

Item Number: 7
Application No: 16/00238/MFUL
Parish: Upper Helmsley Parish Council
Appn. Type: Full Application Major
Applicant: Mr David O'Meara
Proposal: Erection of replacement horse barn, block of 24no. loose boxes, 3no.horse walkers, roofing over of existing horse walker, provision of a horse wash down area and a horse warm up area, resurfacing of tracks and yard area, provision of an all weather gallop, horse walks, gallops access lay-by, widening of access road and siting of temporary office/rest room building (part retrospective application)
Location: Common Farm Upper Helmsley Malton YO41 1JX

Registration Date:
8/13 Wk Expiry Date: 19 May 2016
Overall Expiry Date: 10 April 2016
Case Officer: Tim Goodall **Ext:** 332

CONSULTATIONS:

Environmental Health Officer	No response received to date
Countryside Officer	No objection but conditions attached
Tree & Landscape Officer	Submitted details acceptable
Lead Local Flood Authority	No objection
Sabic Ethylene Pipeline	No response received to date
Highways North Yorkshire	No objection
Parish Council	No comments/objections

Neighbour responses:

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SITE:

The application site lies outside of a defined settlement limit, to the west of the village of Upper Helmsley. The site contains an existing farm with associated buildings and an existing horse gallop. Vehicular access is from the east of the site on the Gate Helmsley to Upper Helmsley road.

To the south west of the site is existing woodland and further land in equine use. There is agricultural land to the west and north of the site.

The site is also located within the York Green Belt.

PROPOSAL:

Retrospective planning permission is sought for the following development:

- Erection of a replacement horse barn
- erection of a block of 24no. loose boxes,
- 3 no. horse walkers and the roofing over of the existing horse walker,
- the provision of a horse wash down area and a horse warm up area,
- resurfacing of the tracks and yard area,
- provision of an all weather gallop, horse walks and gallops access lay-by,
- widening of the access road

- the siting of temporary office/rest room building

CONSULTATION RESPONSES:

Gate & Upper Helmsley Parish Council do no object to the application.

North Yorkshire County Council Highways and Flood Risk Management teams do not object.

Ryedale District Council's Countryside Officer does not object but has requested some enhancements in line with Policy SP14 such as Barn owl nest boxes, swift boxes or bat boxes or the restoration of field hedges or boundary trees.

The Council's Tree and Landscape Officer considers the new hedge and tree planting proposed by the applicant to be acceptable.

There were no other responses to the consultation. As the application meets the criteria for a major application, it is brought before Members for consideration and determination.

POLICY:

National Planning Policy

National Planning Policy Framework (NPPF)

National Planning Practice Guidance (NPPG)

Ryedale Plan - Local Plan Strategy

Policy SP1 - General Location of Development and Settlement Hierarchy

Policy SP6 - Delivery and Distribution of Employment Land and Premises

Policy SP9 - Land Based and Rural Economy

Policy SP13 - Landscapes

Policy SP14 - Biodiversity

Policy SP16 - Design

Policy SP19 - Presumption in Favour of Sustainable Development

Policy SP20 - Generic Development Management Issues

Retained Policies of the revoked Yorkshire and Humber Regional Spatial Strategy (RSS)

Policy Y1 - York sub area policy

Policy YH9 - Green Belts

HISTORY:

3/141/4/PA - Refused - Outline application for the construction of a detached bungalow and garage at Common Farm, Upper Helmsley.

3/141/8/PA - Permitted - Change of use of disused farm buildings to 9 self contained holiday cottages at Common Farm, Upper Helmsley.

3/141/8A/FA - Permitted - Erection of two storey accommodation block to form six family dwellings and a 10 bedroom stablemans dwelling together with parking for 20 cars.

16/00376/HOUSE - Pending Consideration - Erection of a single storey extension to side elevation.

APPRAISAL:

The key issues to consider are:

- i. Principle of development in the York Green Belt
- ii. Character and Form
- vi. Other Matters
- vii. Conclusion

i. Principle of development in the York Green Belt

Policy SP1 states that proposals for development within the Green Belt will be assessed against national policy. The NPPF states that the construction of new buildings within the Green Belt should be regarded as inappropriate. Exceptions to this are:

- Buildings for agriculture and forestry;
- provision of appropriate facilities for outdoor sport, outdoor recreation and for cemeteries, as long as it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it;
- the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;
- the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;
- limited infilling in villages, and limited affordable housing for local community needs under policies set out in the Local Plan; or
- limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use (excluding temporary buildings), 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.

Policy SP9 supports Ryedale's land-based economy and a working countryside through support for the replacement of non-traditional general purpose storage buildings to support farming, forestry or equine related activity. New buildings will be supported if they are necessary to support land-based activity. In conjunction with Policy SP9, the small scale conversion of existing buildings or provision of new buildings to support appropriate rural economic activity is supported in the wider open countryside.

Prior to the commencement of development, the existing site contained an existing farm house with associated buildings, an existing vehicular access and a grassed gallop. The retrospective planning application is for a replacement building in use for equine purposes and the erection of associated structures including a gallop, timber horse boxes and horse walkers. Further operational development at the site includes the siting of a temporary office building/rest room, additional hard standing and alterations to the access track. The new horse barn will replace a smaller, now demolished barn in the same location. This building is located centrally within the cluster of buildings. The all weather gallop will be sited adjacent to the existing grassed gallop. The additional hardstanding is modest in nature and provides for car parking and passing places on the narrow access track. The office is a temporary cabin building of modular construction and its permanent retention is considered to be unacceptable. While, larger than the demolished development, the equine use of the site and its location mean that the development is not considered to be inappropriate in the Green Belt and it accords with the NPPF and Policy SP1. The equine use of the site and the provision of 25 full time and 10 part time employees is considered to be in accordance with Policies SP6 and SP9.

ii. Character and Form

Policy SP13 (Landscapes) seek to protect the quality, character and value of Ryedale's diverse landscapes by encouraging new development and land management practices which reinforce the distinctive elements of landscape character within Ryedale's broad character landscape areas including the Vale of York.

To accord with Policies SP16 (Design) and SP20 (Generic Development Management Issues) and reinforce local distinctiveness, the location, siting, form, layout, scale and detailed design of new development should respect the context provided by its surroundings. Attention should be paid to the grain of settlements, influenced by street blocks, plot sizes, the orientation of buildings, boundaries, spaces between buildings and the density, size and scale of buildings. Consideration must also be given to the type, texture and colour of materials, quality and type of building techniques and elements of architectural detail.

The development at the site includes the creation of a hardstanding, timber horse boxes, single storey metal framed horse walkers and part block work part timber buildings. The buildings are located within an existing cluster of development and are in keeping with the rural location of the site. The site has been in equine use for many years and a grassed version of the gallop and a horse walker were already on site. Furthermore, the adjoining site to the south west is also in equine use. As such, the design of the buildings and structures are considered to be appropriate for the location. The existing gallop has been developed with the siting of a raised all weather track to allow all weather use. The development is for the most part obscured from public view with the exception of a section of the gallop and access track visible from the highway at the eastern end of the site. The running rails that border the gallop are less than 2.0 metres in height and therefore do not require planning permission.

The development under consideration is due to its design, considered to be an appropriate use in a rural area and its screened location accords with the criteria set out in Policies SP13, SP16 and SP20.

iii. Other Matters

The applicant has proposed the planting of additional hedging adjacent to the existing hardstanding within the site. This proposal is considered to be acceptable by the Council's Countryside Officer in terms of meeting the requirements of Policy SP14.

Due to the isolated nature of the site and the level of natural screening provided by woodland and the topography of the site, the development is not considered to have any material adverse impacts on the amenity of neighbouring occupiers, in accordance with Policy SP20.

The development has been considered by the local highway authority in terms of its impacts and there are no objections related to highways matters.

iv. Conclusion

The proposed development is considered to accord with national and local planning policies and is recommended for approval subject to the following conditions.

RECOMMENDATION: Approval

- 1 The office/restroom building hereby permitted shall be removed and the land on which it is sited restored to its former condition at or before 11 May 2018; unless an extension of the period shall first have been approved in writing by the Local Planning Authority.

Reason:- The development permitted would be unacceptable on a permanent basis because of its temporary nature and its location with the Green Belt.

- 2 The proposals for the landscaping of the site shown on plan No CF11; shall be completed in the first planting season following the decision date of this planning permission or such longer period as may be agreed in writing with the Local Planning Authority. Any trees/shrubs which, within a period of five years from being planted, die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar sizes and species, unless the Local Planning Authority gives written

consent to any variation.

Reason:- To enhance the appearance of the development hereby approved.

- 3 The development hereby permitted shall be carried out in accordance with the following approved plan(s):

Drawing CF1, site location plan, validated by the local planning authority 18 Feb 2016

Drawing CF2, site layout plan, validated by the local planning authority 18 Feb 2016

Elevation, loose boxes scale 1:100 validated by the local planning authority 18 Feb 2016

Drawing no 1: new stable building validated by the local planning authority 18 Feb 2016

Drawing CF6, office and rest room, validated by the local planning authority 18 Feb 2016

Drawing CF5 (d), roofed horse walker, validated by the local planning authority 18 Feb 2016

Drawing CF8, equaflow full infiltration bed, validated by the local planning authority 18 Feb 2016

Drawing CF5 (b), claydon stoneleigh 4,5 _ 6 horse exerciser, validated by the local planning authority 18 Feb 2016

Plan of loose boxes scale 1:100 Drawing CF1 validated by the local planning authority 18 Feb 2016

Drawing CF7A validated by the local planning authority 22 Mar 2016

Drawing CF11, landscaping, validated by the local planning authority 22 Mar 2016

Reason: For the avoidance of doubt and in the interests of proper planning.

Background Papers:

Adopted Ryedale Local Plan 2002

Local Plan Strategy 2013

National Planning Policy Framework

Responses from consultees and interested parties