

Item Number: 12
Application No: 19/00117/FUL
Parish: Habton Parish Council
Appn. Type: Full Application
Applicant: Habton Farms (Mr Tim Easterby)
Proposal: Erection of a building incorporating 7no. stables and storage area used for agricultural storage, indoor lambing and stabling of mares and foals and the applicants own Hunting and Point to Point horses
Location: Whiteholme Farm Habton Lane Great Habton Malton North Yorkshire YO17 6TY
Registration Date: 7 February 2019
8/13 Wk Expiry Date: 4 April 2019
Overall Expiry Date: 8 March 2019
Case Officer: Alan Goforth **Ext:** Ext 43332

CONSULTATIONS:

Sustainable Places Team (Environment-Agency Yorkshire Area)	Recommend conditions
Environmental Health Officer	No concerns
Habton Parish Council	Objection
Highways North Yorkshire	No objection

Neighbour responses: Mr Martin Gollaglee, Mr John Gollaglee,

SITE:

Whiteholme Farm is located on the western side of the village of Great Habton within the open countryside. Access is gained from Habton Lane to the north and the farm house stands 75m to the north west of the application site. The neighbouring residential property (Applegarth) is immediately to the east of the site. There is a tall leylandii hedge along the eastern side of the ditch that forms the site boundary.

The River Rye is located 450m to the south of the proposed application site. The application site falls within Flood Zones 2 & 3 albeit on the northern edge furthest from the river. The application site is approximately 23m AOD and there is a gradual fall in levels of the land in a southerly direction.

Public footpath number 25.41/4/1 runs in a north-east to south west alignment to the north of the application site and it skirts the northern edge of the farm yard before continuing in a south westerly direction.

PROPOSAL:

Planning permission is sought for the erection of a building incorporating 7no. stables and storage area used for agricultural storage, indoor lambing and stabling of mares and foals and the applicants own Hunting and Point to Point horses.

The proposed building would be sited in the north eastern corner of the farmyard. The horse walker stands to the north, a small brick building is to the west beyond which is a Dutch barn and grain storage buildings are to the south west and a general storage building to the south.

The proposed building would measure 25m by 18.3m and would be orientated east- west. The building would stand 4m to the eaves and 6.1m to the ridge. The sliding door opening would be in the west facing gable end. Internally the northern side of the building would comprise 7 stables and the southern side would be for storage of hay and straw and used for indoor lambing during adverse weather.

Externally the walls of the building would comprise a combination of Yorkshire boarding, concrete panels and red brickwork. The pitch roof would have a profile sheet covering coloured dark brown. In March 2019 the elevations of the building were revised to increase the amount of Yorkshire boarding on all sides of the building. Yorkshire boarding would be used on the upper walls coming within 2 metres of ground level.

HISTORY:

The following applications are considered most relevant to the current proposal:

18/01388/FUL- Erection of a general purpose agricultural storage building. WITHDRAWN 01.02.2019. The building the subject of this application measured 27.4m by 18.3m, 4.8m to the eaves and 7.25m to the ridge and was to be orientated north-south adjacent to the eastern boundary of the site.

08/00189/FUL- Erection of a general-purpose agricultural storage building. WITHDRAWN 28.04.2008. The building the subject of this application measured 28m by 23m, 6.75m to the eaves and 9.9m to the ridge and was to be orientated north-south adjacent to the eastern boundary of the site.

POLICIES:

Under Section 38(6) of the Planning and Compulsory Purchase Act 2004 planning authorities are required to determine each planning application in accordance with the planning policies that comprise the Development Plan unless material considerations indicate otherwise. The Development Plan for the determination of this particular application comprises the following:

- The Ryedale Plan- Local Plan Strategy (2013)

The Ryedale Plan - Local Plan Strategy (2013)

Local Plan Strategy -Policy SP1 General Location of Development and Settlement Hierarchy
Local Plan Strategy -Policy SP9 The Land-Based and Rural Economy
Local Plan Strategy - Policy SP16 Design
Local Plan Strategy - Policy SP17 Managing Air Quality, Land and Water Resources
Local Plan Strategy - Policy SP19 Presumption in Favour of Sustainable Development
Local Plan Strategy - Policy SP20 Generic Development Management Issues

Material Considerations

Revised National Planning Policy Framework 2018 (NPPF)
National Planning Practice Guidance 2014 (PPG)

APPRAISAL:

The main considerations in the determination of this application are considered to be:

- i) Principle of the development;
- ii) Design, appearance and visual impact;
- iii) Impact on residential amenity;
- iv) Highways impact; and
- v) Flood Risk.

Principle of the development

The applicant is an established local race horse trainer with a licenced training establishment at Habton Grange 600m northwest of Whiteholme Farm. The proposed building would be dual purpose for agricultural use in the form of storage of hay and straw and for indoor lambing and also as stables the applicant's horses. The horses stabled in the building would be horses out of training as well as broodmares and point to pointers. The building would not accommodate racehorses as they would remain at the applicant's Habton Grange stables. The site is within the open countryside, however, the principle of the development aligns with the NPPF and policies SP1 and SP9 as the development would support land based activity and the operation of an established local business and retain related employment supporting the rural economy.

Design, appearance and visual impact

The height, orientation, footprint and materials have been revised to result in a building that would assimilate with the form and character of the farm. The site is largely screened by the established boundary planting and the arrangement of existing buildings on site and the proposed incorporation of Yorkshire boarding would break up what was a large expanse of brickwork particularly on the east gable end elevation facing the neighbouring property.

The occupant of Applegarth has raised concerns that the building is overdevelopment of the site. There is a range of buildings within the farmyard which are predominately to the west, south west and south of the proposed building. However, the position and orientation of the proposed building would ensure that the majority of the eastern side of the farm yard would remain open and undeveloped.

The Parish Council have raised an objection due to the impact of the building on the adjacent public footpath. On the basis that the building would have no physical impact on the existing route of the public footpath the impact is taken to be visual amenity for users of the route. However, due to the presence of existing planting in the north eastern corner and structures within the farm yard the proposed building would only be visible at a point where the public footpath enters the northern end of the farm yard. Inevitably, users of the footpath would expect to see structures and buildings associated with an agricultural operation. It is acknowledged that the proposed building would also be used for equestrian purposes although it would be unreasonable to consider the building, in terms of its scale, form and appearance, as visually intrusive or incongruous when viewed in the context of an operational farm yard. It is considered that the siting, scale and appearance of the proposed building would not be detrimental to the enjoyment of the public footpath by members of the public.

The siting and design of the new building is considered acceptable and there would be minimal impact upon the open countryside and the development is considered to be in compliance with policies SP16 and SP20.

Impact on residential amenity

The Parish Council have raised an objection to the scale of the building in the vicinity of the adjacent residential property (Applegarth). The occupants of Applegarth have stated that the building would be overbearing and result in loss of light to the garden.

The revised elevational treatment on the gable end of the building includes additional timber boarding for the mid and upper parts of the wall as an alternative to brickwork. Any views towards the building from Applegarth would be partially screened by the existing planting on the boundary although the combination of timber cladding and low level brick work would soften the appearance of the building.

The applicant has taken positive steps to seek to address the concerns raised by the occupants of the neighbouring property. The orientation of the building has been turned 90 degrees so that it stands on an east to west alignment rather than north to south as proposed in application ref. 18/01388/FUL. As a result the 25m span of the building faces onto the farm yard and not the neighbouring property. The

proposed building would stand gable to gable with Applegarth to the east. The overall footprint and height has also been reduced when compared to the earlier application.

The eastern gable end elevation of the proposed building would be 6 metres from the row of conifers on the boundary with Applegarth and there are no windows at either ground or first floor facing towards the site of the proposed building. There would be no overshadowing of habitable rooms and the orientation of the building would not result in significant overshadowing of the gardens particularly when the existing conifer planting is taken into account.

The only opening in the building would be in the west gable end which faces away from the nearest property. Any noise arising from the use of the building would be contained within the building and it is not anticipated that it would result in any unacceptable levels of disturbance to the occupants of Applegarth.

The effluent arising from the use of the building would be contained within the building and subject to the standard drainage and cleaning arrangements employed within the yard and it is not anticipated that it would result in any pollution to the adjacent ditch or any neighbouring land. The application has been discussed with the Council's EHO and there are no concerns in terms of pollution or disturbance although the standard manure management condition shall be imposed. In addition a condition shall be imposed that restricts any future use of the building by other livestock.

It is not anticipated that the proposed development would give rise to any unacceptable loss of light or overbearing impact or any pollution or disturbance and as a result there would not be an adverse impact upon residential amenity in compliance with Policy SP20.

Highways impact

It is considered that the proposed building would not generate vehicles movements that would give rise to a materially adverse impact on highway safety. There are no objections from the LHA. In addition the proposed building would not obstruct any public right of way in the vicinity. The proposed development would not have a detrimental impact on highway safety in compliance with the relevant part of Policy SP20.

Flood Risk

The site is within Flood Zone 3 however the proposed use of the building is classified as less vulnerable. The applicant states that the northern end of the farm yard, furthest from the river, has not been known to flood at any point in the last 50 years. The proposed building would be positioned on land that is approximately 1 metre higher than the grain stores at the southern end of the farm yard and the land falls away further to the south nearer to the river.

The Environment Agency request the inclusion of a condition requiring the development to be carried out in accordance with the submitted Flood Risk Assessment including the finished floor levels to be no higher than existing ground levels. It is considered that the new building can be accommodated without giving rise to unacceptable levels of flood risk to its users or the users of surrounding land and buildings in compliance with the NPPF and Policy SP17.

Conclusion

The principle of the development is in line with national and local planning policy and represents development that supports the land-based, rural economy. The proposed development would not have an unacceptable impact on the open countryside, flood risk, local amenity or highway safety. In light of the above assessment, it is considered, on balance, that the proposal is acceptable and complies with Policies SP1, SP9, SP16, SP17, SP19 and SP20 of the adopted Ryedale Plan - Local Plan Strategy and the revised National Planning Policy Framework. The recommendation to Members is one of conditional 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 plans:

Site Location Plan
Location/Block Plan
Elevations (revised)
Internal Layout Arrangements

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

- 3 All external constructional materials and colour finishes to be used for the building shall be in accordance with those identified in the application.

Reason: In the interests of visual amenity.

- 4 The building hereby approved shall not be used to house cattle or pigs.

Reason: In the interests of amenity.

- 5 The development shall be carried out in accordance with the submitted Flood Risk Assessment (ref 15 Nov 2018 / Flood Risk Management Ltd) and the following mitigation measures it details:

•Finished floor levels shall be set no higher than existing ground levels

Reason: To reduce the risk of flooding to the proposed development.

- 6 Prior to the development hereby permitted being brought into use, a waste management plan shall be submitted to and approved in writing by the Local Planning Authority. This shall detail the measures to be taken to minimise environmental issues through the correct collection and storage of animal waste. It shall detail the methods of animal bedding and area cleaning. Thereafter the site shall be operated in accordance with the approved details.

Reason:- In order to protect the amenity of surrounding properties, and to satisfy Policy SP20 of the Ryedale Plan - Local Plan Strategy.