

**Application No:** W 12 / 0901

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

**Registration Date:** 23/07/12  
**Expiry Date:** 17/09/12

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**Sandall House Farm, Narrow Lane, Lawsonford, Solihull, B95 5HN**

Variation of condition 2 imposed on planning permission W98/1384 (construction of exercise track). Condition 2 to read "With reference to drawing 5407-107 dated July 2012, the use of the track between points A and B for the purposes hereby permitted shall be restricted to the hours of 0600 to 1200 Monday to Saturday and at no time on Sundays and the use of other parts of the track (the Circus) for the purposes hereby permitted shall be restricted to the hours of 0600 to 2100 Monday to Saturday and at no time on Sundays." FOR Ms Saber

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

**RECOMMENDATION**

Planning Committee are recommended to grant planning permission subject to conditions.

**DETAILS OF THE DEVELOPMENT**

The proposal is to vary condition 4 of the original planning permission for the horse exercise track (W98/1384) relating to the permitted hours of use. The application was accompanied by a plan identifying the loop at the end of the track as the Circus, with the linear part extending West between points A and B. The planning statement accompanying the application requests the condition be amended to read:

"With reference to drawing 5407-107 dated July 2012, the use of the track between points A and B for the purposes hereby permitted shall be restricted to the hours of 0600 to 1200 Monday to Saturday and at no time on Sundays and the use of other parts of the track (the Circus) for the purposes hereby permitted shall be restricted to the hours of 0600 to 2100 Monday to Saturday and at no time on Sundays."

This will result in the Circus being used for an extra nine hours each day, Monday to Saturday.

**THE SITE AND ITS LOCATION**

Sandall House Farm (SHF) is sited midway along a narrow country lane, between Santan Farm and Sanbrook Farm, within the Green Belt and Arden Ancient Landscape Area. It is an equestrian establishment with a range of buildings of various ages and designs. The complex lies adjacent to the Lane, with paddocks lying behind on rising land. The exercise track is P-shaped with the loop (now

referred to as the Circus) at the Eastern end behind the farm complex, and the long linear track running South-West to North-East just inside the site boundary, which runs along the Northern side of the stream behind dwellings fronting Narrow Lane. These dwellings range in distance from the track from 70m to 210m. Land rises from the dwellings to the track slightly, with the land beyond the gallop rising gradually to form a backdrop against which the gallop is viewed from the South. Two public footpaths cross the site, with one running across the exercise track itself (on which there are already warning signs). From Narrow Lane there are glimpsed views of the track across adjoining fields and properties.

### **PLANNING HISTORY**

Permission was granted in 1999 for a wood fibre exercise track subject to several conditions. In March 2012, Planning Committee determined an application to vary conditions related to application W98/1384, regarding to the use of an exercise track. The conditions were varied to restrict use only by the owners of the Farm and horses permanently stabled there, and to remove the condition preventing any commercial use of the track. An application was also made at this time to vary the hours of use of the track to 08.00 to 19.00 Monday to Saturday, but this was refused and the extant hours of 06.00 to 12.00 were re-imposed on the use of the track.

### **RELEVANT POLICIES**

- National Planning Policy Framework
- DP2 - Amenity (Warwick District Local Plan 1996 - 2011)
- DP9 - Pollution Control (Warwick District Local Plan 1996 - 2011)

### **SUMMARY OF REPRESENTATIONS**

**Rowington Parish Council:** No response received at the time of writing the report.

**Public response:** Three objections received from residents of Narrow Lane.

- Difficulty of monitoring alternative hours of use on different parts of the track
- Requirement for illumination of track during proposed hours of use during winter months. The hours should be restricted to daylight hours only.

**WCC Rights of Way Team:** No objection as public footpaths will not be affected by the proposal. The proposal seeks to extend the hours of use of the section of the track marked as 'The Circus' but would maintain the existing limitation for the section of track crossing the public footpath.

**Inland Waterways:** No objection.

**Canal & River Trust:** No objection.

### **ASSESSMENT**

The main issue relevant to the consideration of this application is the impact on the amenity of nearby residents of the extended use of the track. The nearest houses to the Circus are sited some 150m away, whilst the nearest residential

curtilages are 50m away, with the nearest paddock within 10m at its closest point.

The recommendation made to Planning Committee earlier this year in respect of the previous application was that the restrictive hours condition should remain on the whole of the track, since it was considered necessary to maintain the amenity of the three nearest residential properties and their paddocks adjoining the track. These particular residents made submissions stating that use of their own paddocks for safely grazing animals was hindered by horses exercising on the track, and that splitting the day in the current manner struck a reasonable balance between these interests and the needs of the applicant.

This application now only proposes extending the hours of use of the part of the track furthest from the nearest residential properties. The additional disturbance from the extended use of this part of the track is therefore more limited, and will not affect two of the three adjoining paddocks and only marginally affect the nearest paddock in that the track only adjoins the corner of the paddock rather than following the length of its boundary. It is not considered that the extended hours on this part of the track would give rise to unacceptable levels of disturbance contrary to Policy DP2 of the Local Plan.

The remaining conditions will continue to apply to the entire track. Any future proposals for floodlighting would require permission and would need to be judged according to current planning policies at that time.

### **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 and Arden Special Landscape Area, would not cause serious harm to the amenity of nearby residents, and is considered to comply with the policies listed.

### **CONDITIONS**

- 1 The development hereby permitted must be begun not later than the expiration of three years from the date of this permission. **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 use of the exercise track shall be carried on only by the owners of Sandall House Farm and shall be restricted to horses permanently stabled at the premises. **REASON**: To ensure there is no increase in vehicle movements to the site in this rural location, in accordance with Policy DP7 of the Warwick District Local Plan 1996-2011.
- 3 With reference to drawing 5407-107 dated July 2012 and submitted on 23 July 2012, the use of the track between points A and B for the purposes hereby permitted shall be restricted to the hours of 0600 to 1200 Monday to Saturday and at no time on Sundays, and the use of other parts of the track (referred to as The Circus) for the purposes

hereby permitted shall be restricted to the hours of 0600 to 2100 Monday to Saturday and at no time on Sundays. **REASON:** To protect the amenity of nearby residents, in accordance with Policies DP2 and DP9 of the Warwick District Local Plan 1996-2011.

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