

MID SUFFOLK DISTRICT COUNCIL  
DEVELOPMENT CONTROL COMMITTEE - 17 August 2016

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<b>AGENDA ITEM NO</b>	2
<b>APPLICATION NO</b>	1822/16
<b>PROPOSAL</b>	Change of use of land and buildings to commercial livery stabling and paddocks with erection of additional stabling, provision of flood lighting to existing manege, provision of car parking and fencing, partial conversion of hay barn to welfare facilities, provision of package treatment plant, and use of existing vehicular access.
<b>SITE LOCATION</b>	Yaxley Manor House, Mellis Road, Yaxley, IP23 8DG
<b>SITE AREA (Ha)</b>	0.35
<b>APPLICANT</b>	Ms C Emery
<b>RECEIVED</b>	April 12, 2016
<b>EXPIRY DATE</b>	June 23, 2016

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**REASONS FOR REFERENCE TO COMMITTEE**

The application is referred to committee for the following reason :

(1) a Member of the Council has requested that the application is determined by the appropriate Committee and the request has been made in accordance with the Planning Code of Practice or such other protocol / procedure adopted by the Council. The Members reasoning is included in the agenda bundle.

**PRE-APPLICATION ADVICE**

1. The application was not subject to any pre-application discussion with a planning officer.

**SITE AND SURROUNDINGS**

2. This application relates to land associated with Yaxley Manor House which is a Grade II\* listed building positioned to the north of the Mellis Road in Yaxley to the east of Mellis village. The Manor House is bisected by the Parish boundaries of Mellis and Yaxley Parishes.

The Manor House stands in a small grouping which includes several residential properties and the Mellis Primary school. Land in the ownership of the Manor House is a substantial area of agricultural land to its east, north and west. This land is now mainly used for the keeping of horses, and, in the area to the east of the Manor, several associated buildings have been erected, including stabling and a hay store. The site has access to 20 acres of land for exercise purposes. An exercise manege has also been installed. Planning permission has previously been granted for the use of land and buildings for the keeping of

horses.

### HISTORY

3. The planning history relevant to the application site is:

1822/16	Change of use of land and buildings to commercial livery stabling and paddocks with erection of additional stabling, provision of flood lighting to existing manege, provision of car parking and fencing, partial conversion of hay barn to welfare facilities, provision of package treatment plant, and use of existing vehicular access.	
1272/13	Retention of use of land for the keeping of horses. Alterations and extensions to existing stables and hay barn and the erection of a new hay barn	Granted 04/10/2013
1137/05/	Erection of an additional three timber framed stables and store to match existing.	Granted 23/08/2005
1093/02/	REMOVAL OF EXISTING CONSERVATORY AT REAR OF HOUSE AND REPLACEMENT WITH NEW ENTRANCE PORCH	Granted 18/10/2002
0170/02/LB	DEMOLISH EXISTING REAR CONSERVATORY AND ERECT NEW ENTRANCE PORCH. REPLACE 11NO. WINDOWS. INTERNAL AND EXTERNAL ALTERATIONS.	Granted 10/10/2002
0160/00/	ERECTION OF STABLE BLOCK	Granted 07/04/2000
0155/99/LB	INTERNAL & EXTERNAL ALTERATIONS INCLUDING REPLACEMENT OF GROUND FLOOR WINDOWS; REMOVAL OF SECONDARY GLAZING; INSERTION OF NEW DOOR ENTRANCE ON NORTH ELEVATION; REMOVAL OF INTERNAL PANNELLING; REMOVAL OF FIREPLACE SURROUND; EXPOSE MULLION WINDOW TO WEST ELEVATION; REMOVE EXISTING CONSERVATORY ON NORTH ELEVATION.	Granted 01/10/1999
0762/99/	CONVERSION OF EXISTING OUTBUILDINGS TO 4 NO. HOLIDAY COTTAGES.	Granted 29/10/1999
0147/99/LB	CONVERSION OF EXISTING OUTBUILDINGS TO 4 NO. HOLIDAY COTTAGES.	Granted 29/10/1999
0852/94	ERECTION OF WALL NOT EXCEEDING 8'6" ON NORTH AND WEST BOUNDARY	14/12/1994
0164/94/LB	ERECTION OF WALL NOT EXCEEDING 8'6" ON NORTH AND WEST	Granted 14/12/1994

	BOUNDARY;ERECTION OF WALL AND RAILINGS ON PART OF SOUTH BOUNDARY	
0142/94/LB	RETENTION OF DOOR (WEST ELEVATION) AND MULLION WINDOW AND PANELLING (NORTH ELEVATION).	Granted 14/10/1994
0093/94/LB	ERECTION OF CONSERVATORY TO NORTH ELEVATION FOLLOWING DEMOLITION OF EXISTING PORCH.	Granted 03/08/1994
0479/94/	ERECTION OF CONSERVATORY TO NORTH ELEVATION FOLLOWING DEMOLITION OF EXISTING PORCH.	Granted 03/08/1994
0406/92/	CHANGE OF USE OF BARN TO BUSINESS USE FOR DRESS HIRE.	Granted 24/06/1992
0052/92/LB	DEMOLITION OF OUTBUILDINGS AND THE REPLACEMENT OF PEBBLEDASH WITH SMOOTH RENDER AND COLOUR WASH TO FRONT ELEVATION.	04/08/1992
0209/92/	LAYOUT AND CONSTRUCTION OF NEW VEHICULAR ACCESS BESIDE EXISTING ACCESS; ERECTION OF 6 FT HIGH GATES; REMOVAL OF LOW FRONT BOUNDARY WALL BEING REPLACED BY PLANTING.	Granted 22/04/1992
0071/90/OL	CONVERSION OF REDUNDANT FARM BUILDINGS TO THREE DWELLINGS AND ALTERATIONS OF EXISTING ACCESS	Granted 21/11/1990
0070/90/OL	CONVERSION OF REDUNDANT FARM BUILDINGS TO FOUR DWELLINGS AND ALTERATION OF EXISTING ACCESS	Refused 14/06/1990
0017/74/LB	Reroofing with dark brown clay peg tiles to front and dark brown concrete tiles to rear.	Granted 02/01/1975

#### **PROPOSAL**

4. Planning permission is sought for the change of use of land and buildings to commercial livery stabling and paddocks with erection of additional stabling, provision of flood lighting to existing manege with four 6m high poles, provision of car parking and fencing, partial conversion of hay barn to welfare facilities, provision of package treatment plant, and use of existing vehicular access with provision of visibility splays to the requirements of the Highway Authority.

It is proposed that with the combination of existing stables and proposed stable buildings there will be a total of 14 stables used for livery use and 5 for personal use by the applicant. Currently the site does not provide any employment however it is envisaged that four full/part time positions will be created. It is intended that the hours of operation would be 0700 - 2100 every day of the week.

#### **POLICY**

## 5. Planning Policy Guidance

See Appendix below.

## CONSULTATIONS

### 6. Yaxley Parish Council

- Yaxley Parish Council supports the application but on the following conditions:
  1. There must be a turning circle on the property large enough for horse boxes to turn round.
  2. A visibility splay is needed with a clear field of vision, which allows vehicles to be seen, particularly from the Mellis direction. In particular this applies at the beginning and end of the school day when the traffic is particularly heavy on the Yaxley to Mellis Road.
  3. Urine from the horses must not be allowed to pollute waterways.

### Mellis Parish Council

- Highway issues. Serious concerns about conflict with school parking at school drop off and pick up times. Noting that school parking regularly extends east to a point opposite the access to this site Mellis PC is concerned about the mix of horses/horse transport and other vehicles entering and exiting the site through the existing access gate could add significantly to the problems already experienced on this road
- Inadequate access from the entrance onto the highway with poor visibility (high roadside hedges) for the potential and unspecified number of vehicle movements
- no summary of vehicle movements
- on site parking inadequate to cover needs of 3-4 staff plus 17 potential clients. No parking/manoeuvring for horse boxes/ trailers
- light pollution from proposed 6m manege lights
- noise and disturbance to neighbouring properties with early morning and late evening activity
- drainage from site with surface water runoff from the yard
- disposal of manure from the site using a trailer. No indication of where trailer would be sited or any provision for handling polluted runoff.

### Environmental Health

- In respect of other environmental health issues I do not have any objection to the proposal but would recommend the following conditions in order to mitigate any adverse effects from flood lighting and the storage and disposal of manure:
  - No means of lighting shall be installed to the external manege except in accordance with details of an illumination scheme (to include luminaire types, position, height, aiming points, lighting levels and a polar illuminance diagram, based on the vertical plane to reflect the impact on surrounding residential premises) which shall have been submitted to and approved in writing by the local planning authority and shall be implemented and retained

as approved.

- Prior to the operation and use of the stables, the applicant is required to submit a detailed waste management plan (to include the collection and disposal of solid and liquid wastes) to the local planning authority for approval in writing and following its approval the operation of waste collection and storage shall be carried out at all times in compliance with it. Reason: To protect the amenity and mitigate adverse impacts to neighbouring residential premises from light pollution and odour or fly nuisance.

### **SCC Highways**

- the County Council as Highway Authority recommends that any permission which that Planning Authority may give should include the conditions shown below:
- Condition: Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order with or without modification) no means of frontage enclosure shall exceed 0.6 metres in height above the level of the carriageway of the adjacent highway. Reason: In the interests of highway safety in order to maintain intervisibility between highway users.
- Condition: The use shall not commence until the area(s) within the site shown on 2000\_09B for the purposes of manoeuvring and parking of vehicles has been provided and thereafter that area(s) shall be retained and used for no other purposes. Reason: To ensure that sufficient space for the on site parking of vehicles is provided and maintained in order to ensure the provision of adequate on-site space for the parking and manoeuvring of vehicles where on-street parking and manoeuvring would be detrimental to highway safety to users of the highway

With regard to concerns raised with regard to the parking of vehicles along the Mellis Road associated with the local Primary School the following observations have been made by SCC Highways:

"After discussions with our Area Office, we have come to the conclusion that yes SCC are aware of an on street parking issue stemming from the school however, the current proposal will not intensify this problem.

The school are currently planning to create a car park however the scheme has been put on hold due to a lack of funding.

SCC believes it would be unjust to recommend the current application be refused for parking issues considering the site does not contribute to this problem".

### **Heritage**

- The Heritage Team considers that the proposal would cause less than substantial harm to a designated heritage asset because it would increase built form and activity in the setting of the listed building. However the level of harm is considered very low.
- The Heritage Team recommends that the harm be weighed against any public benefits of the scheme.

- Yaxley Manor house is a large house to the north of Mellis Road, formerly the Manor House, with outbuildings to the north and north east, gardens to the east, and other properties to the west. Beyond the gardens is an area of open pasture, to the east of which stand the existing stable building, manege and other equestrian structures. These features sit in the wider rural landscape. There is a sense of detachment of this group from the Manor House although it sits in the setting of the listed building.
- The proposal is to develop the equestrian activity on a business basis with a new stable building and alterations to existing buildings. The amount of built form will increase, although its overall extent will be unchanged, carparking will be provided, and the level of use will increase.
- These will have some impact on the rural character of the setting of the listed building, but given the existing situation adverse impact on setting will be marginal or at worst very low.
- Officers or Members should weigh this harm (and any other harm) against any public benefits of the scheme, which might include securing the future of the Manor House, providing employment and stimulating economic activity locally

#### **Historic England**

- Historic England have considered the information received and we do not wish to offer any comments on this occasion.
- The application(s) should be determined in accordance with national and local policy guidance, and on the basis of your specialist conservation advice.

#### **LOCAL AND THIRD PARTY REPRESENTATIONS**

7.
  - The application site is set on a ridge and the proposed flood lighting would appear prominent, alien and intrusive in the wider landscape.
  - The close proximity of the manege to the Mellis-Yaxley Road and the two properties on the opposite side of the road would be likely to result in a material loss of visual amenity and tranquillity for these homes
  - the significant increase in associated vehicular movements at school pick up and drop off times, when the road is reduced to a single lane by parked cars, could result in conflicts and danger for the many young and unpredictable children
  - hours of activity specified would introduce noise and disturbance into a very rural location outside the working day; especially concentrated at weekends and bank holidays.
  - For any scheme to be acceptable a significant reduction in scale, hours of operation and the omission of any flood lighting is essential.
  - development fronts the highway which is restricted on a daily basis with School traffic reducing the highway to a narrow single lane from the requested access point leading well beyond the school into Mellis village causing frustration to the local area and residents, and the obvious dangers to the public and school children with the traffic congestion.
  - parking area indicated for this application is woefully inadequate for the number of stables
  - No provision has been made for a turning area, either for resident, delivery vehicles and manure removal (these can be very large), which could well

- require these vehicles backing out onto the busy and/or restricted highway.
- Insufficient information on the storage, regular removal and ultimate destination of horse manure
- Flood lighting not in keeping with the village environment and possible nuisance to near properties due to light pollution.
- There is only one bridleway in the near location (which is unusable in wet winters) creating the need for significant road work for the horses.
- any equestrian business is a 24/7(365) commitment that creates movements and disturbance at any time day or night to adjoining properties at any time and it seems that this application is much too large for the setting of Yaxley Manor House (Grade 2 Listed) and the very quiet village setting.

## **ASSESSMENT**

8. This proposed development has not been subject to pre-application advice. There are a number of considerations which will be addressed as follows.

- Principle of Development
- Highway and Access Issues
- Design and Layout
- Listed Building and setting issues
- Residential Amenity
- Landscaping
- Floodlighting
- Waste Disposal

### **Principle of Development**

There are a number of policies that seek the countryside to be protected for its own sake and remain for the use of agriculture and recreation. Horse riding is one of the more popular recreational uses found in the countryside which policy CL21 of the Local Plan accepts in principle subject to no adverse impact to landscape, residential amenity, road safety, habitat.

Policy CS5 of the Core Strategy and Core Strategy Focused Review (CSFR) provides that *"All development will maintain and enhance the environment, including the historic environment, and retain the local distinctiveness of the area"*. The Core Strategy Focused Review (CSFR) was adopted by Full Council on 20 December 2012 and should be read as a supplement to Mid Suffolk's adopted Core Strategy (2008).

The National Planning Policy Framework provides support for economic growth in rural areas in order to create jobs and prosperity by taking a positive approach to sustainable new development.

### **Highway and Access Issues**

Representations received have concerns with the proposed traffic to generated by a commercial use of the site. Additionally representations have raised concerns with regard to the parking which takes place along Mellis Road in connection with the local Primary School in Mellis in the morning and afternoon

at dropping off and picking up times.

The Highways Authority have responded to this application by recommending improvements to the visibility of the existing vehicular access into the site. Currently along the road frontage of the site is an established hedge which restricts the visibility of the access into the site. The Highway Authority has requested that the hedge, which is currently approximately 3m high, should be reduced to 0.6m high along the entire frontage, to enable a satisfactory visibility splay of 2.4m x 90m in both directions either side of the access along the Mellis Road.

The applicant has indicated that the required visibility splay will be provided with the cutting down of the hedge. In order to compensate for the loss of the existing hedge it is proposed that a replacement hedge would be planted behind the visibility splay with a 1.8m high temporary fence erected to provide screening while the planting becomes established.

In addition the proposal includes the provision of 10no parking bays which are 3.5m wide and 8m in length and capable of accommodating larger vehicles associated with the transportation of horses, with associated manoeuvring space. The Highway Authority have raised no objection to the proposed parking and manoeuvring area.

On this basis it is considered that the development is acceptable in respect of highways.

### **Design and Layout**

The existing site has a stable building, tack room and hay barn which are used for personal use. The application is proposing a new stable building to be constructed in the same style and design as the existing stable building, and positioned between the existing stable and the existing manege. It is a low rise building with a maximum height of 2.9m with a shallow pitched roof. The overall design and layout of the proposed buildings is considered appropriate for an equestrian related enterprise.

### **Listed Building and Setting issues**

Yaxley Manor House is significant Grade II\* listed building which is separated from the application site with a garden area giving a sense of detachment from the existing equestrian structures although it sits in the setting of the listed building. There is a distance of approximately 93 from the Manor House to the existing stable building. The Heritage Officer has made an assessment of the proposal and considers that the features sit in the wider rural landscape and the proposal will increase the amount of built form, although its overall extent will be unchanged, car parking will be provided, and the level of use will increase. This will have some impact on the rural character of the setting of the listed building, but given the existing situation adverse impact on setting will be marginal or at worst very low. Members should weigh this harm (and any other harm) against any public benefits of the scheme, which might include securing the future of the Manor House, providing employment and stimulating economic activity locally. Historic England have raised no objections.

The site is positioned along the approach to the Mellis Conservation Area, and



the alteration to the height of the frontage hedge will result in a change to the character of this approach along the frontage of the site. The Heritage Officer advises that the understanding and appreciation of the significance of a Conservation Area can be affected by developments in its setting which affect the experience of approaching or leaving it. In this case there is potential for the loss of the screening effect of the existing hedging, at least until replacement hedging is established, which could affect the impression of the Mellis Conservation Area as a historic settlement in rural surroundings.

However, there are certain factors need to be properly considered:

- there is development already on the site, so the *character* of the surroundings is already affected, and the development's visual impact is mitigated by the hedge;
- the existing and proposed developments are not really urban or industrial in character;
- the provision of replacement screen hedging can be secured;
- the area affected is a low proportion of the streetscape on the approach to the Mellis Conservation Area, and any impact would accordingly be relatively low.

For these reasons the Heritage Officer acknowledges that there would be some impact in these terms, but insufficient to recommend refusal.

### **Residential amenity**

There are two residential properties approximately 50m to the south east of the site along Mellis Road. The change of use to a commercial livery stable will result in increased activity on the site. It is anticipated that not all owners will visit the premises every day and it is envisaged that typically there would be 12 (6 in and 6 out) or less vehicle movements on a weekday basis, with possibly more on a weekend. This level of vehicular activity along Mellis Road is not considered to be excessive. Additionally the provision of flood lighting on the site has the potential to impact upon residential amenity. In order to mitigate against this the Environmental Health Officer has requested full details of an illumination scheme be conditioned to ensure that illumination does not adversely impact upon residential amenity.

### **Landscaping**

The site has an established hedge along the road frontage which is currently approximately 3m high, although in recent past it has been a more managed 2m in height. In addition behind the hedge there are four tall mature trees. There is a requirement of the SCC Highways for the frontage hedge to be reduced in height to 0.6m in order to provide highway visibility for vehicles emerging from the existing access. The trees are to be retained. The consequence of the hedge being lowered in height is that site, and buildings will become more open to view from the road. In order to compensate for this the applicant is proposing to plant a replacement hedge behind the required visibility splay which will, in time, provide satisfactory replacement screen planting.

### **Floodlighting**

The site has an existing exercise manege and it is intended that this will be provided with floodlights to enable the exercising of horses in the winter months.

Four 6m high poles are to be provided. It is intended to keep the stables open until 2100 every evening, so it would be conditioned that the flood lighting should be turned off at that time. The Environmental Health Officer has raised no objection to the provision of floodlighting, however in order to ensure that the impact of the proposed floodlighting is mitigated against he has requested that a condition be applied requiring details of an illumination scheme (to include luminaire types, position, height, aiming points, lighting levels and a polar illuminance diagram, based on the vertical plane to reflect the impact on surrounding residential premises). It is considered that subject to the submission of these required details the impact of the proposed floodlighting on nearby residential properties will be mitigated against.

### **Waste Disposal**

Concerns have been expressed with regard to the requirement for waste disposal arising from the use of the site for horses. The Environmental Health Officer has requested that a full Waste Management scheme including the collection and disposal of waste should be submitted and agreed. It is considered that this will enable a satisfactory scheme to be agreed.

### **Conclusion**

It is considered that the proposed livery use of this site is appropriate for this rural location and will contribute to the rural economy. Subject to appropriate conditions it is considered that the proposed development would not cause significant adverse harm on residential amenity, the environment and highway safety to warrant refusal and is considered to accord to the development plan.

## **RECOMMENDATION**

**That Full Planning Permission be granted subject to the following conditions**

- Development to commence within three years
- In accordance with approved plans
- Site to be used for commercial livery and stables, with no holding of equestrian or other events for either private or public attendance, or horse riding lessons and/or riding school operation
- Details of floodlighting illumination scheme to be submitted and implemented
- Details of waste management plan to be submitted and implemented
- Landscaping scheme to be agreed and implemented
- Access visibility splay to be provided in accordance with SCC Highway requirements

Philip Isbell  
Professional Lead - Growth & Sustainable Planning

Stephen Burgess  
Planning Officer

## **APPENDIX A - PLANNING POLICIES**

1. **Mid Suffolk Core Strategy Development Plan Document and the Core Strategy Focused Review**

**CSFR-FC1** - PRESUMPTION IN FAVOUR OF SUSTAINABLE DEVELOPMENT  
**CSFR-FC1.1** - MID SUFFOLK APPROACH TO DELIVERING SUSTAINABLE DEVELOPMENT  
**Cor5** - CS5 Mid Suffolks Environment

2. **Mid Suffolk Local Plan**

**GP1** - DESIGN AND LAYOUT OF DEVELOPMENT  
**CL21** - FACILITIES FOR HORSE RIDING

3. **Planning Policy Statements, Circulars & Other policy**

**NPPF** - National Planning Policy Framework

**APPENDIX B - NEIGHBOUR REPRESENTATIONS**

Letter(s) of representation(s) have been received from a total of **5** interested party(ies).

The following people **objected** to the application

The following people **supported** the application:

The following people **commented** on the application: