

Planning Committee: 24 June 2014

Item Number: 10

Application No: W 14 / 0469

Town/Parish Council: Old Milverton

Registration Date: 30/04/14

Case Officer: Penny Butler

Expiry Date: 25/06/14

01926 456544 penny.butler@warwickdc.gov.uk

Quarry Farm, Old Milverton Lane, Old Milverton, Leamington Spa
Erection of stable block and tack room FOR Messrs Carroll & Long

This application is being presented to Committee due to an objection from the Parish Council having been received.

RECOMMENDATION

Planning Committee are recommended to GRANT planning permission, subject to conditions.

DETAILS OF THE DEVELOPMENT

The proposal is for the erection of stable block and tack room building arranged in an L shape. The building would have a traditional appearance with a low mono-pitch profile metal sheet roof, with horizontal shiplap timber boarded walls, and would provide five stables and a tack room. The outer walls would measure 10.3m and 10.8m, and the width would be 3.5m and 3.7m. This would be sited at the rear of the former Quarry Farm storage site, which is currently under redevelopment as a care home. The stables would be sited 12m from the shared boundary. The stable is shown to be accessed via an access leading off Old Milverton Lane running alongside the care home, and from land at the rear. No changes to the access are proposed as part of this application, although an application to amend the access off Old Milverton Lane has also been submitted (W14/0597).

If the stables are granted permission, the applicant has indicated they would accept a condition requiring the removal of all storage containers contained in the adjoining paddocks to the south, which is also under the ownership of the applicant.

THE SITE AND ITS LOCATION

The application site comprises a small yard area sited at the rear of the former Quarry Farm storage site, which is currently under redevelopment as a care home. This is located adjoining a group of buildings adjacent to the Old Milverton Lane/Kenilworth Road roundabout, in the rural Green Belt. There are paddocks to the south of the site and a river is the rear. The Quarry Park storage site lies on the opposite side of the paddocks to the south.

PLANNING HISTORY

A planning application for stables was withdrawn earlier in 2014 (W14/0110), to which the Highways Authority objected since the submitted plans did not reflect the existing situation and since no indication was provided of anticipated vehicle movements.

There have been numerous applications made for Quarry Park, the storage use lying on the other side of the grazing land associated with this application, but these are not associated with the current proposals.

In 2010 (W10/1068) an application for a certificate of lawful use for the use of the primary access to the equestrian land area and a secondary access to the rear storage land area was refused. Subsequently, enforcement action has been taken relating to a number of issues at this site including changes to the access to the site which will culminate in a Public Inquiry later this year.

RELEVANT POLICIES

- National Planning Policy Framework
- DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011)
- DP2 - Amenity (Warwick District Local Plan 1996 - 2011)
- DP3 - Natural and Historic Environment and Landscape (Warwick District Local Plan 1996 - 2011)
- DP6 - Access (Warwick District Local Plan 1996 - 2011)

- The emerging Warwick District Local Plan 2011- -2029 particularly policies BE1: Layout and Design; BE3: Amenity and TR1: access and choice.

SUMMARY OF REPRESENTATIONS

Old Milverton Parish Council: Object on the following grounds. The Nursing Home was not provided with mains drains, so any seepage from the sewage treatment plant plus drains water was planned to drain through the land proposed for the stables, towards the River Avon. Five horses would produce a large quantity of powerful outfall for which there appears to be no drains nor management.

The entrance to the field has been created without planning permission following the sale of the land containing the original vehicular entrance. Warwick District Council required the access to be returned to its previous state, but this has not happened. The field entrance was situated in a dangerous position, opposite the access for the Nuffield Hospital car park which is in continual use by distracted or unfamiliar drivers which could cause an additional significant road hazard. Old Milverton Lane is increasingly dangerous owing to increased use, so it would be irresponsible to allow this field entrance to remain. In the event of this application being granted they request removal of existing containers on the land.

WCC Ecology: The erection of the stable block could impact on existing hedgerows and/or trees, therefore recommend a condition relating to protection from works by a suitable buffer zone. Also recommend notes relating to nesting birds, amphibians and badgers.

WCC Highways: Following the withdrawal of the previous application, it is understood the existing access does not have planning permission, and cannot therefore be taken into consideration. The proposed stable block will not have an impact on the public highway. There appears to be horses on site which may be accessed via an alternative access. No objection is therefore raised.

Assessment

Principle of use

The provision of stables as an appropriate building for outdoor sport and recreation is not an inappropriate form of development within the Green Belt, according to the NPPF. The associated land owned by the applicant amounts to some 2.645 hectares (5.5 acres) which is sufficient land to graze five horses, which as a guide require one acre each. The provision of a building containing five stables and a tack room is therefore in accordance with Green Belt guidance in the NPPF.

Design

The design of the building is appropriate given it is constructed of timber, since this is a traditional rural building material that is suited to stabling which tends to be a short term use of land. The proposed low roof minimises the visual intrusion into the rural landscape. Siting the stables at the rear of the former Quarry Farm site will further minimise the intrusion into the rural landscape, as the building will be screened from the north and east by the new care home building. The building is also grouped close to other buildings which minimises the spread of development into currently open areas of countryside. Given that the structure will provide stabling for horses on the land, it is considered appropriate to require the removal of existing poor quality ad hoc structures used for horse shelter and related storage, including field shelters and storage containers, and this will also rationalise development on the site to a smaller more contained area, which will increase openness to the benefit of the countryside.

Highway safety and access

The Highway Authority are aware the existing access from Old Milverton Lane does not have planning permission, and note there are already horses being kept on the site. In these circumstances, the Highway Authority consider the proposed stables will not have a harmful impact on the public highway, therefore, there are no grounds to refuse planning permission for the erection of stables.

Other matters

The distance between the care home site and the stables is considered sufficient to prevent cause for odour or noise complaint.

The impact on ecological matters has been considered and a tree/hedge protection condition is recommended, along with advisory notes relating to nesting birds, badgers and amphibians.

Summary/Conclusion

The proposal is an acceptable form of development in the Green Belt, would not lead to unacceptable harm to highway safety, visual amenity or openness and complies with the policies listed.

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(s) (DRWG.No. 01 submitted on 31 March 2014. PJF/kjh/PF9004 submitted on 9 June 2014), and specification contained therein. **REASON :** For the avoidance of doubt and to secure a satisfactory form of development in accordance with Policies DP1 and DP2 of the Warwick District Local Plan 1996-2011.
- 3 No development or other operations (including demolition, site clearance or other preparatory works) shall be commenced until adequate steps, which shall have been previously approved in writing by the local planning authority, have been taken to safeguard against damage or injury during construction works (in accordance with Clause 7 of British Standard BS5837- 2012 Trees in Relation to Design, Demolition & Construction) to all tree(s) and hedges on the site, or those tree(s) and hedges whose root structure may extend within the site. In particular no excavations, site works, trenches or channels shall be cut or pipes or services laid, no fires shall be lit within 10 metres of the nearest point of the canopy of any protected tree(s); no equipment, machinery or structure shall be attached to or supported by a protected hedge or tree(s); no mixing of cement or use of other contaminating materials or substances shall take place within, or close enough to, a root protection area that seepage or displacement could cause them to enter a root protection area, or any other works be carried out in such a way as to cause damage or injury to the tree(s) by interference with their root structure and that no soil or waste shall be deposited on the land in such a position as to be likely to cause damage or injury to the tree(s). **REASON:** To protect those hedges and trees which are of significant amenity and ecological value to the area in accordance with

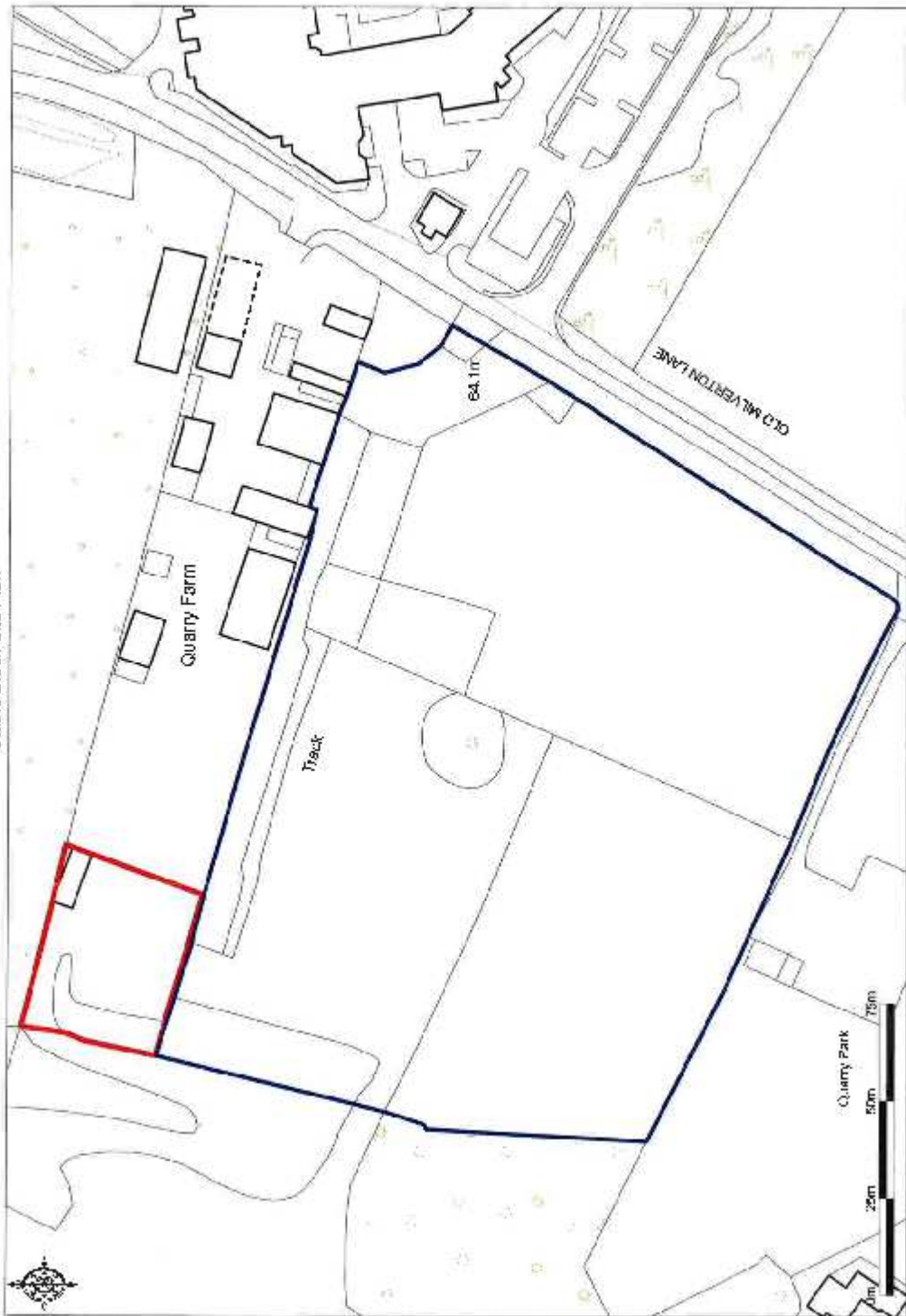
Policy DP3 of the Warwick District Local Plan 1996-2011.

- 4 Within three calendar months of the erection of the stables hereby permitted, all other existing buildings, structures and containers on the land contained within the blue lined area on drawing reference PJF/ejf/PF/9004 received on 30 April 2014 shall be removed in their entirety. **REASON** : Since the uses contained within the proposed building are only considered acceptable in connection with the current use of the land for the grazing of horses, but not in addition to the uses contained within existing structures on the wider site. The proposed building would also rationalise development on the site to one less visually intrusive area, in the interests of openness and visual amenity of the rural area, and the NPPF.





Quarry Farm
Stable Block Site Plan



© Promap 2014. All rights reserved. No part of this publication may be reproduced without the prior written permission of Promap Ltd.



Our ref: P/JFK/jh/P/0004

