

Development Control Committee 1 June 2022

Planning Application DC/21/2320/FUL – Pattles Grove Stud, Pattles Grove House, Chedburgh Road, Wepstead

Date registered:	4 January 2022	Expiry date:	1 March 2022 E.o.T 3 June 2022
Case officer:	Charlotte Waugh	Recommendation:	Approve application
Parish:	Wepstead	Ward:	Wepstead and Wickhambrook
Proposal:	Planning application - a. partial change of use to a timber supplies business (sui generis); b. stable block; c. office building; d. timber store; e. workshop; f. open fronted storage barn; g. open fronted timber store and; h. associated ancillary development		
Site:	Pattles Grove Stud, Pattles Grove House, Chedburgh Road, Wepstead		
Applicant:	Pattles Grove Group Limited		

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.

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Background:

The application is referred to Development Control Committee following a call-in request from Ward Member Councillor Sarah Pugh and consideration by the Delegation Panel. The application is recommended for APPROVAL and the Parish Council objects.

Proposal:

1. The application seeks consent for a partial change of use from stud farm to a timber supplies business as well as associated buildings. The use changed in March 2020 and as such, the application is retrospective.

Site details:

2. The application site measures 0.65 hectares and sits within the wider Pattles Grove site which also accommodates a large dwelling with outbuildings and paddocks. The site is accessed from Chedburgh Road and is located within a shallow valley.
3. The application site currently has an approved stud farm use and contains buildings permitted as part of that use as well as other unauthorised buildings which this application seeks to retain.
4. The site is not subject to any statutory designations.

Planning history:

5.

Reference	Proposal	Status	Decision date
SE/04/3745/P	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 as amended by letter and plans received 15 February 2005 (Drawing Nos. 5530/05 and 5530/02A) omitting erection of bungalow from the scheme	Application Granted	27 May 2005
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	Application Granted	11 September 2009
DC/15/1915/FUL	Planning Application - (i) Proposed Stables, Barn, Office, Yard, Horse Walker	Application Granted	5 May 2016

	and Lunge Ring (ii) Associated Landscaping and access road as amended by plans and details received 16.12.15		
DCON(A)/15/1915	Application to Discharge Conditions 2 (Landscaping scheme) and 4 (waste strategy) of DC/15/1915/FUL	Application Granted	23 November 2016
NMA(A)/15/1915	Non-material amendment for DC/15/1915/FUL - (i) Re-orientation and enlargement of office building (ii) Re-location of Horse Walker (iii) Roof Cladding and Wall Cladding to be substituted from approved materials	Application Granted	31 October 2016
DCON(B)/15/1915	Application to Discharge Conditions 3 (External Lighting) of DC/15/1915/FUL	Application Granted	14 July 2017
DC/19/1256/FUL	Planning Application - 1no. dwelling	Application Granted	7 November 2019

Consultations:

Public Health and Housing

6. No objection to the development subject to a condition restricting hours of deliveries to the site.

Highway Authority

7. No objections

Whepstead Parish Council

8. Parish Councillors voted to strongly object in principle to the whole development and change of use from a stud to an industrial timber supplies business. They considered it a misnomer to call the application a 'partial change of use' as only 3 horse boxes remain and a stud business would never position a sawmill next to a horse walker and lunge ring. The business is a change of use to industrial and the retrospective nature of the application (two years after trading started) sets a terrible precedent which councillors fear will be repeated throughout the village and possibly the county. The manner in which the business has been developed – with a disregard for the rules - has been very distressing for villagers. Councillors were concerned by the noise of the saw mill which is not as the application claims 'just now and then' and the extra traffic the business claims to have generated does not ring true with villager experience of large – sometimes articulated – lorries travelling through the village. In addition, planning application claims that the business does very little prep work, is contrary to what the company says on its website. An industrial

development of this kind, on agricultural land, would be better suited to an industrial estate.

Representations:

9. Four representations have been received raising objections to the application, which are summarised as:
 - Conversion of equestrian land to industrial – worrying precedent for rural area. Should be in industrial area
 - Constant noise – cutting machinery and reversing alarms
 - Lorry traffic – amount stated is incorrect
 - Damage to local roads and verges
 - Partial change of use is unrealistic – stud use was unviable
 - Danger of further expansion if approved
 - Necessary to control development limits, hours etc

10. Three representations have also been received in support of the application, making the following comments:
 - Good for local economy
 - Offers another supply option to national merchants
 - Sensible use of buildings – which are immaculately kept
 - Created good quality local jobs
 - Close to main road so little disruption to village
 - Good service
 - No noise encountered (from residents at neighbouring property and 1 mile away)
 - All machinery fitted with white noise alarms

Policy:

11. On 1 April 2019 Forest Heath District Council and St Edmundsbury Borough Council were replaced by a single authority, West Suffolk Council. The development plans for the previous local planning authorities were carried forward to the new Council by regulation. The development plans remain in place for the new West Suffolk Council and, with the exception of the Joint Development Management Policies Document (which had been adopted by both councils), set out policies for defined geographical areas within the new authority. It is therefore necessary to determine this application with reference to policies set out in the plans produced by the now dissolved St Edmundsbury Borough Council.

12. The following policies of the Joint Development Management Policies Document and the St Edmundsbury Core Strategy 2010 & Vision 2031 have been taken into account in the consideration of this application:
 - Policy DM1 Presumption in Favour of Sustainable Development

 - Policy DM2 Creating Places Development Principles and Local Distinctiveness

 - Policy DM5 Development in the Countryside

 - Policy DM45 Transport Assessments and Travel Plans

 - Core Strategy Policy CS3 - Design and Local Distinctiveness

Other planning policy:

National Planning Policy Framework (NPPF)

13. The NPPF was revised in July 2021 and is a material consideration in decision making from the day of its publication. Paragraph 219 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. The policies set out within the Joint Development Management Policies have been assessed in detail and are considered sufficiently aligned with the provision of the 2021 NPPF that full weight can be attached to them in the decision making process.

Officer comment:

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

- Principle of development
- Impact on visual amenity
- Impact on local highway
- Impact on residential amenity
- Impact on horse racing industry

Background

15. The site was previously granted permission for an equine stud farm under SE/04/3745 which was subsequently varied under SE/09/0957. This use was implemented by the previous site owners providing the current lawful stud use. The applicant achieved planning permission for associated buildings under DC/15/1915/FUL, the orientation and relocation of which were changed under a non-material amendment. Whilst the 20 bay barn was constructed, the smaller barn and office was not. Similarly, the managers dwelling granted in 2019 has not been constructed but is still capable of being implemented, albeit not in conjunction with the current application given that both occupy the same area.

Principle of development

16. The site is located within open countryside where policy DM5 seeks to prevent unsustainable development. This policy does however permit proposals for economic growth and expansion of all types of business and enterprise that recognises the intrinsic character and beauty of the countryside where:

- It will not result in the loss of best and most versatile agricultural land
- There will be no significant detrimental impact on the historic environment, character and visual amenity of the landscape or nature conservation and biodiversity interests, and
- There will be no significant adverse impact on the local highway network

17. The application proposes the change of use of a building erected with planning permission as stables, new buildings to serve both businesses, in addition to a partial change of use of the site, allowing the stud use to be retained alongside the timber supplies business.
18. In terms of additional buildings, a new 3 bay stable block has been constructed to serve the existing and retained stud use.
19. To serve both businesses a new office has been constructed in the location of the permitted dwelling. This building is single storey, clad in timber with a floor area of 48m² as opposed to the 152m² approved for the dwelling. A parking area is provided to the front of this building for staff and visitors. It is worth noting that should this application be refused, the dwelling is still capable of being implemented if the office was removed.
20. To serve the timber supplies business a new timber clad storage barn has been constructed on the south side of and adjacent to the existing barn. It measures 242m² and has matching eaves height and finishes flush with the adjacent building.
21. A workshop sits behind this barn, measures 190m² and features a lower ridge and eaves height.
22. An open fronted machinery store has been built on the northern boundary measuring 284m². This contains machinery used by both businesses.
23. The muck bunker proposed in the north east corner has been covered with an open fronted store for materials measuring 98m².
24. The timber supplies business focuses on storage, sales and distribution of timber products, which in most cases are sold and sent out in the form they arrived in. There is an enclosed workshop on site but it is understood that this is used for occasional cutting and commissions rather than on a regular basis.
25. The proposal seeks to retain the stud farm use with the new timber supplies business. The applicants have adapted their business model due to the changes experienced by the equine industry during the last couple of years. Rather than place horses with the stud throughout the key winter season, the applicant saw a rapid drop off in boarders throughout the usual busiest months of December to March as trainers elected to keep horses in their own yards instead. As a result, the stud farm now operates on a seasonal grazing basis where horses are kept on the site in the summer months grazing in the paddocks without the need for stabling. It is understood that clients have already been secured for this season. The two uses appear to be compatible and as such, this application allows both businesses to be retained.
26. It is understood that as well as retaining the full time stud employee the new use has generated 4 full time and 2 part time jobs.
27. Section 6 of the NPPF sets out the need to build a strong and competitive economy. This section outlines that planning policies and decisions should help create the conditions in which businesses can invest, expand and

adapt, and significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development.

28. Paragraph 84 goes on to state that planning policies and decisions should enable the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed new buildings. It is later confirmed at paragraph 85 that in supporting a prosperous rural economy, planning policies and decisions should recognise that sites to meet local business and community needs in rural areas may have to be found adjacent to or beyond existing settlements, and in locations that are not well served by public transport.
29. In this case, the proposal gains support from policy DM5, in that this policy, in principle, permits economic growth of all types of business in the rural area. Consideration of the buildings themselves, their appearance as well as noise and traffic movements is discussed below.

Impact on visual amenity

30. Policy DM2 echoes the NPPF and stresses the importance of good design and the need to recognise and address local distinctiveness and landscape character.
31. DM5, whilst permitting economic growth in rural areas requires the enterprise to recognise the intrinsic character and beauty of the countryside and not have a detrimental impact on the character and visual amenity of the landscape.
32. The buildings now erected for the timber supplies business sit on the same contained area as the stud buildings were built/proposed. There is no additional loss of land to be considered. Furthermore, the building heights as erected, are no higher than those already granted permission, with the permitted stable barn the tallest building on site. They appear as a cluster of agricultural buildings with the built form comparable to those in surrounding farmyards. Combined with the undulations of the site there is no greater landscape impact. The site sits within a shallow valley and as such, none of the buildings are visible from the adjacent highway.
33. The buildings have been designed and constructed to a high standard. They are sensibly arranged and use attractive materials which, when combined with the landscaping, create a high quality development.
34. On this basis, the proposal is considered to comply with the provisions of policy DM5 which seeks to ensure that development has no significant detrimental impact on the character and visual amenity of the landscape.

Impact on local highway network

35. Policy DM5 permits development in the countryside which (in addition to other criteria) has no significant adverse impact on the local highway network. Furthermore, policy DM45 requires developments with significant transport implications to submit a transport assessment. Whilst this is not considered to be an application which meets this scale, a transport note has been provided.

36. Access is gained via the existing access to the wider site and the stud farm, no alterations are proposed in this respect.
37. Concerns have been raised as to the impact of associated traffic movements on the local road network. The transport note specifies 2 HGV deliveries a week, 4 x light goods vehicles deliveries (outward) a day and approximately 5 visitors to the site a day to collect timber. These movements appear fairly modest and should be balanced against the authorised stud use which would have similar or higher levels of traffic including evening and weekend movements. Given the level specified and the proximity to the main road the Highway Authority has not raised any concerns.
38. It is not considered that the proposal results in a significant adverse impact on the highway network which would prevent compliance with policies DM2, DM5 and the NPPF. As such, the application is considered acceptable with regard to transport movements.

Impact on residential amenity

39. Policy DM2 seeks to ensure that development does not adversely affect the amenities of adjacent areas by reason of noise, smell, vibration or volume or type of vehicular activity generated.
40. In terms of noise, concerns have been raised with regards to noise pollution emanating from the machinery on site. The business benefits from a well-equipped workshop which is entirely contained within a building as well as a variety of vehicles, many of which are used for both the timber and equine businesses. A noise impact assessment has been submitted which measured the noise from various plant and equipment at 4 different receptors and found the level of noise to be acceptable. These results have been shown on a map which identifies that the closest house to the development (Plumpton Hall) would hear a maximum of 32 decibels. This is an acceptable daytime volume. Furthermore, the impact of this use should be considered against the permitted stud farm which would have generated noise at all times of the day. Public Health and Housing are satisfied with the information provided and haven't raised any concerns.
41. The level of noise shown in the noise assessment and witnessed onsite, including the use of white noise alarms on vehicles and the potential disturbance from vehicle movements is considered acceptable and in accordance with policy DM2.

Impact on Horse Racing Industry

42. Policies DM48 and DM49 seek to protect the horse racing industry around Newmarket, to ensure the town's long term sustainability. Located outside the main catchment of Newmarket and given the immature nature of the stud business, it is not considered that this proposal would have a significant impact on the integrity of the horse racing industry. Notwithstanding this, the continuation of the stud farm, albeit operating under a different model, will allow the business to contribute modestly to the equine community and is therefore compliant with these policies.

43. The Parish Council have raised concerns about the ability of the two uses to be compatible, stating 'a stud business would never position a sawmill next to a horse walker and lunge ring'. Whilst undoubtedly this was never the intention when the stud business formed, given the change in circumstances the applicants saw an opportunity to diversify. The current stud business relies on summer grazing and will therefore, make little use of the other facilities. Nonetheless, equine yards also experience large vehicle deliveries, with machinery such as tractors and forklifts used on a regular basis. So in that respect and given that the workshop is not in regular use, the activity here is unlikely to be dis-similar.

Conclusion:

44. It is understood that the Parish Council is disappointed with the retrospective nature of the application and with the time taken for it to be submitted. Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. In addition, the National Planning Policy Guidance makes it clear that retrospective applications should be considered in the normal way. Whilst development has been carried out without the benefit of planning permission this is not a material consideration and members should consider the proposal in accordance with locally and nationally adopted policies.

45. In conclusion, the structures are contained within the existing developed site, are commensurate in scale with that of agricultural buildings and are attractive and well maintained. The noise and vehicle movements associated are modest and in comparison to the approved stud use, these elements are reduced. DM5 and the NPPF stress the importance of supporting the local economy and job creation which the proposal achieves. Subsequently, with the use of conditions to control hours of operation, the application is considered to comply with national and adopted policy.

Recommendation:

46. It is recommended that planning permission be **APPROVED** subject to the following condition:

1. The development hereby approved is defined by the following plans and documents and no alterations or extensions shall take place without the prior written consent of the Local Planning Authority.

Plan type	Plan ref	Received date
Location plan	BC6991 C	15.2.22
Proposed plans	G (1)	24.11.21
Plans	G (2)	24.11.21
Proposed block plan	BC6991 B	4.1.22

Reason: To define the scope and extent of this permission.

2. No deliveries shall be taken or despatched outside the hours of 08:00 - 17:00 Mondays to Saturdays and no deliveries shall be taken or despatched on Sundays and Bank Holidays unless agreed in writing with

the Local Planning Authority.

Reason: To protect the amenities of occupiers of properties in the locality, in accordance with Policies DM2 and DM14 of the West Suffolk Joint Development Management Policies Document 2015, Chapter 15 of the National Planning Policy Framework and all relevant Core Strategy Policies.

Documents:

All background documents including application forms, drawings and other supporting documentation relating to this application can be viewed online [DC/21/2320/FUL](#)