

**Application No:** W 12 / 1315

**Town/Parish Council:** Stoneleigh  
**Case Officer:** Penny Butler

**Registration Date:** 19/10/12  
**Expiry Date:** 18/01/13

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**Stoneleigh Park, Plots 68,69,75,79,85,86, Kenilworth CV8 2LZ**

Application for Variation of Condition 2 of planning application W/12/0231 for the erection of an equine well-being facility/livery yard (sui generis uses) to include two American stable barns, isolation stables, vets facility building, foaling unit building, lecture/mess room building, storage barn, five timber cabins to provide office, physiotherapy and cabin accommodation, horse exerciser, lunge ring, horse arena and other ancillary facilities. FOR Lasalle Investment Management

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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**

This application is a variation of condition 2 of the planning permission given earlier this year. The proposed changes constitute minor material amendments to the approved development, which was for the erection of various buildings including stables, barns and ancillary buildings to establish a specialist equine facility and livery yard. The amendments consist of the replacement of four rail with three rail post fencing, the removal of areas of approved hard standing, the replacement of five individual log cabin buildings with two, and the reduction in the size of the arena from 80 x 20 metres to 40 x 20 metres. Muck bunker walls are to be sleepers set in stanchions instead of block work, doors are removed from the barns and stained soft wood cladding will replace cedar on the barns, foaling unit and vets facility. The lower walls of the hay and implement barn were originally proposed to be changed from concrete panels to plywood, but amended plans have now been received to provide stained softwood featherboard cladding to ground level.

**THE SITE AND ITS LOCATION**

Stoneleigh Park is located in an isolated position within the Green Belt, and is designated as a Major Developed Site within Policies SSP2 and SSP3 of the Warwick District Local Plan 1996-2011. The Park was formerly the National Agricultural Centre, and adjoins the Grade I Listed Stoneleigh Abbey site which has been converted into dwellings. Stoneleigh Park is surrounded by the Grade II\* Registered Park and Garden of Stoneleigh Abbey and the Deer Park. The site lies a short distance from the village settlements of Ashow, Stoneleigh and Stareton.

The application site comprises a 4 hectare site of grassland sited in the north-west part of the Park, close to the River Avon, with a network of tarmac roads crossing the site. Avenue E and 11th Street form the western and eastern boundaries of the site, Avenue A forms the southern boundary and the northern boundary follows a line of trees. The large modern NFU building lies to the south with surrounding plots comprising grassland containing isolated mature trees. The site slopes down from south-east to north-west towards the River Avon some 100m away, and there are a number of mature trees and a large pond within the site. The boundary of the Registered Park and Garden of Stoneleigh Abbey adjoins the western and north-western boundaries of the site, whilst the boundary of the Major Developed Site follows the same line but extends along this side of the river bank.

## **PLANNING HISTORY**

There is extensive history on the wider Stoneleigh Park site, having been originally approved in 1963. The following are the most recent applications granted permission:

W12/0766- Outline application for redevelopment to provide a science, business, technology and innovation park, equine facilities, livestock and agricultural facilities, education and energy, exhibitions, show ground, hotel and conference facilities, animal husbandry and animal hospital, visitors centre, camping facilities and other ancillary uses and associated highway improvements.

W12/0231- Erection of equine facility and livery yard

W12/0230- Proposed roundabout junction at main entrance

W12/0229- Improvements to junction with B4115 at Gate 3

W12/0262- Creation of 111 space car park

W12/0279- Erection of two storey office building

W11/1358- Change of use of CASE building from sui generis to B1 office use

W11/1259- Installation of replacement bridge at Gate 3

## **RELEVANT POLICIES**

- DAP3 - Protecting Nature Conservation and Geology (Warwick District Local Plan 1996 - 2011)
- DAP11 - Protecting Historic Parks and Gardens (Warwick District Local Plan 1996 - 2011)
- DP3 - Natural and Historic Environment and Landscape (Warwick District Local Plan 1996 - 2011)
- DP7 - Traffic Generation (Warwick District Local Plan 1996 - 2011)
- DP8 - Parking (Warwick District Local Plan 1996 - 2011)
- DP11 - Drainage (Warwick District Local Plan 1996 - 2011)
- DP12 - Energy Efficiency (Warwick District Local Plan 1996 - 2011)
- DP13 - Renewable Energy Developments (Warwick District Local Plan 1996 - 2011)
- Sustainable Buildings (Supplementary Planning Document - December 2008)
- Vehicle Parking Standards (Supplementary Planning Document)
- National Planning Policy Framework
- SSP2 - Major Developed Sites (Warwick District Local Plan 1996 - 2011)
- SSP3 - Stoneleigh Park (Warwick District Local Plan 1996 - 2011)
- DAP4 - Protection of Listed Buildings (Warwick District Local Plan 1996 - 2011)
- DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011)
- DP2 - Amenity (Warwick District Local Plan 1996 - 2011)

## **SUMMARY OF REPRESENTATIONS**

**Stoneleigh & Ashow Joint Parish Council** - Object. The local community was promised that the Stoneleigh Park development would be a high quality development respecting the historic site and the proximity of the Grade I Listed Abbey. The proposal is a low cost development using materials with a short working life giving the appearance of temporary site huts.

The original scheme was amended to provide a progressive cheapening of construction and appearance, and the current proposals are a further degrading. The original application showed fair faced block walls, concrete panels to the Hay barn at low level, and log cabin style solid walls and roofs with felt tiles on a solid base. The original scheme was then amended and approved with the roof material changed to corrugated cement/fibre sheeting with corrugated plastic roof panels to act as roof lights. Photo voltaic panels were also added to the roof below the plastic panels and while these are shown as flush fitting they will inevitably be metal panels fixed above the roof surface and further detract from the appearance. The walls were changed to Cedar boarding on studding from solid log construction.

The current proposal replaces Cedar with cheaper stained softwood boarding. The windows which were approved with timber shutters are now bare without shutters. The solid base walls to the Hay barn are now plywood. The Parish Council suggest only temporary planning permission be granted (20 years) as all the materials have a short life. The external materials will need replacement within 20 years if the development is used to full capacity. Only modern LED lighting should be installed which has no upward spill, which would vastly reduce light pollution for the Abbey residents.

### **Assessment**

#### **Impact on Green Belt**

Under the Local Plan, Stoneleigh Park is a Major Developed Site within the Green Belt, where limited infilling may be considered appropriate under Policy SSP2. Policy SPP3 requires development within the MDS to be related to agriculture, equestrianism and other related countryside activities. The NPPF (Para.89) states that the construction of new buildings in the Green Belt is inappropriate except where it is for agriculture, or the limited infilling or partial or complete redevelopment of previously developed sites (brown field land), which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development. The proposed use would clearly be consistent with Policy SSP3 since it is an equine facility. Policy SSP2 requires limited infilling to follow the guidance set out in Annex C to PPG2 (Green Belts) but this has recently been replaced by the NPPF which provides no such guidance. Annex C required infilling to have no greater impact on the purposes of including land in the Green Belt than the existing development, not exceed the height of existing buildings, and not lead to a major increase in the developed proportion of the site.

The proposed changes are minor and only impact on the openness of the Green Belt through the amalgamation of the five timber cabins into two buildings, and the reduction in areas of hard standing and the arena. This would increase openness, by concentrating built development onto a smaller footprint, and

reducing the developed areas of the site. These changes will have a beneficial impact on the setting and are not considered harmful to the character or openness of the Green Belt. In accordance with the original decision, and since the current proposals would reduce the impact on the Green Belt, the development is considered to constitute limited infilling of the MDS, that would be for equine purposes in accordance with Policies SSP2, SSP3 and the NPPF.

#### Impact on heritage assets and natural environment

The NPPF (Para.134) states that where a development will lead to less than substantial harm to the significance of a heritage asset, this harm should be weighed against the public benefits of the proposal. Policy DAP11 only permits development that does not harm the historic structure, character, principal components and setting of Registered Parks and Gardens, whilst Policy DAP4 does not permit development that adversely affects the setting of Listed Buildings. Stoneleigh Abbey is a Grade II\* Registered Park and Garden containing a number of Grade I and Grade II\* buildings within 400m of the site.

The changes to the proposed size and layout of development is, as noted above, considered to have a positive impact on the setting. The change to the fencing is minor and the revised muck bunker walls are a substantial improvement to that approved. Timber cladding of the buildings was insisted upon in the original application to maintain their agricultural character. The changes to the type of cladding proposed will alter the external appearance of the buildings. The use of stained softwood cladding will give the buildings their final appearance immediately following construction, but will potentially require maintenance over time due to the need to re-stain the woodwork or replace deteriorated timbers. The approved cedar cladding would take time to weather to its long term colour and appearance, but would not require subsequent maintenance of the finish or as frequent replacement due to deterioration. The Conservation Officer does not raise objection to the use of stained soft wood cladding, subject to the provision of satisfactory samples to demonstrate an appropriate colour stain, and has recommended the use of a dark creosote type colour. The proposed materials are considered appropriate for this equine use, and it is not considered reasonable to insist on the use of hardwood or cedar when satisfactory stained softwood would also be appropriate. It is also not considered reasonable to allow only temporary permission since the buildings will not have a very short life span, and it will be possible to maintain them to a good standard of appearance. It is considered that the proposed changes would not harm the setting of Listed Buildings or the Registered Park and Garden in accordance with Policies DAP4 and DAP11. The public benefits consisting of the provision of a specialist equine facility and the improved viability of the Park with it's associated employment benefits for the wider District, would outweigh this less than substantial harm caused, and would therefore accord with the NPPF. The proposals are considered to contribute towards achieving good layout and design in accordance with Policy DP1.

There are no proposals made for lighting within this application, and it is not possible to impose further conditions on applications for non-material amendments. The proposed changes would not impact on the other issues considered as part of the original application.

## **CONCLUSION/SUMMARY OF DECISION**

In the opinion of the District Planning Authority, the development does not prejudice the openness and rural character of this Green Belt area, or cause unacceptable harm to the Registered Park and Garden or setting of Listed Buildings, would not cause harm to highway safety, and is considered to comply with the policies listed.

## **CONDITIONS**

- 1 The works hereby permitted shall begin not later than 25 July 2015.  
**REASON** : To comply with Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
- 2 The development hereby permitted shall be carried out strictly in accordance with the details shown on the application form, site location plan and approved drawing(s) (750-P15L, 750-P16L, 750-P18L, 750-P19K, 750-P22E, 750-P23F, 750-P24E, 750-P25D, 750-P29S, 750-P34H, 750-P39A, 750-P42B received on 19 October 2012. 750-P17i received on 28 November 2012), 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 The development hereby permitted shall not commence until a detailed schedule of great crested-newt mitigation measures (to include timing of works, protection measures, enhancement details, monitoring and further survey if deemed necessary) has been submitted to and approved in writing by the District Planning Authority. Such approved mitigation measures shall thereafter be implemented in full. **REASON** : To ensure the protection of protected species and compliance with Policies DP3 and DAP3 of the Warwick District Local Plan 1996-2011.
- 4 Samples of all external facing materials to be used for the construction of the development hereby permitted, shall be submitted to and approved by the District Planning Authority before any construction works are commenced. Development shall be carried out in accordance with the approved details. **REASON** : To ensure that the visual amenities of the area are protected, and to satisfy the requirements of Policy DP1 of the Warwick District Local Plan 1996-2011.
- 5 Details of the means of the disposal of foul sewage from the development shall be submitted to and approved by the District Planning Authority before the development of the buildings hereby approved is commenced. The development shall not be carried out other than in strict accordance with such approved details. **REASON** : To ensure satisfactory provision is made for the disposal of foul sewage and to satisfy Policies DP9 and DP11 of the Warwick District Local Plan 1996-2011.
- 6 The development hereby permitted shall only be undertaken in strict

accordance with surface water drainage details, incorporating a Sustainable Drainage System (SUDS) and responding to the hydrological conditions (soil permeability, watercourses etc, to include calculations and percolation test results to prove soakaways are viable) within the application site, including a long term management and maintenance plan, which have been submitted to and approved in writing by the District Planning Authority. The approved systems shall thereafter be retained and shall be managed and maintained in strict accordance with the approved details. **REASON** : To ensure satisfactory provision is made for the disposal of storm water, to prevent the increased risk of flooding, to improve and protect water quality, improve habitat and amenity, and ensure future maintenance of the surface water drainage system and to satisfy Policies DP2, DP9 and DP11 of the Warwick District Local Plan 1996-2011 and the National Planning Policy Framework.

- 7 No development or other operations (including demolition, site clearance or other preparatory works) shall commence unless the tree protection measures identified in the approved application documentation have been put into place in full accordance with the approved details and thereafter shall remain in place during any such construction work. In addition 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 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 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 and enhance the amenities of the area, and to satisfy the requirements of Policies DP1 and DP3 of the Warwick District Local Plan 1996-2011.
- 8 The development hereby permitted shall only be undertaken in strict accordance with details of soft landscaping works which have been submitted to and approved in writing by the local planning authority. All planting shall be carried out in accordance with the approved details in the first planting and seeding seasons following the first occupation of the development hereby permitted. Any tree(s) or shrub(s) which within a period of five years from the completion of the development dies, is removed or becomes in the opinion of the local planning authority seriously damaged, defective or diseased shall be replaced in the next planting season with another of similar size and species. All hedging, tree(s) and shrub(s) shall be planted in accordance with British Standard BS4043 – Transplanting Root-balled Trees and BS4428 – Code of Practice for General Landscape Operations. **REASON** : To protect and enhance the amenities of the area, and to satisfy the requirements of Policies DP1 and DP3 of the Warwick District Local Plan 1996-2011.
- 9 The occupancy of the residential accommodation hereby permitted shall be restricted to individuals who are:

- Attending events at Stoneleigh Park, or
- A direct employee at Stoneleigh Park, or
- Undertaking work at Stoneleigh Park associated with agricultural activities, equestrian based activities, or the well being of the countryside and its inhabitants, or have animals in the care of the Equine Wellbeing facility.

**REASON** : Since an unrestricted use would be contrary to Policies RAP1 and RAP16 of the Warwick District Local Plan 1996-2011.

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