Planning Committee: 16 October 2012 **Item Number:** **11**

Application No: W 12 / 1079

Registration Date: 28/08/12
Town/Parish Council: Lapworth **Expiry Date:** 23/10/12
Case Officer: Penny Butler
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Hill Barn Farm, Irelands Lane, Lapworth, Solihull, B95 5SA
Proposed construction of stable building, outdoor riding menage, graded pathway and change of use of agricultural land to land for the accommodation of horses FOR Mrs Taylor-Green

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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

The proposal is for the construction of a stable building, outdoor riding menage and graded pathway, at the rear of the existing barn. It is also proposed to change the use of part of the existing agricultural holding comprising one field adjoining the residential curtilage to land for the accommodation of horses. The stables will be constructed in timber and block work with a tiled roof and will provide six stables, a feed store and wash box, with a tack room, tea making facilities, rug room and WC at first floor. The building is arranged in a U shape with the central part being 1.5 storeys. The upper floor accommodation is provided within the roof space and by four dormer windows, and would be accessed by external staircases. The menage would have a sand and fibre surface and be surrounded by post and rail fencing. The pathway would have a compacted stone surface and would extend around the edge of the development. It is also proposed to plant a wooded copse to the north of the proposed menage and stables which is shown on the drawings.

THE SITE AND ITS LOCATION

The application site is located on a narrow country lane in the Green Belt, in an isolated position with no immediate neighbouring dwellings. The site is in an elevated position with long distance views to the north, north-west and north-east across the valley, where several other isolated dwellings are visible. The field boundaries comprise sparse tree lines and hedges. The application site adjoins the dwelling at Hill Barn Farm which was built as a farm workers dwelling in the 1980s, but has since had the agricultural occupancy restriction removed. There is a wide existing agricultural access from the road, separate to the access to the dwelling, which leads to a substantial metal barn near the road. At the rear of the barn is a large levelled area and to the immediate west is a tall artificial bank formed when land was excavated for construction of the barn.

PLANNING HISTORY

A farm workers dwelling was approved in the 1980s. A certificate of existing lawful use was granted for the removal of the agricultural tie in 2010, and a separate planning application for the same was approved in 2011. An extension to the agricultural building was approved in 1996.

RELEVANT POLICIES

- National Planning Policy Framework
- DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011)
- DP2 - Amenity (Warwick District Local Plan 1996 - 2011)
- DP3 - Natural and Historic Environment and Landscape (Warwick District Local Plan 1996 - 2011)
- DAP3 - Protecting Nature Conservation and Geology (Warwick District Local Plan 1996 - 2011)
- DP7 - Traffic Generation (Warwick District Local Plan 1996 - 2011)
- DP11 - Drainage (Warwick District Local Plan 1996 - 2011)
- RAP9 - Farm Diversification (Warwick District Local Plan 1996 - 2011)
- RAP13 - Directing New Outdoor Leisure and Recreation Development (Warwick District Local Plan 1996 - 2011)

SUMMARY OF REPRESENTATIONS

Lapworth Parish Council : Raise objection on the following grounds-
- Overdevelopment of the site.
- The site is raised and the stabling would be too prominent, particularly with a second floor, and the gable windows are out of keeping with the rural scene.
- Significant concerns regarding increased flow of heavy traffic on rural lanes, including a one way road with a narrow bridge with weight restriction.

Public response: One objection received from a local resident on the grounds of increased traffic in Camp Lane and Irelands Lane causing danger to walkers, cyclists and motorists. The entrance to Irelands Lane off Camp Lane is very narrow, across a weak bridge and via several blind bends which lead to a single track very steep lane unsuitable for large vehicles, horse transporters or horse boxes. Further potential traffic associated with competition days and events would increase this danger.

WCC Ecology: Comments awaited.

WCC Highways: Comments awaited.

ASSESSMENT

Under Local Plan Policy RAP9, within the rural areas, the diversification of farm based operations is permitted where it can be demonstrated that it will contribute towards sustaining the long term operation and viability of the existing farm holding. The applicant plans to breed two of her horses which will make a financial contribution towards the operation of the farm. The proposal would not result in the loss of best agricultural land, the scale and nature of the use is considered appropriate to the rural location and existing buildings cannot be utilised in preference to the new building, therefore the proposals would comply with this policy. The existing barn is fully utilised for agricultural storage, with a third used as a grain store, and the remainder used for the storage of hay

and straw bales from the holding and the storage of farm machinery. Policy RAP13 only permits outdoor leisure and recreation facilities in the open countryside where they are part of farm diversification proposals in accordance with Policy RAP9, therefore this policy would also be complied with.

The NPPF (para. 89) permits the provision of appropriate facilities for outdoor sport and recreation providing that it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it. Paragraph 28 also states that plans should promote the development and diversification of agricultural and other land-based rural businesses. The siting of the facilities to the rear of the existing barn means that views of the stables and menage from the road to the south will be screened by this large building. Views from the road to the north-east would be blocked by existing land levels and roadside hedges. There would be long distance views of the facilities from the other side of the valley, but these views would be set against the backdrop of the existing buildings behind. In addition the proposed copse would be planted on the open side of the development which would provide screening, and a condition would be required to ensure its implementation and the choice of suitable species. There is sufficient land associated with the property to justify the number of stables proposed, since there is ample grazing space available, therefore the facilities proposed can be considered appropriate. The largely timber construction of the stables is appropriate for the use and their traditional design including dormer windows, which are an appropriate means of providing light to the first floor accommodation, will not have any harmful impact on surrounding amenity. It is considered that the proposed siting would result in limited visual harm to the character and openness of the countryside, and therefore that the proposals would comply with the requirements of the NPPF.

The proposed facilities are intended to stable the applicant's six horses, including two who will be bred from, and they will also employ a groom. The existing agricultural use of the site forms the fall back position in terms of highway impact, therefore the type and frequency of vehicle movements associated with the proposed use must be assessed against the movements associated with the lawful use. It is agreed that it would be inappropriate to introduce a use which would lead to a significant increase in vehicle movements or their size due to the restricted nature of the access road. Conditions are therefore required preventing any livery or riding school use of the stables, and restricting use of the menage to horses permanently stabled at the site and by the owners or their employees. This would prevent horses being brought onto the site to use the menage and the holding of competitions or events where riders travel to the site. It is considered that such controls would limit the number of vehicle movements and the size of such vehicles to a level comparable to the existing lawful use of the site for agricultural purposes. The applicant envisages a reduction in total vehicle movements since over recent years they have regularly moved their horses to and from the site during the time that their parents occupied the property. All horses will be permanently stabled at the premises and it is anticipated that there will be less than one horse box movement per week. On this basis it is considered that serious harm to highway safety would be unlikely to occur and the proposal is therefore acceptable in highway terms.

CONCLUSION/SUMMARY OF DECISION

In the opinion of the District Planning Authority, the development does not unacceptably prejudice the openness and rural character of this Green Belt area,

would not be likely to lead to further significant 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) (AR 900 002 B, AR_200_003_B, AR_200_004_A submitted on 28 August 2012. 159_SK_001 submitted on 7 September 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 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.

4 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, unless the local planning authority gives written consent to any variation. 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.

5 The stables hereby permitted shall only be used for purposes in connection with and incidental to the use of the land for grazing purposes and shall not be used for the purposes of a livery or riding school. An up to date register containing details of all horses permanently stabled on the application site, and the owners of those horses, shall be maintained and produced to the Local Planning Authority immediately on request. **REASON**: To ensure there is no significant increase in the number and type of vehicle movements to the site in this rural location, in accordance with Policy DP7 of the Warwick

District Local Plan 1996-2011.

6 No external lighting or sound amplification or tannoy system shall be installed on any external wall or roof of any building or within the open land comprised in the application site. **REASON :** To protect the amenity of the countryside, and to satisfy the requirements of Policies DP1 and DP9 of the Warwick District Local Plan 1996-2011.

7 The menage hereby permitted shall only be used by the occupants of Hill Barn Farm and their employees for the exercising of horses stabled at the premises. **REASON**: To ensure there is no significant increase in the number and type of vehicle movements to the site in this rural location, in accordance with Policy DP7 of the Warwick District Local Plan 1996-2011.