

North York Moors National Park Authority

District/Borough: Scarborough Borough Council
(North)
Parish: Hawsker-Cum-Stainsacre

Application No. NYM/2019/0473/FL

Proposal: installation of replacement windows to dwelling together with erection of stable building and change of use of land to form manege for hobby use

Location: High Leas, Hawsker Lane, Hawsker

Decision Date: 09 September 2019

Extended to:

Consultations

Parish - Objects and expresses concern that rainwater run-off from the stables and manege will flood the path to the school. Also there is no indication where the manure heap will be positioned.

Highways -

Environmental Health Officer – No objections subject to a condition

Site Notice/Advertisement Expiry Date – 22 August 2019

Director of Planning's Recommendation

Approval subject to the following condition(s):

1. Standard Three Year Commencement Date
The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.
2. Strict Accordance With the Documentation Submitted or Minor Variations - Document No.s Specified
The development hereby permitted shall not be carried out other than in strict accordance with the following documents:

Document Description	Document No.	Date Received
Site Plan as Proposed	JHJ-VMV-SHT-8-rev1	1 Aug 2019
Plans and Elevation as Proposed	JHJ-VMV-SHT-6-rev1	1 Aug 2019
Site and Location Plans	JHJ-VMV-SHT-1-rev0	3 July 2019
Plans and Elevations as Proposed	JHJ-VMV-SHT-2-rev0	3 July 2019
Window/Door Elevations & Details	JHJ-VMV-SHT-4-rev0	3 July 2019
Window/Door Elevations & Details	JHJ-VMV-SHT-5-rev0	3 July 2019
Stable Layout as Proposed	JHJ-VMV-SHT-7-rev0	3 July 2019

or in accordance with any minor variation thereof that may be approved in writing by the Local Planning Authority.
3. Stables - No Commercial Use of Stable - Ancillary to Dwelling
There shall be no commercial use of the stable and dressage arena hereby permitted and it shall be used only for the horses kept for hobby/domestic purposes ancillary to the occupation of the property known as High Leas, Hawsker and for no other purpose unless a separate grant of planning permission has first been obtained from the Local Planning Authority.

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4. External Lighting - Submit Details
No external lighting shall be installed in the stable building and dressage arena hereby permitted until details of lighting have been submitted to and approved in writing by the Local Planning Authority. The lighting shall be installed in accordance with the details so approved and shall be maintained in that condition in perpetuity.
5. Roof Colouring
The external surface of the roof of the stable building hereby permitted shall be coloured and thereafter maintained dark grey and shall be maintained in that condition in perpetuity unless otherwise be agreed in writing with the Local Planning Authority.
6. Timber Cladding
The external elevations of the stable building hereby approved shall, within three months of first being brought into use, be clad in horizontal timber boarding and shall thereafter be so maintained unless otherwise agreed in writing by the Local Planning Authority.
7. All new window frames and glazing bars shall be of timber construction and stained dark brown in a matt finish within six months of the date of installation and shall be maintained in that condition in perpetuity.
8. Window Frames in Reveals to Match Existing
The external face of the frame to all replacement windows shall be set in reveals to match those of the existing windows, and no less than 600 mm and shall be maintained in that condition in perpetuity unless otherwise agreed in writing with the Local Planning Authority.
9. Details of Manure Storage and Waste to be Agreed
No burning of manure or stable sweepings shall take place anywhere on the site and full details of the proposed method of storage and disposal of waste from this stable including the location of any storage and the frequency of disposal off the site shall be submitted to the Local Planning Authority within one month of the date of this consent. The method of waste disposal shall accord with the details so approved and there shall be no variation unless otherwise agreed with the Local Planning Authority.
10. Prior to the development hereby approved being first brought into use, full details of how surface water will be drained from the site shall be submitted to and approved in writing by the Local Planning Authority. Within 3 months of the date of approval, the drainage works shall be completed in accordance with the approved details.

Reason(s) for Condition(s)

1. To ensure compliance with Sections 91 to 94 of the Town and Country Planning Act 1990 as amended.
2. For the avoidance of doubt and to ensure that the details of the development comply with the provisions of NYM Core Policy A and NYM Development Policy 3, which seek to conserve and enhance the special qualities of the NYM National Park.

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3. In order to comply with NYM Development Policy 19 which seeks to ensure that proposals for stables are well related to a domestic curtilage and to enable the Local Planning Authority to control any commercial use of the stables which could give rise to conditions detrimental to the special qualities of the National Park and the residential amenities of adjoining occupiers which would be contrary to NYM Core Policy A.
4. In the interests of the visual amenities of the locality and to comply with the provisions of NYM Core Policy A which seeks to conserve and enhance the special qualities of the National Park.
5. For the avoidance of doubt and in order to comply with the provisions of NYM Core Policy A and NYM Development Policy 3 which seek to ensure that the appearance of the development is compatible with the character of the locality and that the special qualities of the National Park are safeguarded.
6. For the avoidance of doubt and in order to comply with the provisions of NYM Core Policy A and NYM Development Policy 3 which seek to ensure that the appearance of the development is compatible with the character of the locality and that the special qualities of the National Park are safeguarded.
7. For the avoidance of doubt and in order to comply with the provisions of NYM Development Policy 5 which seek to ensure that alterations to Listed Buildings do not have any unacceptable impact on the special architectural or historic interest of the building.
8. For the avoidance of doubt and in order to comply with the provisions of NYM Development Policy 5 which seek to ensure that alterations to Listed Buildings do not have any unacceptable impact on the special architectural or historic interest of the building.
9. In order to comply with the provisions of NYM Core Policy A which seeks to ensure that new development does not detract from the quality of life of local residents.
10. In order to comply with the provisions of NYM Core Policy A which seeks to ensure that development does not have a detrimental impact on the amenities of the area.



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**Background**

High Leas is a grade II Listed Building lying on the east side of Hawsker Lane leading to Whitby Abbey, just north of the junction with the A171. Planning permission was originally granted for the conversion of the barn and horse engine house in 1996 but took several years to complete the residential dwelling. The barn is constructed in partly tooled and partly squared sandstone with red brick piers to the horse engine house under a pantile roof with sandstone coping and ridges and timber windows. The property occupies a sizeable curtilage bounded by post and rail fencing and native hedgerows. Also in the ownership of the applicant is a field/paddock to the northwest of the property presently used for the keeping of the applicant's horses. There are two temporary field shelters on the land.

Planning permission is sought for the construction of a dressage arena in the field to the north west of the host property along with the erection of a stable building and concrete hardstanding. Details have also been submitted of replacement timber windows to the ground floor of the barn conversion on a like-for-like basis. The conditions attached to the original permission require that the windows are matt dark brown stained and consequently, planning permission isn't required for the replacement of these on alike for like basis.

The dressage arena would measure 40 metres by 20 metres enclosed by a timber post and rail fence and the stable building would measure 7.3 metres by 3.7 metres, constructed in concrete block work and clad externally in horizontal timber boarding under a fibre cement sheet roof. No external lighting is proposed.

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Main Issues

The relevant policies of the Core Strategy and Development Policies Document are Development Policies 3, 5 and 19.

Development Policy 3 requires a high standard of design detailing to be used that complements the local vernacular in order to maintain and enhance the distinctive character of the National Park. It also seeks to ensure that proposals do not result in the loss of an open space which contributes to the amenity, character and setting of a settlement and that the scale, height, massing, proportion, form, size, materials and design features of the proposal are compatible with surrounding buildings, and will not have an adverse effect upon the amenities of adjoining occupiers.

Development Policy 5 only supports proposals for the alteration, extension or change of use of a listed building or the construction of a structure within its curtilage where they will not have an unacceptable impact on the special historic or architectural interest of the building. Any development which would have an unacceptable impact on the setting of a listed building will not be permitted

Development Policy 19 supports proposals for householder development where the scale, height, form, position and design does not detract from the character and form of the original dwelling or its setting in the landscape.

In the supporting justification to Development Policy 19 it is noted that there is increasing demand for buildings and facilities associated with the keeping of horses within domestic curtilages and that isolated stable buildings and associated fences and jumps in prominent locations can have an adverse impact on the special character and appearance of the National Park. For this reason permission for new buildings associated with the keeping of horses for recreational purposes will only be supported where they are closely associated with the domestic curtilage.

The proposed site of the stable building and dressage arena lies immediately to the north of and adjacent to the domestic curtilage to the host property, High Leas. The proposed stable building would be positioned in the south-eastern corner of the field adjacent to the hedgerow separating the domestic curtilage from the paddock with the dressage arena just further to the north. As such it is considered that as the stables and dressage arena would be located immediately adjacent to the domestic curtilage of the host property and for the owner's private use, the proposal accords with Development Policy 19 in principle.

The concerns raised by the Parish Council are noted but the dressage arena would have a permeable surface such that there will be limited rainwater run-off. The proposed concrete hardstanding will potentially increase rainwater run-off but given this is a relatively small area it is not considered that this will result in flooding of the adjacent footpath. However, it is recommended that conditions are attached to address the Parish concerns regarding drainage and manure storage.

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Although no longer in agricultural use, this former 19th century barn and horse engine house retains its distinctive plan form and plain external appearance, clearly indicating its earlier use. The Planning (Listed Buildings and Conservation Areas) Act 1990 requires the Authority to pay special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest in which it possesses. In addition the NPPF states that new development should make a positive contribution to local character and distinctiveness.

With regard to the proposed stable building and dressage arena, whilst they will be physically and visually well related to the host property, it is not considered that they will have an adverse impact on the setting of the listed building. Furthermore the site is well screened by the existing mature hedgerow along the western boundary and the local topography to the east such that the proposed development will not be widely visible in the surrounding landscape.

Whilst there are neighbouring residential properties to the north and east, it is considered that these are sufficiently far enough away so that the residential amenities presently enjoyed by the occupiers are not adversely affected.

The proposed stable building and dressage arena along with the proposed replacement windows to the host listed building are not considered to have an unacceptable impact on the special historic or architectural interest or setting of the building or the wider landscape of this part of the National Park in accordance with Development Policies 5 and 19 of the Core Strategy and Development Policies Document. Approval is therefore recommended.

Explanation of how the Authority has Worked Positively with the Applicant/Agent

The Local Planning Authority has acted positively in determining this application by assessing the scheme against the Development Plan and other material considerations and subsequently granting planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.