

Planning Committee: 26 February 2019

Item Number: 7

Application No: W / 18 / 2369

Town/Parish Council: Lapworth
Case Officer: Dan Charles

Registration Date: 07/12/18

Expiry Date: 01/02/19

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Land opposite Brook House, Bakers Lane, Knowle, Solihull, B93 8PW
Erection of stable building FOR Mr M Bashir

This application is being presented to Committee due to the application being recommended for approval and the number of objections and an objection from the Parish Council having been received.

RECOMMENDATION

Planning Committee is recommended to grant planning permission, subject to the conditions listed at the end of this report.

DETAILS OF THE DEVELOPMENT

The proposed development is for the erection of a stable building consisting of 2 stalls and a tack/fodder store room.

The building is proposed to be 12 metres x 4 metres with an eaves height of 2.31m 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 south side of Bakers Lane, within the Green Belt and a rural area.

The site is flanked to the east, south and west by open fields/paddocks. To the north lie a number of residential properties.

The site is accessed from Bakers Lane onto an existing hardstanding area with a small paddock running along the northern boundary with the road.

PLANNING HISTORY

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

W/15/1133 – Erection of stable building – Refused, 11.09.2015, for the following reason:

"Paragraph 89 of the NPPF sets out exceptions for new buildings which may be considered appropriate development within the Green Belt. This includes the provision of appropriate facilities for outdoor sport and recreation (such as stables), as long as it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it.

The proposed stable subject of this application cannot be considered as an appropriate facility, as a stable building already exists to serve this application site (originally granted under W/2009/0745). The existing and proposed stables together would create an over-provision of stabling for the available land. The approval of new stable buildings on this land would also leave the existing stable building redundant as it is located on a nearby but smaller parcel of land incapable of supporting horses on its own.

The scheme therefore represents inappropriate development in the Green Belt, which diminishes openness and conflicts with the purposes of including land within the Green Belt. No very special circumstances are considered to exist that would outweigh this harm".

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 (Warwick District Local Plan 2011-2029)
- BE1 - Layout and Design (Warwick District Local Plan 2011-2029)
- BE3 - Amenity (Warwick District Local Plan 2011-2029)
- NE3 - Biodiversity (Warwick District Local Plan 2011-2029)
- NE4 - Landscape (Warwick District Local Plan 2011-2029)
- NE5 - Protection of Natural Resources (Warwick District Local Plan 2011-2029)
- 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: Objection - Inappropriate development in Green Belt, impact on visual openness and conflicts with the purpose of including land in the Green Belt.

WDC Environmental Health: No objection.

WCC Highways: No objection.

WCC Ecology: No objection, subject to ecological advisory note.

Public Response: 5 letters of objection have been received on the following grounds:

- No justification for stables.
- Obscure views of countryside.
- Harm peoples' enjoyment of the area.
- Would have a negative effect on the area.
- Harm to highway safety.
- Already sufficient stabling available in the area.
- Could result in the conversion of building to residential.

CPRE: Objection - Harm to the Green Belt as it is inappropriate, diminishes openness and conflicts with the purpose of including land within the Green Belt. Contrary to the NPPF.

ASSESSMENT

Whether the proposal constitutes appropriate development in the Green Belt and, if not, whether there are any very special circumstances which outweigh the harm by reason of inappropriateness and any other harm identified

As the application site lies within the West Midlands Green Belt, the proposal must be assessed against Policy DS18 of the Local Plan. The policy states that development must be in accordance with the National Planning Policy Framework (NPPF) Green Belt provisions. Paragraph 145 of the Framework 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 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 2 horses only with associated storage and tack room. The land extends in total to just under 2 acres. The British Horse Society recommend 1 acre per horse and therefore Officers are satisfied that the size of the stables is appropriate to support the land holding.

The building is of timber construction under a lightweight shingle roof structure. This form of the proposed 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.

The proposal is therefore considered to constitute appropriate development in the Green Belt.

Design and impact on the rural character and appearance of the 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 and is considered acceptable. It is also considered necessary for such buildings to be of timber construction so that they can be easily removed in the event that the appropriate use ceases.

The building would be sited in close proximity to the existing hardstanding at the front of the site so no additional hardstanding or accesses, etc would be required to facilitate the stable building.

The proposal is small scale with a 48m² 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 living conditions of the occupiers of neighbouring properties

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

There are no neighbouring properties immediately adjacent to the site of the proposed stable building. The closest property is directly opposite the site to the north. In terms of separation, the distance would be approximately 48 metres from the nearest point of this dwelling which is also across the highway known as Bakers Lane. 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 development to 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 application site benefits from an existing access to the public highway that serves the site and this access has been assessed by the Highways Authority as acceptable for the proposed stable block.

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 proposal 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. The Ecologist has recommended that an explanatory note regarding foundations and the potential impact on wildlife be added to any approval granted.

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

Other Matters

A number of the objections received have cited an earlier application on adjacent land whereby a stable building has been converted to living accommodation for use as a holiday let 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. Any future application would have to be assessed separately and on its own merits.

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(s) 7653-B-201 and 7653-B-300, and specification contained therein, submitted on 6 December 2018. **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 materials used in the construction of the development hereby permitted shall be in full accordance with the details submitted within the application documents. **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.
- 4 The use of the building hereby permitted shall be for personal and private use only 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.
- 5 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.
