

Application No: W 12 / 0231

Town/Parish Council: Stoneleigh
Case Officer: Penny Butler

Registration Date: 23/05/12
Expiry Date: 22/08/12

01926 456544 penny.butler@warwickdc.gov.uk

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

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

This application is being presented to Committee due to the number of objections and an objection from the Parish Council.

RECOMMENDATION

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

DETAILS OF DEVELOPMENT

The proposal is for the development of a specialist equine facility and livery yard to provide clients and students with a full range of veterinary and holistic treatments including horse rehabilitation, veterinary services, equine clinics, training and education, foaling facilities, rider performance clinics and treatments. A number of structures are proposed, all single storey in height, which are grouped near the Eastern side of the site close to the built edge of Stoneleigh Park. The Western side of the site is occupied by open paddocks, with a riding arena and lunge ring at the Northern edge. The proposed structures include two American barns containing stables, hydrotherapy spas, solarium and feed stores, a hay/implement barn, isolation stables, horse exerciser, three log cabins providing overnight accommodation for staff and visitors, two log cabins providing physiotherapy and office uses, a foaling unit providing 4 boxes, lecture room/mess room/toilet block and vets building. The layout of development maintains the existing road layout with facilities grouped closely together for ease of movement and to provide a traditional stable complex appearance.

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:

W12/0230- 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

- 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)
- DAP11 - Protecting Historic Parks and Gardens (Warwick District Local Plan 1996 - 2011)
- DAP3 - Protecting Nature Conservation and Geology (Warwick District Local Plan 1996 - 2011)

SUMMARY OF REPRESENTATIONS

Stoneleigh & Ashow Joint Parish Council : Although Stoneleigh & Ashow Parish Council support the overall strategy of Stoneleigh Park, they are extremely concerned that improvements to the local road network must be carried out along side these improvements. The Parish Council therefore object

to this planning application on the grounds that so far, and although planned, no such improvements have taken place. We would ask Warwick District Council Planning Committee to support the Parish Council in their quest to ensure the lives of the villagers of Ashow, Stareton and Stoneleigh are improved by accelerating plans to create a second entrance on the opposite side of Stoneleigh Park and to construct the new roundabout at the main entrance to the Park. The Parish Council object to this application because it is beyond the perimeter of the existing built area and erodes the narrow green belt on the northern section of the Park. As it is visible from Stoneleigh Abbey a grade 1 listed building and from the Stoneleigh Abbey Landscape which is a registered park (grade 11*) an impact assessment should be submitted to ensure that the landscape character is preserved.

Public response: Five objections have been received from local residents including the Chairman of the Annual Assembly of the Ashow Parish Meeting, raising the following concerns:

- This site is part of a Grade II* historic landscape, next to a Grade I Listed house and is not receiving the special attention it deserves. The development will be visible from the Avenue leading to the Abbey
- It is not possible to assess the impact of this proposal until the forthcoming Master Plan application is submitted, so this application is premature and should be refused or withdrawn
- The impact of proposals on the roads and countryside must be properly examined, as piecemeal applications lead to creeping development which ignores long term implications
- Unnecessary development of open fields in the Green Belt, contrary to the requirements of the NPPF.
- The proposed buildings are undistinguished. They should be sited within the existing built up area of the Park and use more appropriate materials

Natural England: The proposal does not affect any statutorily protected sites or landscapes, or have significant impacts on the conservation of soils, nor is the proposal EIA development. The LPA should assess impacts on protected species, local wildlife sites and biodiversity enhancements.

WCC Ecology: The submitted great crested newt survey demonstrates that the population is small. A condition is required for a detailed schedule of newt mitigation measures along with a bird nesting note.

WCC Highways: No objection. A smaller Transport Assessment has been produced by the applicants to support some limited development coming forward on the Stoneleigh park site in advance of the full forthcoming Master Plan application being agreed. Taking into account this application and application W12/0279, the Highway Authority now believe that this limit has been reached and that no further incremental development should be considered until the Master Plan has been assessed.

Environment Agency: No objection subject to conditions requiring development in accordance with the FRA regarding maximum surface water run-off generation and finished floor levels, and an appropriate surface water drainage scheme.

English Heritage: English Heritage's interest in the proposal arises from the proximity of the site to Stoneleigh Abbey, a 'heritage asset' including a number

of highly graded Listed Buildings and a Grade II* landscape. The site is within the view from the approach drive to the Abbey and a heritage statement should have been submitted assessing the impact (now received). The majority of buildings are small scale and set well back from the boundary with the registered park, and the site is the former RASE show ground, but there should be a greater awareness of the heritage assets being impacted upon. There should be a greater use of natural materials such as timber cladding to better integrate the development into its landscape context. There should be a greater recognition of the historic context, and the development is an opportunity to reinstate historic features such as the ha-ha and parkland trees in whole or part.

Area Engineer (Flood Risk): Within flood zone 1 all uses of land are permitted. Safe dry access from the proposed development is achievable. The development is on combination of brown/green field site where additional surface water runoff due to the construction of hard standings causes concern. No objection subject to conditions requiring details of the proposed SUDS systems, calculations and percolation tests and proposed maintenance of surface water systems.

Tree Protection Officer: No objection to amended plans subject to conditions requiring tree protection and landscaping details.

ASSESSMENT

Impact on Green Belt and Major Developed Site

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. This is a sensible approach to take in assessing the net impact of any redevelopment.

The proposed buildings are generally small scale traditional rural buildings which do not significantly extend the spread of built development to within close proximity of the Park's boundaries. The layout of the buildings concentrates built development as close as possible to the existing buildings and away from the more open parts of the site adjacent to the lake and boundary with the Registered Park. A number of specimen trees exist along the South-Eastern boundary which prevent the positioning of built development any closer to this boundary. There would be no major increase in the developed proportion of the Park and no conflict with the purposes of including land within the Green Belt. For these reasons 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 states that, when considering the impact of development upon the significance of a heritage asset (Para.132), greater weight should be given to the asset's conservation, the more important the asset is. Stoneleigh Abbey is a Grade II* Registered Park and Garden which English Heritage considers to be 'particularly important', and is one of only ten parks and gardens in the whole of the West Midlands region on their Heritage at Risk Register. The nearest Listed Buildings are the Grade I Gatehouse and the Grade II* River Avon Bridge and the Stables and Riding School, which are within 400m. 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.

Where the boundary to the Registered Park adjoins the application site, it follows a thick hedge line in which there is a break at the site of a small ticket office. This boundary planting will mainly screen views of the proposals from within the Registered Park to the West since the nearest buildings are over 100m away from the boundary and single storey in height not exceeding 7m. The design of the buildings has been amended since submission to show greater awareness of the heritage assets being impacted upon. This has provided timber cladding to buildings in place of block work and the repositioning of solar panels on the American barns so they relate better to the roof scape. The buildings are all agricultural in character aside from the log cabins which are clad in timber, which will further enhance the rural character of the Park. The low rise nature of the buildings sited some distance from the boundary of the Registered Park are considered acceptable and would lead to less than substantial harm to the heritage assets, therefore complying with Policy 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, and would therefore accord with the NPPF. The proposals are considered to contribute towards achieving good layout and design in accordance with Policy DP1.

Impact on highways and parking

The applicant submitted a Transport Technical Note to support this application which is read in conjunction with a Transport Assessment produced in February 2012 which has accompanied several recent planning applications. There are no directly comparable land uses that can be used for calculating trips for the purposes of the TA, therefore the potential operator of the centre has provided a breakdown of expected trips associated with the use, based on their business plan and maximum capacity of the facilities. The TA calculates that the proposed development would generate 168 additional vehicle trips, with a maximum of 25 in the AM and PM peak hours. The modelling exercises which have been submitted take into account all existing, consented and proposed development at Stoneleigh Park at the time of submission. These demonstrate that traffic flows at the main access will remain within the available capacity of the junction in 2016, regardless of whether the junction retains its current configuration or is upgraded to the roundabout recently approved. The modelling results for Gate 3 and the B4115/Birmingham Road/Stoneleigh Road junctions demonstrate that these junctions will continue to operate within their available capacity in 2016,

again regardless of whether Gate 3 is opened to regular traffic. On this basis the applicant considers that the impacts of the development can be safely accommodated on the local highway network. The Highways Authority have no issue with this approach, and have agreed that this and recent developments are acceptable in advance of the consideration of the TA submitted with the recently submitted Master Plan application (W12/0766).

Vehicle parking and turning space is provided within a yard. The applicant is experienced in equine development and considers the parking provision adequate. There are no applicable standards for equine facilities since they are a sui generis use, but there is no reason to assume that the level of parking proposed is insufficient. In any case over spill parking outside the application site would not lead to parking on the public highway due to the location of the development within the Park which is not close to public roads. The proposal is therefore considered to comply with Policies DP7 and DP8.

Sustainability

The Sustainability Statement submitted with the application proposes the installation of solar photo voltaic panels on the American barns to produce in excess of a 10% energy saving, taking into account the fact that some of the buildings are unheated. The proposal would therefore comply with the requirements of Policies DP12, DP13 and the Sustainable Buildings SPD.

Impact on the natural environment

Existing trees of significance are to be retained and the proposal would not therefore lead to a material loss of biodiversity given the low ecological value of the existing grassland. New tree planting is proposed which is an opportunity for providing a net gain in biodiversity in accordance with the NPPF (Para.109), therefore a condition is required to ensure suitable species are introduced in terms of ecology and the historic context. The parking and circulation areas are generally permeable, with small new areas of macadam proposed. This approach is considered to accord with Policy DP3 and DP11.

CONCLUSION/SUMMARY OF DECISION

For the purposes of Article 31 of the Town and Country Planning (Development Management Procedure) (England) Order 2010, the following reason(s) for the Council's decision are summarised below:

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 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 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) (750-15K, 750-16K, 750-17G, 750-18i, 750-19J, 750-P22D, 750-P23F, 750-P24E, 750-P25D, 750-P26F, 750-P27D, 750-P28D, submitted on 28 June 2012; STH2677-(MID)-011B submitted on 21 March 2012; 750-P34G, 750-P39A submitted on 10 July 2012; 750-P29P, L4428/08 Revision D submitted on 11 July 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 soak aways 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.
-