

**Item Number:** 9  
**Application No:** 18/00072/FUL  
**Parish:** Scrayingham Parish Council  
**Appn. Type:** Full Application  
**Applicant:** Mr Paul Hanson  
**Proposal:** Erection of building forming 2no. stables and tack/feed store (retrospective application)  
**Location:** Meadow House Main Street Scrayingham Malton YO41 1JD  
  
**Registration Date:** 24 January 2018  
**8/13 Wk Expiry Date:** 21 March 2018  
**Overall Expiry Date:** 1 March 2018  
**Case Officer:** Niamh Bonner **Ext:** Ext 325

#### **CONSULTATIONS:**

<b>Parish Council</b>	No response received
<b>Environmental Health Officer</b>	No objection, conditions recommended
<b>Countryside Specialist</b>	No objection, conditions recommended

**Neighbour responses:** Mrs V Gill, Mrs Susan King,

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#### **SITE:**

The application site relates to a section of agricultural land adjoining the residential curtilage of Meadow House to the west, in the village of Scrayingham. The application site falls outside of the Village Development Limits.

Part of the rear of the application site falls within Flood Zone 2, however no part of the stable falls within this designation. The site falls within the Wolds Area of High Landscape Value.

#### **POLICIES:**

Local Plan Strategy - Policy SP12 Heritage  
Local Plan Strategy - Policy SP13 Landscapes  
Local Plan Strategy - Policy SP16 Design  
Local Plan Strategy - Policy SP19 Presumption in Favour of Sustainable Development  
Local Plan Strategy - Policy SP20 Generic Development Management Issues  
National Planning Policy Framework  
National Planning Practice Guidance

#### **HISTORY:**

The following applications are the most relevant planning history associated with the site:

17/01348/HOUSE: Erection of orangery extension to rear of dwelling, extension to existing garage to form additional parking with games room above and erection of a detached bike garage. Approved

18/00237/AMEND: Minor non-material amendment to approval 17/01348/HOUSE dated 02.01.2018 for Erection of orangery extension to rear of dwelling, extension to existing garage to form additional parking with games room above and erection of a detached bike garage - addition of dormer window and side entrance door to bike garage (Pending Consideration)

## PROPOSAL:

The proposal seeks retrospective permission for the erection of building forming 2no. stables and tack/feed store (retrospective application)

## APPRAISAL:

The key considerations in assessing this application are;

- i) Principle of the Development
- ii) Character, Form and Impact upon Area of High Landscape Value
- iii) Impact upon Amenity
- iv) Impact upon the setting of the nearby Grade II Listed Building
- v) Other Matters Including Consultation Responses.

### i) Principle of the Development

The proposal relates to the retrospective erection of a block comprising 2 stables and a store within an agricultural field to the rear of the residential curtilage associated with Meadow House.

It is not considered that the siting of the building relates to a material change of use of the land to equestrian, but rather relates to the retention of a small scale stable building within a field that maintains its agricultural use. It is noted that the grazing of horses on agricultural land would not constitute a material change of use of the land and it is also considered that a stable of this size would not necessarily form a material change of use of the land.

Therefore it is considered that the retention of the stable would not fundamentally discord with Local Planning Policy. However it is considered necessary to recommend an informative ensure the applicant is aware that this application does not permit any extension of their current domestic curtilage. A separate full planning application would be needed to extend the curtilage from its current position.

### ii) Character, Form and Impact Upon Area of High Landscape Value.

Retrospective planning permission is sought for the erection of a stables, positioned along the southern boundary of a paddock adjoining the residential curtilage of Meadow House. In accordance with Policy SP13 (Landscapes) the Council will carefully consider the impact of development proposals on the Wolds Area of High Landscape Value (AHLV).

This building incorporates a traditional wooden construction, with a corrugated steel roof covering in black in an 'L' shaped design. This building spans 10.9m in length with a maximum width of 7.4m. The pitched roof design incorporate an eaves height of 2.25m and a ridge height of 3.2m.

The building is positioned along the southern boundary of a paddock, in close proximity to existing mature landscaping and as such, does not appear isolated in the wider paddock.

No horses are currently present on site, however during a site meeting the applicant confirmed they would be obtaining a Shetland pony.

It is not considered that this development, (which is relatively modest) in scale results in significant harm to the character of the agricultural field or the wider Area of High Landscape Values subject to appropriate planning conditions.

Whilst the building is situated in relatively close proximity to neighbouring properties, it is offset to the south, adjoining mature landscaping. New landscaping has been planted along the northern and eastern boundary of the paddock which in time will also mature and further limit views. The Council's Senior Specialist Countryside has been consulted in regard to this application and has recommended a condition to ensure that should the newly planting hedging fail along the northern or eastern boundary of the site it must be replanted in the next available planting season for a period of three years from the date of decision. It is considered that this will aid in ensuring the field remains appropriately landscaped.

It is noted that there is storage for tack and feed available within the stables and this would aid in reducing the impact of the development upon the designated landscape area. A condition will be recommended to prevent the outdoor storage of equestrian paraphernalia within the application site. A further condition is recommended to prevent inappropriate lighting of the proposed development, requiring that any external lighting is agreed in writing with the Local Planning Authority.

iii) Impact upon Amenity

One formal letter of objection has been received with regard to this development (from the occupier of Primrose Cottage). The objections are summarised below:

- When buying their property, they were advised that this field could be used for agricultural use only and would not allow for the erection of a stable, only a temporary moveable structure. Any permanent stable would have to be erected in the domestic curtilage. They paid a premium for property due to this and it will now be devalued and subject to an eyesore.
- Paddock is not large enough to graze one equine, stables for two have been built and land cannot support this.
- Land is waterlogged with poor grazing, will cause a ‘mudbath.’
- Harm to the natural wildlife, with wildlife attracting hedging having been removed and replaced with more ornamental landscaping, which is out of character.
- The extensive previous works undertaken to the property are more than capable of housing the possession that the owner is currently using it for.

In response to this, the Local Planning Authority receives many applications for planning permission for stables on agricultural land and this type of development often cannot be solely limited to being situated within a property’s domestic curtilage. Whilst the application site is outside of development limits, this would not preclude this type of application being made or permission being granted, as this is assessed on material planning considerations. The issue of potential devaluation of land is not a material planning consideration and no weight can be attached to this in the determination of this proposal.

The Local Planning Authority cannot comment on the extent of land required to acceptably home horses or if land would be capable of meeting their specific needs. In this instance, whilst not a material planning consideration, the applicant has confirmed that they are in the process of purchasing a Shetland pony further underlining how the LPA cannot be prescriptive in this matter. Furthermore horses could be grazed in this land without permission, if no stable was present. Therefore it is not considered that any weight can be given to the potential for mud levels in this field.

The Council’s Senior Specialist Countryside has been consulted with regard to this development. It is noted that whilst a previous hedgerow may have been present, this is now removed. However the applicant has replanted this and this is considered acceptable. As detailed above, this new hedgerow will be conditioned for retention and any plants that die within a three year period from the date of decision shall be replaced. Whilst the letter of objection highlights that hedging has been removed and replaced with ‘more ornamental’ landscaping the Countryside Specialist is generally satisfied with the current replanting mix.

The previously approved developments within the residential curtilage of the property are considered a separate matter, given that they relate to domestic garaging and detached bike garage. The Local Planning Authority are obliged to consider the stable for that use only.

One formal letter of support has been received with regard to this development (From the occupier of River View). The letter notes the following:

\* “In our opinion the erection of this building enhances the paddock and hides a very ugly fence.”

With regard to the letters of representation it is considered that the issues raised have been effectively addressed. Furthermore in terms of residential amenity, the stable would be located at a sufficient distance from the closest neighbouring residential property, Meadow House (c26m at the nearest point.)

The recommended conditions in terms of landscaping/future replanting, storage of equestrian paraphernalia and lighting will - in addition to protecting the character of the area, will also prevent harmful impacts upon the visual amenity. However the Council's Environmental Health Team have been consulted and recommend a further condition to prevent the burning of manure to prevent harm to residential amenity.

Given that this stable would solely be for domestic use associated with Meadow House, it is considered that this proposed building would not necessitate an undue number of journeys causing disruption to residential amenity. A condition is recommended to ensure that this development remains for domestic purposes associated with Meadow House only.

iv) Impact upon the setting of the nearby Grade II Listed Building

The Old Rectory, adjoining the site to the south is a Grade II Listed Building.

It is not considered the proposed development would result in any harm to the significance of this protected building, due to the distance and the existing mature landscaping visually separating the two building, together with the limited scale of the stable building.

The Council's Senior Specialist Building Conservation has been consulted with regard to this proposal. They have reviewed the submitted information and verbally confirmed no objection to the proposed development.

v) Other Matters Including Consultation Responses

As noted, one letter of objection has been received from a neighbouring property, which have been fully explored in section iii. It is considered that this raises material planning considerations which have been fully addressed. One letter of support has also been received.

The Parish Council have not responded in relation to this application.

In the light of the above and subject to the relevant conditions, the proposal is considered to meet the relevant policy criteria outlined within Policies SP13, SP16, SP19 and SP20 of the Ryedale Plan - Local Plan Strategy and within the National Planning Policy Framework. The proposal is therefore recommended for approval.

**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 documents/plan(s):

Stable Block Plan as Built - Block Plan (Drawing no. 2365:8 Rev A)

Stable Block as Built - Floor Plans and Elevations (Drawing no. 2365:10)

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

- 3 The development hereby permitted shall only be used for personal/domestic use in association with the property currently known as Meadow House. The use of the site or the facilities should not be used in any way which would relate to a commercial enterprise.

Reason: In the interest of preserving the character and tranquillity of the area in line with Paragraph 123 of the National Planning Policy Framework.

- 4 Unless otherwise agreed with the Local Planning Authority there shall be no outside storage of any equestrian paraphernalia.

Reason: In order to protect the character and appearance of the area and to satisfy Policy SP13 and SP20 of the Local Plan Strategy.

- 5 No external lighting shall be installed to serve the stable or agricultural land adjoining Meadow House without the prior written approval of the Local Planning Authority.

Reason: Lighting in this location within the Wolds Area of High Landscape Value is considered to conflict with the aims of Policy SP13 of the Ryedale Plan - Local Plan Strategy.

- 6 Unless otherwise agreed in writing with the Local Planning Authority, the replacement hedge to the north and east of the site shall be maintained in situ. Any plants that die within three years of the date of the decision notice must be replaced with a suitable species to be agreed with the Local Planning Authority.

Reason: To preserve hedges on the site in the interests of visual amenity and the character of the area, having regard to SP14 to the Ryedale local plan, coupled with paragraphs 17, 117 and 118 of the National Planning Policy Framework 2012

- 7 There shall be no burning of stable waste on site.

Reason: In the interests of the amenity of neighbouring properties, and to satisfy the requirements of Policy SP20 of the Ryedale Plan - Local Plan Strategy.

#### **INFORMATIVE(S)**

- 1 The stables hereby approved are located in the agricultural field to the rear of Meadow House, this agricultural field does not form domestic curtilage associated with the residential dwelling. Formal planning permission would be required for that change of use.