirmed in the Environment Agency's consultation response is acceptable in principle, and as detailed in the recommendations set out by the Surface Floods team, the pipe work should be designed to allow for water to flow both onto and out of the site. The specifications of those pipes can be secured via the proposed conditions provided by the Surface Floods and Water team.

Conclusion on Flooding and related matters

105. In terms of flooding the proposal is considered to accord with policy DM6 and the statutory guidance for development within flood zones, as confirmed by the Environment Agency. It is also considered that the proposal accords with subsection (h) of policy DM32, which seeks to secure development that provides a satisfactory scheme for the disposal of waste. In addition the proposal, when assessed as individual parts, or as a whole is considered to accord with policy DM14, in that appropriate measure have been detailed within the application to ensure that hazards and pollution are avoided. Furthermore as confirmed in the consultation response received it is considered that through the submission of details for a scheme of Sustainable Drainage appropriate management of surface water and flooding can be achieved.

Ecology

106. Policy DM11 – Protected Species states "*Development which would have an adverse impact on species protected by the Conservation of Habitats and Species Regulations (2010) (as amended), the Wildlife and Countryside Act (1981), the Protection of Badgers Act (1992), and listed in the Suffolk Biodiversity Action Plan, or subsequent legislation, will not be permitted unless there is no alternative and the local planning authority is satisfied that suitable measures have been taken to:*

- *a. reduce disturbance to a minimum; and*
- *b. i. maintain the population identified on site; or ii. provide adequate alternative habitats to sustain at least the current levels of population.*

Where appropriate, the local planning authority will use planning conditions and/or planning obligations to achieve appropriate mitigation and/or compensatory measures and to ensure that any potential harm is kept to a minimum."

107. The overall site is large, containing several habitats of ecological value, such as hedgerows, woodland, grassland, a watercourse and a pond. The consultation response from the Suffolk Wildlife Trust confirms that the proposal would not cause harm to protected species if it the recommendations detailed in the submitted Ecological reports are followed.

The submission of a *Non-Licensed Method Statement* for works which may affect Greater Crested Newts was requested which has been confirmed as being acceptable.

108. It is considered that the fully proposal accords with the provisions of DM11, and that through securing the recommendations of the submitted ecology reports.

Hedgerows

109. It is noted that the planting of new hedgerows is proposed as part of the landscaping for the development, and it is recommended that it is comprised of native species appropriate to the area.

Ecological Enhancements

110. The ecological enhancements proposed for the site include owl nest boxes integrated into the proposed new building which is welcomed. However given the location and orientation of the proposed building and therefore the direction that these openings would be facing, it is recommended that rather than integrated nesting, two barn owl nest boxes are erected on mature trees on the eastern and/or southern boundary of the site would be an appropriate enhancement.

111. In line with policy DM12 protection of biodiversity and the mitigation of any adverse impacts should be secured alongside enhancements for biodiversity. As confirmed in the consultation response received from the Suffolk Wildlife Trust there are no objections to the proposal and the recommendations detailed in these reports should be secured via planning conditions. It is therefore considered that the proposal accords with DM12.

Conclusion

112. It is considered that the proposal accords with subsection (j) of policy DM32, which seeks to secure development that would not cause significant detriment to biodiversity, geodiversity or the surrounding landscape character. In addition the proposal is considered to accord with policy DM11 and DM12 through the implementation of conditions on any permission granting the proposal to secure the proposed mitigation as detailed in the submitted ecological reports.

Land Contamination

113. Policy DM14 seeks to protect and enhance natural resources, by minimising pollution and provide safeguarding from hazards. Land for proposed development should be suitable for the use proposed, or capable of being made suitable, through the confirmation of site investigations and studies together with proposals for mitigation measures and implementation schedules where appropriate.

114. As confirmed in the consultation response from the Environment Team, based on the information submitted in the report "Contaminated Land Risk Assessment, reference SES/TOCES/LQ/1#1" dated 24th May 2017, the risk from contaminated land is low, and notes are recommended to be attached to any permission granted.

115. It is considered the proposal accords with Policy DM14 which seeks to ensure that any hazards or contamination on sites is appropriately assessed and where required secure mitigation. No conditions are required in regards to Land contamination.

Other Matters

Use of building on site

116. The site location plan submitted with the application is detailed showing the red line around the boundary of the site with the existing barn included in it. Emails from members of the public received during the course of this application detail how the barn was not used in accordance with that permission granted nor with the approved plans, questioning whether it is legal development.
117. Assessment of the building shows that it is located within an agricultural holding of over 5 hectares, is less than 465 sq. m and is beyond 20 metres from a classified road. The building has not been used for the housing livestock and is therefore considered to be classed as permitted development. It is apparent that the barn has not been built exactly to the permission granted in 2010 referenced SE/10/1075 with elevations being cladded rather than open.
118. However the proposed building is of agricultural appearance and of a suitable size for the extent of the land holding. Further details may be required on occasions where there are concerns regarding the siting or appearance of a proposed development in the landscape or in relation to heritage assets. The building would be located in a position set back from the public highway and largely screened to the north and west by mature trees and hedges. By virtue of the proposed position, scale and materials of the development, it is not considered that it would have a significant negative impact on the landscape. No heritage assets are located within the vicinity. Further details are therefore not considered necessary. In addition, any conflict with the planning system from this development would be primarily addressed through the submission of an application to regularise it. Notwithstanding the passage of time from the granting of that permission and completion of the building, it is considered that the barn on site can be regularised through the granting of this permission.

Representations

119. It is considered that the assessment as detailed in this report appropriately addresses the objections received regarding this application. This is due to confirmation being received from the Highways Authority detailing that the proposal is not considered to create a severe level of additional traffic nor create significantly negative impacts to highway safety. Where appropriate through the use of conditions further information has been either secured for submission, for example a Construction Traffic management Plan which will detail movements and mitigation of such traffic, or the details in the application have been accepted and conditioned as such. In addition the securing of a bus stop is considered to be appropriate in supporting and strengthening the use of the existing bus service in this location. Furthermore the conditions securing details

associated with the access provide the opportunity in the future for larger vehicles to this location as a passing place.

120. The Landscape officer has confirmed that the proposal has a limited visual window, and that through securing an appropriate scheme of soft landscaping an impacts the proposal may have can be mitigated. It is also considered that the proposal would not create negative impacts to the Special Landscape Area located to the north of Queens Hill to the extents that would warrant a refusal, due to the existing screening that is afforded to the site, the compact layout of the proposal, and as previously stated the delivery of a scheme of soft landscaping via condition.
121. In addition it is considered that the distances between the proposed development and existing dwellings in the immediate area are such that no significant negative impacts would be created. This conclusion is further supported by the nature of the proposal for an education establishment which provides courses in equine medical science and management, which are positively recognised by local businesses in similar fields, and that appropriate conditions can be implemented to ensure that impacts to amenities, for example through limitations on opening hours, are created.
122. The layout of the scheme has also been carefully considered so that it does not significantly exacerbate flooding in this location, for example the detailed design of the proposed manege. As confirmed by the Environment Agency and the Surface Water and Floods team in their response where they do not object to the proposal, and have recommended conditions to secure further information, for example a scheme of Sustainable Drainage Systems, to mitigate against the flood risks on site. Furthermore through the submission of detail in regards to the bund for approval, the opportunity to improve and reinstate the flood zone in this location can also be achieved.
123. In addition as confirmed by those consultees, and the Suffolk Wildlife Trust, the proposal is acceptable in terms of not creating significant risks to the environment and local wildlife on the site. This has been supported by evidence submitted as part of the application which has been confirmed as appropriate by consultees, who have recommended securing further information, for example methodologies on the timings of works that may affect protected species.
124. The legality of the existing development on site has been explored and it is considered to be acceptable. Notwithstanding that, this application provides the opportunity to regularise that development in a manner which is not considered to create significant negative impacts as assessed in this report.
125. External consultees have been used to assess the business to ensure that there is a need for the rural workers dwelling on the site, which has been established. In addition the Local Planning Authority is satisfied that an extensive search has been completed by the applicant, and that the proposal for the relocation of an existing business can be supported as it has been proven to be viable. Furthermore whether the proposal is assessed as individual elements or as a whole, there is support within the Development Plan for such a development in this location, a conclusion which is also supported by the consultation responses received.

Overall Conclusion

126. Assessing the proposal against policy, it is apparent that there is some conflict with policies that seek to deliver sustainable development (CS2, CS4 and DM1). Which is an important element when planning for and maintaining a sustainable balance between the economic, social and environmental dimensions of new and existing development. However as detailed in this report the nature of the intended use is inherently rural and would not be appropriate in other locations such as within settlement boundaries, or in commercial or industrial locations. Details of business operations and numbers of horses being housed on the site have been provided which are considered acceptable, it has been demonstrated a search for suitable alternative sites and dwellings near the application site has been completed, and that the business is a viable enterprise.
127. Through further assessment against policies that detail requirements for development in the countryside (DM5), and policies assessing the specific characteristics of rural development (DM26, DM32, DM33) it is considered that the proposal is an appropriate type of development for this site and location. In addition to this the Kernon report and the details in the submitted Definitive Statement of Operations, confirm that the need for a worker's dwelling on site is necessary for the health and wellbeing of the horses. This results in a significant level of positive weight in favour of the development, which it is considered to outweigh the negative weight identified where there is conflict with policies regarding sustainable development, and the principle of development is therefore acceptable.
128. Whilst the principle of the development is considered appropriate, further assessment of the proposal is required to ensure that it would not create significant negative impacts to the site and the wider landscape. Analysis of this has been provided within this report, assessing both the impacts of the individual elements of the proposal, and the impacts of the proposal overall. It is considered that that it accords with policies DM2, DM22, DM32 subsection (a) and CS13, in that the design and layout are of an appropriate size and scale for their purpose. In addition the design has made extensive reuse of the existing building on site, which has been assessed against policy DM33, which has along with the characteristics of the site steer the layout of the development which has been carefully considered and does not create significant negative impacts to the character of the site or the locality.
129. It is recognised that the site is rural in character and that not all forms of development would be appropriate in this location. As detailed during the assessment of the principle of development, the proposal is inherently rural in design and character. By virtue of the nature of the proposal it is not considered that significant negative amenity impacts would arise from it being permitted to run from this site. Conditions have been recommended which control and steer the development, securing further details to ensure that impacts from noise, odour, light pollution or other related forms of disturbance are not significant. Furthermore the distances between the site and the nearest dwellings would limit what impacts may arise from the proposal. It could be considered that the additional traffic movements may create an element of negative impacts to local amenities, however the vehicles involved in its use would not differ significantly from those that are already experienced in the area, given that there are Stud's already located

there. An element of negative impact could arise during the construction phase of the site, however it is considered that this can be managed through the submission of a Construction Management Plan, furthermore this would be only a temporary impact given the construction phase would end once the proposal is built.

130. The long term impacts of the proposal are considered to be limited, as confirmed by the Landscape and Ecology officer the proposal has a narrow visual envelope within the landscape and is not considered to create significant long term negative impacts. This is due to the topography of the site, the location of the proposal within the site and the positioning and relationships between the proposed and existing buildings on site. Which is considered to accord with policies DM13 and DM32. What negative impacts it may have can be controlled and offset through the submission of a scheme of soft landscaping secured via condition. Furthermore the site contains several habitats that have ecological value, and the proposal would result in localised changes to the site's environment. The consultation response received from Suffolk Wildlife Trust confirms that mitigation measures proposed would mean the proposal would cause no harm to the site, which is in accordance with policies DM2, DM11, DM12 and DM32. Therefore where negative impacts have been identified there is an opportunity through this development to both offset them, and provide a scheme of biodiversity enhancements, which would bring a level of positive weight to the proposal that would outweigh the negatives.
131. A characteristic of the site which has a strong influence over the layout and design of the proposal are the flood zones. However as detailed in this report through careful consideration and redesign the development has been confirmed by the Environment Agency as being appropriate for this location, by repositioning the sensitive elements of the proposal, for example the classroom and manure storage, outside the flood zones. This approach is considered to accord with policy DM6, and policies DM14 and subsection (h) of DM32 which seek to control and limit pollution risks. It is considered that this accordance with policy, and that appropriate management of surface water and flooding can be achieved, with the possibility of providing improvements to the flood plain, creates positive weight in favour of the development.
132. The proposed development provides a robust approach to the management of vehicles movements associated with the use of the site, and delivers an appropriate amount of onsite parking to support the use. The installation of an electric vehicle charging point has been recommended to strengthen the network of charging points within west Suffolk, and because the proposal would create an element of traffic in association with its use. In addition to this the delivery of a bus stop alongside the charging point would also provide further positive weight to the development where conflict has been identified with policies that seek to secure sustainable development. As detailed in this report, through assessment by consultees it is considered the proposal accords with policies DM45 and DM46, and subsection (f) of policy DM32, delivering a level of parking and access that appropriate to the size and scale of the site and the proposal. As supported by compliance with these policies it is considered that the associated traffic movements would not compromise highway safety. Therefore further positive weight can be afforded to the proposal.

133. In regards to land contamination the site has been assessed which has been considered acceptable, and no further works in this regards are required, which is considered to accord with policy DM14. This is considered to be of neutral weight in the decision making process.
134. Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. Considering the planning balance of positive weight for, and negative weight against, the proposal, it is considered that this report robustly demonstrates that the development would not create significant negative impacts, and that the positives that can be attributed to the development significantly outweigh the negatives.
135. As detailed in this report the proposal is in accordance with policies DM2, DM5, DM11, DM12, DM13, DM26, DM32 and DM33 of the JDMPD and CS13 of the Core strategy. In conclusion, the principle and detail of the development is considered to be acceptable and in compliance with relevant development plan policies and the National Planning Policy Framework.

Recommendation:

136. It is **recommended** that planning permission be **APPROVED** subject to the following conditions:

1. Time limit
2. approved plans/documents
3. Rural workers dwelling condition tying use to business.
4. Material samples
5. Landscaping
6. Study times as per submitted details only
7. Details of any proposed lighting to be submitted for approval.
8. Details of Flood resilience measures
9. Manure heap management
10. Hours of construction
11. Acoustic insulation of the dwelling
12. Construction management plan
13. Ecological Mitigation and recommendations
14. Surface water drainage scheme
15. Infiltration testing on site
16. Sustainable drainage system management and maintenance plan
17. Flood evacuation and access plan
18. Advanced warning signs
19. Provision of bus stop
20. Provision of vehicular access
21. Bound surface materials
22. Bin storage
23. Works associated with ditch under access
24. Position of gates
25. Construction and Deliveries Management plan
26. Cycle storage
27. Visibility splays
28. Electric vehicle charging points
29. Water efficiency

Documents:

All background documents including application forms, drawings and other supporting documentation relating to this application can be viewed online [DC/18/1018/FUL](#)