

Planning Committee: 14 October 2014

Item Number: 6

Application No: W 14 / 1133

Town/Parish Council: Rowington
Case Officer: Liam D'Onofrio
01926 456527 liam.donofrio@warwickdc.gov.uk

Registration Date: 05/09/14
Expiry Date: 31/10/14

**The Cottage, Sandall House Farm, Narrow Lane, Lowsonford, Solihull,
B95 5HN**

Variation of condition 4 imposed upon planning permission W/99/1562, (which currently restricts the use of the building to be occupied solely by persons employed in association with the operation of the equestrian and/or agricultural activities at Sandall House Farm), to include its use as holiday accommodation with no occupation as permanent, unrestricted accommodation or as a primary place of residence. FOR Ms Saber

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

Planning permission is sought to vary Condition 4 imposed under planning approval W/99/1562, which granted a change of use of outbuildings to form grooms accommodation (to be used in association with the existing equestrian yard). The conditions reads: *The occupation of the dwelling shall be limited to a person solely or mainly working at the adjoining equestrian enterprise known as Sandall House Farm.* It is proposed to vary this condition to read: *The occupation of the dwelling shall be limited to persons solely or mainly working at the adjoining equestrian/agricultural enterprise known as Sandall House Farm or as holiday accommodation and shall not be occupied as a permanent, unrestricted accommodation or as a primary place of residence.*

The applicant advises that four members of staff live permanently on site in a flat above one of the stables, which is sufficient to meet the operational needs of the equestrian business. The building subject to this application is surplus to staffing requirements and is currently empty. Therefore an alternative use is proposed, which will provide an additional source of income. The applicant considers that the traffic generated by one holiday cottage will make little impact on the local roads or character of the area.

There is a concurrent application seeking to extend the outbuilding to provide a second bedroom.

THE SITE AND ITS LOCATION

The application site relates to Sandall House Farm located on the northern side of

Narrow Lane, between Santan Farm and Sanbrook Farm, within the Green Belt. The site relates to a substantial equestrian establishment with a range of buildings of various ages and designs. The site is within Flood Zone 3. The outbuilding, subject of this application, is located immediately to the rear (north) of the main farmhouse.

PLANNING HISTORY

Various planning history for the wider site, the most recent/relevant for this application is concurrent planning application W/14/1134 for a single storey extension: Pending.

RELEVANT POLICIES

- National Planning Policy Framework

The Current Local Plan

- DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011)
- DP2 - Amenity (Warwick District Local Plan 1996 - 2011)
- DP8 - Parking (Warwick District Local Plan 1996 - 2011)
- DP9 - Pollution Control (Warwick District Local Plan 1996 - 2011)
- DP11 - Drainage (Warwick District Local Plan 1996 - 2011)
- DP13 - Renewable Energy Developments (Warwick District Local Plan 1996 - 2011)
- RAP7 - Converting Rural Buildings (Warwick District Local Plan 1996 - 2011)

The Emerging Local Plan

- BE3 - Amenity (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- BE4 - Converting Rural Buildings (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- CT4 - Extensions to Tourism, Cultural or Leisure Facilities in Rural Areas (Warwick District Local Plan 2011-2029 Publication Draft April 2014)
- FW1 - Development in Areas at Risk of Flooding (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- BE1 - Layout and Design (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)

Guidance Documents

- Sustainable Buildings (Supplementary Planning Document - December 2008)

SUMMARY OF REPRESENTATIONS

Rowington Parish Council: Objection. 1. Planning permission W99/1562 for conversion of this building was granted on the basis that special circumstances existed i.e. the equestrian activities at the site. The Planning Statement accompanying this application states that there are 7 full time staff employed plus part time staff. The current staff accommodation is stated to be a 4 bedroom flat and no evidence has been provided to substantiate the claim that The Cottage is surplus to requirements 2. It would not be possible to monitor the

use of The Cottage should a variation of Condition 4 be allowed. 3. No justification provided for further commercial development at this site which is already intensively developed. It is stated that the primary use of this site is equestrian and holiday accommodation would extend that site to multi use. No evidence of the need for diversification from the primary equestrian use has been demonstrated. 4. The proposal does not comply with RAP6 directing new employment i.e. what is the new employment? 5. The proposal does not comply with RAP7 converting rural buildings – the building has already been converted but only as a result of the special circumstances which existed at the time of the original conversion application. 6. The proposal does not comply with Para 28 of the NPPF in that it is difficult to accept that the current condition of the site would encourage tourism, assist the local economy or provide further rural employment. 7. P.P. 93/0189 clearly stated that “permission would not normally be granted other than in the special circumstances put forward by the applicant” and the PC cannot see any evidence to support any alteration to the planning use of this building or indeed an extension to the building as the applicant has already stated that the building is surplus to requirements. 8. This property is situated in Flood Zone 2/3 where the NPPF confirms that no unnecessary development should take place. 9. No supporting evidence provided to justify the need for holiday accommodation in this area.

National Grid: National Grid high pressure pipeline in locality - no habitable buildings should be constructed within 49m of the pipeline position.

Environment Agency: No objection

Community Protection: No objection (verbal)

ASSESSMENT

The main issues relevant to the consideration of this application are as follows:

- The principle for the variation of condition;
- The impact upon visual amenity;
- Neighbouring amenity;
- The impact upon highway safety;
- Health and Wellbeing.

The Principle of the Development

The former agricultural building is of substantial and permanent construction and was considered suitable for reuse in 1999. Given its small scale and close proximity to Sandall House Farmhouse and the associated equestrian facility it is unlikely that an independent dwellinghouse would have been considered appropriate and the use was restricted under condition 4 limiting occupation to staff working at the equestrian facility. Expanding this use to include employees of the equestrian/agricultural use on site or as holiday accommodation is considered to be entirely appropriate.

In terms of including 'agriculture' within the varied condition the applicant states that the whole farm covers 26.4 hectares with 16.6 hectares farmed for haylage, which yields about 400 bales of hay each year. In terms of holiday accommodation this is clearly an appropriate use and will accord with the National Planning Policy Framework 2012, which supports sustainable rural

tourism that benefit businesses in rural areas, communities and visitors. The Parish Council's comments are noted, however as these uses are acceptable in principle there are no reasons why the applicant should have to provide justification for the proposed uses.

The variation of condition is therefore considered appropriate. All other relevant conditions would also be replicated on the new decision notice.

The impact on the Character and Appearance of the Area

The proposed variation of condition will not affect the character or appearance of the existing building or the openness of the Green Belt.

The impact on the living conditions of nearby dwellings

The building is contained within an existing equestrian site and set well away from surrounding residential properties, the closest being Santan Farm, some 80 metres distant. The proposed agricultural/holiday let uses are still residential in nature and considered compatible with surrounding uses. The scheme is not therefore considered to create any significant impact upon the amenities of the occupiers of surrounding properties.

Car Parking and Highway Safety

There is ample parking within the site and room to turn and exit in a forward gear. No issues are raised in term of highway safety.

Drainage and Flood Risk

The site is located within Flood Zone 3, however the Environment Agency and Community Protection have raised no objection to the proposed variation of condition.

Renewable Energy

The building exists and has already been converted to a habitable use. The variation of condition to allow a broader use is not considered to trigger the need for renewable technology.

Health and Wellbeing

There is a high pressure gas pipeline within the locality and the National Grid have commented that there should be no habitable buildings constructed within 49 metres of this pipeline. The building has an existing habitable use and will be located some 70 metres away. It is noted that other existing properties are in closer proximity. The variation of condition to broaden the existing habitable use is not therefore considered to raise any health or wellbeing concerns for future residents.

SUMMARY/CONCLUSION

In the opinion of the Local Planning Authority, the proposed uses are acceptable and will not harm the character of the existing building, openness of the Green Belt, neighbours' amenity or highway safety. The proposal is therefore

considered to comply with the policies listed.

CONDITIONS

- 1 The occupation of the dwelling shall be limited to persons solely or mainly working at the adjoining equestrian/agricultural enterprise known as Sandall House Farm or as holiday accommodation and shall not be occupied at any time as permanent, unrestricted accommodation or as a primary place of residence. **REASON:** To avoid the creation of a sub-standard dwelling unit, which is intrinsically linked to the equestrian facilities, in accordance with Policies DP1, DP2 & DP9 of the Warwick District Local Plan 1996-2011 and the aims of NPPF 2012.
 - 2 All foul drainage shall be discharged to a septic tank with an adequate land soak away such that there is no discharge of sewage effluent to any ditch or watercourse, nor to any land drainage system leading thereto. The soak away should be sited no closer than 10 metres to any such watercourse. **REASON:** To ensure that adequate drainage facilities are available for the site in accordance with Policy DP11 of the Warwick District Local Plan 1996-2011.
 - 3 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no further development shall be carried out which comes within Parts 1 and 2 of Schedule 2 of this Order, without the prior permission of the Local Planning Authority. **REASON:** To ensure that the openness of the rural area and the scale, character and appearance of the building are not altered by further extensions, in accordance with the aims and objectives of the NPPF 2012.
-

