

**Planning Committee:** 14 December 2021

**Item Number:** 5

**Application No:** W 20 / 1299

**Town/Parish Council:** Lapworth  
**Case Officer:** Dan Charles

**Registration Date:** 19/08/20  
**Expiry Date:** 14/10/20

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**Land Opposite Brook House, Bakers Lane, Knowle, Lapworth, B93 8PW**  
Erection of stable and associated hardstanding. FOR Mr Hussain

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This application is being presented to Committee due to the number of objections received.

### **RECOMMENDATION**

That planning permission is GRANTED with conditions.

### **DETAILS OF THE DEVELOPMENT**

The proposed development is for the erection of a stable building consisting of 4 stalls and a tack/fodder store room.

The building is proposed to be 'L' shaped with the primary wing measuring 15.5 metres x 4 metres with the additional projection of 5.69 metres x 4 metres with an eaves height of 2.68m and overall height to ridge of 3.72m.

The building is to be constructed of timber walls under a shingled roof and will be located on a concrete slab base.

### **THE SITE AND ITS LOCATION**

The application site relates to an equestrian field located on the southern side of Bakers Lane, within the Green Belt and a rural area.

The site is flanked on all sides by open fields/paddocks. Beyond the fields to the north lie a number of residential properties.

The site is accessed from Bakers Lane onto an existing unmade track leading to the associated paddock running along the northern boundary with the road.

Within the wider area in the vicinity of Bakers Lane, a significant level of local concern is being expressed concerning the changing character of that wider area arising from incremental developments, a number of which are the subject of ongoing enforcement investigations and other current planning applications.

### **PLANNING HISTORY**

### Applications relevant to adjacent land

**W/18/2369** - Erection of stable building – **GRANTED 27.02.2019.**

**W/16/0455** - Erection of agricultural building (hay barn) – **REFUSED 28.04.2016.**

**W/15/1133** – Erection of stable building – **REFUSED 11.09.2015**

**W/11/1621** - Hardstanding ancillary to adjacent paddock: **GRANTED 13.06.2012.**

### **RELEVANT POLICIES**

- National Planning Policy Framework

#### The Current Local Plan

- DS18 - Green Belt
- BE1 - Layout and Design
- BE3 - Amenity
- NE3 - Biodiversity
- NE4 - Landscape
- NE5 - Protection of Natural Resources
- TR1 - Access and Choice (Warwick District Local Plan - 2011-2029)
- TR2 - Traffic generation (Warwick Local Plan - 2011-2029)
- TR3 - Parking (Warwick District Local Plan - 2011-2029)

#### Guidance Documents

- Parking Standards (Supplementary Planning Document)

### **SUMMARY OF REPRESENTATIONS**

**Lapworth Parish Council:** No objection.

**WCC Ecology:** No objection subject to condition and note.

**WDC Environmental Protection Officer:** No objection.

**Public Response:** A total of 13 number of objections received making the following comments;

- Land is being turned into residential development.
- Development by stealth.
- Increased traffic.
- Not satisfied that there are horses on site.
- Impact on rural landscape.

- Impact on openness of Green Belt.
- Harm to highway safety.
- Already sufficient stabling in area.

## **ASSESSMENT**

### **Whether the proposal constitutes appropriate development in the Green Belt**

As the site lies within the West Midlands Green Belt, the proposal must be assessed against Policy DS18 of the Local Plan. The policy states development must be in accordance with the National Planning Policy Framework (NPPF) Green Belt provisions. Paragraph 149 states that new buildings in the Green Belt are inappropriate development except where certain criteria are met. Point b) allows for the provision of appropriate facilities for outdoor sport and recreation purposes where they do not conflict with the purposes of including land within the Green Belt.

Private equestrian uses are considered to fall within the category of outdoor sport and recreation. The scale of the building is modest to provide stabling for 4 horses only with associated storage and tack room. The land extends in total to approximately 4.12 acres. The British Horse Society recommend 1 acre per horse so Officers are satisfied that the scale of the building is commensurate with the land area.

The building is timber under a lightweight shingle roof structure. This form of stable building is a common feature within rural areas and Officers are satisfied that the building would not conflict with the purposes of including the land within the Green Belt and is therefore appropriate development.

### **Design and impact on visual amenity and the character of surrounding area**

Section 12 of the National Planning Policy Framework (NPPF) places significant weight on ensuring good design which is a key aspect of sustainable development and should positively contribute towards making places better for people. The NPPF states that permission should be refused for development of poor design that fails to take the opportunities available for improving character, the quality of an area and the way it functions.

Policy BE1 of the Local Plan reinforces the importance of good design stipulated by the NPPF as it requires all development to respect surrounding buildings in terms of scale, height, form and massing. The Local Plan calls for development to be constructed using appropriate materials and seeks to ensure that the appearance of the development and its relationship with the surrounding built and natural environment does not detrimentally impact the character of the local area.

The stable block proposed is of timber construction under a shingled roof. This is a common design for small scale stable structures within rural areas.

The building would be sited in close proximity to the access at the front of the site area so only a small area of hardstanding is required to facilitate the stable building.

The proposal is of modest scale with a 85m<sup>2</sup> footprint and ridge height of 3.72m. Officers are satisfied that the scale of development would not have a detrimental impact on the visual amenity of the area.

The proposal is considered to be in accordance with Policy BE1 of the Local Plan and national guidance contained within the NPPF.

### **Impact on adjacent properties**

Policy BE3 of the Warwick District Local Plan states that new development will not be permitted that has an unacceptable adverse impact on the amenity of nearby uses and residents.

There are no neighbouring properties immediately adjacent to the site of the proposed stable building. The nearest property is a significant distance to the north of the site. Officers are satisfied that the provision of the modest stable block would not result in any significant harmful impact on the amenity of the neighbouring property.

Due to the location of the stable block, it is considered appropriate to restrict the burning of waste on site to prevent any undue harm to the amenity of neighbouring properties.

Subject to the imposition of the conditions to restrict on-site activities, Officers are satisfied that the scheme would accord with Policy BE3 of the Local Plan.

### **Highway Safety**

Policy TR1 of the Warwick District Local Plan requires all developments provide safe, suitable and attractive access routes for all users that are not detrimental to highway safety. Policy TR3 requires all development proposals to make adequate provision for parking for all users of a site in accordance with the relevant parking standards.

The site benefits from an existing access to the public highway that serves the site and this access has acceptable visibility in both directions.

There is sufficient space within the site on the existing hardstanding to allow vehicles to enter, park and manoeuvre allowing for access and egress in a forward gear.

Officers consider it appropriate to restrict the use of the stable building to private use only to ensure that traffic is kept to a minimum to prevent harm to highway safety.

Subject to the imposition of the condition on the use of the stables, Officers are satisfied that the proposal would not result in harm to highway safety. The scheme is therefore considered acceptable having regard to Policies TR1 and TR3 of the Local Plan.

### **Impact on Ecology/Protected Species**

Policy NE3 of the Warwick District Local Plan states that development proposals will be expected to protect, enhance and/or restore habitat biodiversity and where this is not possible, mitigation or compensatory measures should be identified accordingly.

The proposal has been considered by the County Ecologist who has inspected the site and raised no objection to the scheme in terms of potential impact on protected species subject to the imposition of a condition to secure biodiversity gain and an explanatory note regarding foundations and the potential impact on wildlife.

Officers are therefore satisfied that the scheme accords with Policy NE3 of the Local Plan.

### **Other Matters**

A number of objections have cited an earlier application on adjacent land whereby a building has been converted into living accommodation and it has been suggested that this proposal is a pre-cursor to this form of development.

Officers have noted this concern but this is not a material planning consideration and the proposal has been assessed on its own merits. Conditions are proposed to control the use of the building and any future application would have to be assessed separately.

### **Conclusion**

The proposal is considered to be an appropriate form of development within the Green Belt. The scale of the building is considered to be appropriate for the land holding. The proposal raises no objection in design or amenity terms. The proposal is considered acceptable in relation to highway safety and impact on protected species.

For the above reasons, the proposal is recommended for approval subject to conditions.

### **CONDITIONS**

- 1 The development hereby permitted shall begin not later than three years from the date of this permission.

**REASON:** To comply with Section 91 of the Town and Country Planning Act 1990 (as amended).

- 2 The development hereby permitted shall be carried out strictly in accordance with the details shown on the site location plan and approved drawing 9402-201 and specification contained therein, submitted on 19 August 2020 and approved drawing 9402-300 Rev A and specification contained therein, submitted on 3 August 2021.

**REASON :** For the avoidance of doubt and to secure a satisfactory form of development in accordance with Policies DS18, BE1 and BE3 of the Warwick District Local Plan 2011-2029.

- 3 The development hereby permitted shall not commence until a scheme for biodiversity enhancements has been submitted and approved in writing by the Local Planning Authority. The scheme should include details of planting and maintenance of all new planting. Details of species used and sourcing of plants should be included. The scheme should also include details of habitat enhancement/creation measures and management, such as native species planting, species-rich wildflower meadow creation and/or hedgerow creation/enhancement. Such approved measures shall thereafter be implemented in full.

**REASON:** To ensure a net biodiversity gain in accordance with NPPF.

- 4 The materials used in the construction of the development hereby permitted shall be in full accordance with the details submitted within the application documents (timber with shingled roof).

**REASON:** To ensure that the visual amenities of the area are protected and to provide an appropriate form of development in the Green Belt and to satisfy the requirements of Policies DS18 and BE1 of the Warwick District Local Plan 2011-2029.

- 5 The use of the building hereby permitted shall be for personal and private use only for the stabling of up to 4 horses and shall at no time be used for commercial activity.

**REASON:** In the interest of amenity and highway safety in accordance with Policies DS18, BE3, TR1 and TR3 of the Warwick District Local Plan 2011-2029.

- 6 There shall be no burning of waste within the site boundaries.

**REASON:** In the interest of the amenity of the local area having regard to Policy BE3 of the Warwick District Local Plan 2011-2029.