

Item Number: 8
Application No: 17/00146/MFUL
Parish: Heslerton Parish Council
Appn. Type: Full Application Major
Applicant: Mr Neville Ender
Proposal: Change of use and alteration of barn and land to equestrian use with formation of 12no. stables within the building together with formation of a 603m length oval sand canter track within the adjacent field, all for the private use of the applicant (part retrospective).
Location: Swallows Barn Church Lane East Heslerton Malton YO17 8RN

Registration Date:
8/13 Wk Expiry Date: 17 May 2017
Overall Expiry Date: 23 March 2017
Case Officer: Charlotte Comforth **Ext:** 325

CONSULTATIONS:

Archaeology Section No objection
Parish Council No views received to date
Highways North Yorkshire No objection

Neighbour responses: None

SITE:

The application site comprises of a residential dwelling know as Swallows Barn, with a detached garage and existing agricultural barn to the rear (west) of the dwelling. An adjoining field to the west of the dwelling, detached garage and agricultural barn is owned by the applicant and has an area of 5.448 hectares. The site is accessed off Church Lane that is located approximately 60 metres to the south of the A64 trunk road within the settlement of East Heslerton. The site is also located within the Wolds Area of High Landscape Value and within an archaeological sensitive area.

PROPOSAL:

Change of use and alteration of barn and land to equestrian use with formation of 12no. stables within the building together with formation of a 603m length oval sand canter track within the adjacent field, all for the private use of the applicant (part retrospective).

This is a 'major' application and is required to be determined by Planning Committee as the canter track is in a field which exceeds 1 hectare in area (5.448 hectares). The track will be 603 metres round, 3 metres wide and be constructed of 150mm of sand and artificial fibre with a membrane on 150mm of clean stone with drainage surrounded in gravel below. The track will be used for private use of the applicant who exercises the horses and resides in Swallows Barn. Members should note that some of the 12no. stables within the building have already been constructed.

HISTORY:

There is no relevant planning history regarding this application.

POLICY:

The Ryedale Plan - Local Plan Strategy (2013)

Policy SP9 - Land Based Rural Economy

Policy SP 12 - Heritage
Policy SP 13 - Landscapes
Policy SP 16 - Design
Policy SP 19 - Presumption in favour of sustainable development
Policy SP 20 - Generic Development Management Issues

National Planning Policy Framework (NPPF) (2012)

Chapter 3. Supporting a prosperous rural economy

National Planning Policy Guidance (NPPG)

APPRAISAL:

The main considerations in relation to this application are

- i. The Principle of Development
- ii. Impact upon the wider open countryside landscape - the Wolds Area of High Landscape Value
- iii. Highway safety
- iv. Impact upon neighbour amenity
- vi. Archaeology
- vii. Other matters
- viii. Conclusion

i. The Principle of Development

Whilst the development is not for a new building and for private use only, Policy SP9 (Land Based Rural Economy) is supportive of development that supports support land-based activity and a working countryside, including for farming, forestry and equine purposes. The applicant will exercise the horses on the canter track in an adjacent field and they will then be housed in the barn that is located approximately 70 metres to the east of the canter track. The change of use and alteration of an barn and land to equestrian use with formation of 12no. stables within the building together with formation of a 603m length oval sand canter track within the adjacent field is considered acceptable in this location.

ii. Impact upon the wider open countryside landscape - the Wolds Area of High Landscape Value

Policy SP 13 (Landscapes) of the Ryedale Plan - Local Plan Strategy states:

Landscape Character:

Development proposals should contribute to the protection and enhancement of distinctive elements of landscape character that are the result of historical and cultural influences, natural features and aesthetic qualities including:

- *The pattern and presence of distinctive landscape features and natural elements (including field boundaries, woodland, habitat types, landforms, topography and watercourses)*
- *Visually sensitive skylines, hill and valley sides*

The Yorkshire Wolds and Fringe of the Moors are valued locally for their natural beauty and scenic qualities. As well as protecting the distinctive elements of landscape character in each of these areas, there are particular visual sensitivities given their topography and resulting long distance skyline views within Ryedale and further afield.

There will be limited, distant views of the canter track from the A64 due to the low lying nature of the canter track on a relatively flat field. The surfacing of sand is considered acceptable. There will also be limited views of the frontage of the 12no. stables that are located within an existing barn building. The proposal is not considered to be detrimental to the character of the wider open countryside that is designated as the Wolds Area of High Landscape Value.

iii. Highway safety

The Highway Authority considers the existing vehicular access onto Church Lane to be acceptable and given that the proposal are for private use only, has no objection to the proposal. The proposal is therefore considered to comply with Policy SP20 of the Ryedale Plan - Local Plan Strategy.

iv. Impact upon neighbour amenity

The closest residential properties to the site are The Firs to the immediate north of field where the canter track is proposed and Bobtail Cottage to the east of the dwelling of Swallows Barn and approximately 45 metres to the east of the building where the stables are proposed. There is the potential for the horses to cause issues regarding noise and odour.

However, the existing building has a lawful agricultural use and could clearly be used to house more livestock than 12 horses. If there are any future complaints regarding noise and odour these would be dealt with by Environmental Health Officers. The applicant has advised that the manure from the horses is collected regularly by a local farmer and is spread on his land. This arrangement is considered to be appropriate in this instance.

In light of the above and given that the proposal is for private use only by the applicant, it is considered that the proposal will not be likely to have a material adverse effect upon the amenity of any residential properties. The proposal is considered to comply with Policy SP20 of the Ryedale Plan - Local Plan Strategy.

vi. Archaeology

The Principal Archaeologist at North Yorkshire County Council (NYCC) has stated the following with regard to the proposal:

The development is within a sensitive archaeological landscape with a high concentration of prehistoric and later archaeological sites. The field in which the proposed canter track is proposed has been subject to geophysical survey by the Landscape Research Centre. The anomalies identified appear to be largely agricultural (i.e. plough furrows) or natural (i.e. former watercourses) and of a low archaeological potential. The conversion of the barn to a stable is unlikely to involve significant ground disturbance and the same is presumed for the canter track. I have no objection to the proposal and have no further comments make. It is not necessary to consult us again on this application.

The proposal is therefore considered to comply with Policy SP12 of the Ryedale Plan - Local Plan Strategy.

vii. Other matters

There has been no response from the Parish Council with regard to the proposal.

viii. Conclusion

In light of the above considerations, the change of use and alteration of the existing barn and land to equestrian use with formation of 12no. stables within the building together with formation of a 603m length oval sand canter track within the adjacent field, all for the private use of the applicant is considered to satisfy the relevant policy criteria outlined within Policies SP9, SP12, SP13, SP16, SP19 and SP20 of the Ryedale Plan - Local Plan Strategy and the National Planning Policy Framework. The proposal is therefore recommended for approval subject to the following conditions.

RECOMMENDATION: Approval

1 The development hereby permitted shall be begun on or before .

Reason:- To ensure compliance with Section 51 of the Planning and Compulsory Purchase Act 2004

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

Site Location Plan - Land Registry NYK388985 date stamped 15.02.2017.

Block Plan - Scale 1:2500 date stamped 15.02.2017.

Proposed Elevations - Scale 1:100 Swallows Barn date stamped 15.02.2017.

Proposed Floor Plan - Scale 1:100 Barn Conversion into 12 stables date stamped 15.02.2017.

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