

## Appeal Decision

Site visit made on 24 January 2017

by **Philip Lewis BA (Hons) MA MRTPI**

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 13 February 2017

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**Appeal Ref: APP/Y2736/W/16/3162909**

**Land East of Main Street, Sinnington, Pickering North Yorkshire, Easting 474690 Northing 485661**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
  - The appeal is made by Ms Elizabeth Newbronner against the decision of Ryedale District Council.
  - The application Ref 16/01030/FUL, dated 10 June 2016, was refused by notice dated 8 August 2016.
  - The development proposed is described as construction of a 20m by 30m all weather area for horse turn out and riding for private use only.
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### Decision

1. The appeal is allowed and planning permission is granted for construction of a 20m x 30 m all weather area for horse turn out and riding, private use only at Land East of Main Street, Sinnington, Pickering North Yorkshire, Easting 474690 Northing 485661 in accordance with the terms of the application, Ref 16/01030/FUL, dated 10 June 2016, subject to the following conditions:
  - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
  - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan 1:2500; plan at Scale 1:1500 and Plan at Scale 1;500.
  - 3) No development shall commence until samples of the materials to be used to surface the turnout area hereby permitted to include the colour of the materials, have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved samples.

### Procedural matter

2. I have taken the site address from the appeal form as it is more accurate than that set out on the application form.

### Main Issue

3. The main issue for the appeal is the effect of the proposal on the character and appearance of the surrounding countryside with particular regard to the Fringe of the Moors Area of High Landscape Value.
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## Reasons

4. The appeal site is situated to the east of Sinnington within the countryside and consists of part of a larger field which has been sub-divided into several paddocks. The field has mature trees and vegetation to its northern boundary, with hedges on its eastern and southern boundaries. The appeal site which has a permitted equestrian use, contains several modest equestrian buildings and a hardstanding and is partially fenced with post and rail fencing from the other paddocks. The appeal scheme consists of a surfaced turnout area of about 20 metres by 30 metres, which would be enclosed by a post and rail fence.
5. The appeal site falls within the Fringe of the Moors Area of High Landscape Value (AHLV). I observed during my site visit, that the landscape generally rises up to the east and north from Sinnington and consists of irregularly shaped fields with linear boundaries, typically marked by hedges with some mature trees. Policy SP13 of the Ryedale Local Plan – Local Plan Strategy September 2013 (Local Plan) is concerned with landscapes. Policy SP13 includes that The Fringe of the Moors AHLV is valued locally for its natural beauty and scenic qualities and that there are particular visual sensitivities given topography and long distance skyline views.
6. Whilst the appeal site is situated away from the developed area of Sinnington, and does not relate to an area with significant buildings, the proposed development would take place within the context of land which has a clear appearance of equestrian use and in that respect would not appear as incongruous. During my site visit, I observed the appeal site from the footpath which runs near to the appeal site and noted that the proposed development would be visible, viewed over the adjacent paddock. However, views from further along the path over the adjacent field to the north would be filtered by the vegetation on the site boundary. Additionally, due to the existing trees and hedges, where topography allows longer distance views of the appeal scheme such as from the A170 road, these would also be filtered. Furthermore, the use of an appropriate colour for the surface materials for the turn out area would assist in minimising its visibility and were I to be minded to allow the appeal, this could be the subject of a planning condition.
7. I have taken into account the visual sensitivities of the AHLV. However, I consider that in this case, the development of the turnout area within an established equestrian site and which has significant screening from existing hedges and trees, although visible from the some public viewpoints, would not appear intrusive or out of context, given the use of the land. The scheme would also not interfere with any long distance skyline views. Consequently, I do not consider that the appeal proposal would give rise to significant harm to the character and appearance of the area or the visual sensitivities of the AHLV.
8. The appeal proposal would not therefore give rise to unacceptable harm to the character and appearance of the surrounding countryside and the Fringe of the Moors Area of High Landscape Value. Consequently, the appeal proposal does not conflict with Local Plan Policy SP13 or Local Plan Policy SP1 which is concerned with the general location of development and settlement hierarchy. I also do not find that the appeal proposal conflicts with the policies relating to the natural environment as set out in the National Planning Policy Framework.

**Conditions**

9. I have attached conditions in regards of timescale and specifying the plans as that provides certainty. I have also attached a condition regarding the submission of details of the surface material for the turn out area in the interests of the character and appearance of the area.

**Conclusion**

10. For the reasons given above and having considered all matters raised, I consider that the appeal should be allowed.

*Philip Lewis*

INSPECTOR