

North York Moors National Park Authority

District/Borough: Scarborough Borough Council
(North)
Parish: Fylingdales

Application No. NYM/2020/0182/FL

Proposal: removal of chicken shed and construction of equine building, use of land for equine purposes together with use of land for the siting of photovoltaic panels

**Location: Grouse Hill Caravan Park
Blacksmith Hill
Fylingdales**

**Decision Date: 18 May 2020
Extended to:**

Consultations

Parish – 13 April 2020 - No Objection, some concerns were raised for the position of the solar panels.

Forestry Commission – 14 April 2020 – No objections but refer to standing advice.

Highways – 3/4/2020 - On the clear understanding that this application will be conditioned to remain ancillary to the main residents of the Caravan Park, the LHA would not expect any significant increase of traffic visiting the site. Consequently there are **no objections**.

Natural England – No objection - subject to manure management plan to a mitigation against any damage or destroying of the interest features for which Biller Howe Dale SSSI Site of Special Scientific Interest has been notified.

Environmental Health Officer –

Police Designing Out Crime Officer – 7/4/2020 No objections but offer advice regarding shutters, CCTV and alarms.

Site Notice Expiry Date – 29 April 2020

Others - **Dr Janet Cochrane, Director of Ride Yorkshire**, 57 Muncastergate, York - 9/4/2020 - The location is not conducive to hacking out, especially for the inexperienced riders who are likely to be the principal market. Reaching the nearest bridleway or quiet lane requires riding for at least 0.4 mile along the main A171, which would be dangerous for most novice riders, and it does not appear that there is sufficient land at the caravan park itself for riding around. The owners do not appear to hold a current Council license for operating a riding school, meaning that they do not have insurance for hiring out their own horses to customers. Similarly, people are unlikely to want to bring their own horses on holiday to this location because of its proximity to the main road and the distance to the bridleway network.

21/4/2020 - It is clear that the applicant is intending to hire out their own horses.- this means that they must take out a suitable licence and insurance. This applies whether the hire/riding of horses takes place within the applicant's own land or outside it, however low-key. It would be difficult to sanction the development knowing that the applicant doesn't have the correct licences. In order to allow the activities described in the application to proceed, this is certainly a requirement, so it should be applied for in tandem with the planning application.

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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
Location Plan	001	13 March 2020
Proposed stables and solar panels site plan		11 May 2020
Overview site plan as proposed	101 Rev A	11 May 2020
Site plan as proposed	102 Rev A	11 May 2020
Proposed Equine Building	103 Rev A	11 May 2020
Photovoltaic Panel Details	104	13 March 2020
- or in accordance with any minor variation thereof that may be approved in writing by the Local Planning Authority.
- 3 The stables, associated paddocks and horse-riding areas shown on the approved plans shall only be used in association with the existing business known as Grouse Hill Caravan Park and shall not be sold or leased off separately without a further grant of planning permission from the Local Planning Authority.
 - 4 Except for veterinary emergencies, the horse related activities hereby permitted shall not be open to clients or visitors outside the hours of 7am to 9pm Mondays to Saturday and 8am to 9pm on Sundays and Bank Holidays. Any variation to these hours will require a new grant of planning consent from the Local Planning Authority.
 - 5 External Lighting - Submit Details
No external lighting shall be installed in the development 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.
 - 6 Manure management shall be undertaken in accordance with the Manure Management Plan prepared by Edwardson Associates received on 5 May 2020.
 - 7 Roof Colouring (insert)
The external surface of the roof of the 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.
 - 8 Timber Cladding (inserts)
The external elevations of the stables hereby approved shall, within three months of first being brought into use, be clad in vertical timber boarding and shall thereafter be so maintained unless otherwise agreed in writing by the Local Planning Authority.
 - 9 The solar panels hereby approved shall have black frame and thereafter be so maintained.
 - 10 If the use of the solar panels hereby approved permanently ceases it shall be removed from the site within 3 months of that cessation and the land shall, as far as practical, be restored to its condition before development took place.

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11. No trees, shrubs or hedges around the boundaries of the site shall be felled, uprooted, wilfully damaged or destroyed, cut back or removed without the prior written consent of the Local Planning Authority. Any work approved shall be carried out in accordance with British Standard 3998:2010 Tree Work – Recommendations. If any retained tree/hedge is removed, uprooted, destroyed or dies within five years of the completion of the development, it shall be replaced with trees, shrubs or hedge plants of a similar size and species, unless the Local Planning Authority gives written consent to any variation.
12. No equipment or jumps associated with the riding of horses shall be kept on the fields hereby approved for equine use, when not in use by riders.

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.
3. In order to enable the Local Planning Authority to retain control over the scale of activity at the site and ensure compliance with NYM Core Policy A which seek to conserve and enhance the special qualities of the NYM National Park.
4. 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.
5. 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.
6. In order to comply with the provisions of NYM Core Policy C which seeks to conserve and enhance the quality and diversity of the natural environment.
7. 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 building materials are of a high quality and compatible with the character of the locality and that the special qualities of the National Park are safeguarded.
8. 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.
9. 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.
10. In order to return the land to its former condition and comply with the provisions of NYM Core Policy A which seeks to conserve and enhance the landscape of the National Park.
11. In order to comply with the provisions of NYM Core Policy C which seeks to conserve and enhance the quality and diversity of the natural environment.
12. 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.

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Background

Grouse Hill Caravan Park is located to the west of the A171 Scarborough to Whitby Road, to the rear of the Flask Inn. The site is well screened by local topography and cannot be seen from the main road or from wider views.

The site is a family run business and the owners live on site.

This application relates to land located within the ownership of the caravan park, but is between the A171 and the access road to the rear of the Flask Inn, known as Blacksmiths Hill, which provides access to the caravan park. The application also relates to the fields which are on the south side of Blacksmiths Hill, which rise up to the caravan site.

Planning permission is sought to replace the remains of a large chicken shed building to the west of the Flask Inn and adjacent bungalow (which is in the applicants ownership) with a stable and storage building to provide 5 looseboxes, tack areas and an area for hay and storage. This proposed equine building will be used in association with the caravan park business as a form of diversification, with the aim to provide visitors with an equine experience, as well as mucking out and caring for the horses.

The stable building has been reduced in scale and bulk since first submission, in order that it has less of an industrial appearance. The building would be L shaped and measure a maximum of 31m long x 11.5m deep, with the storage building element extending a further 4m. The building would measure 4m to eaves and 7m to ridge. The elevations would be clad in Yorkshire boarding with a dark grey profile sheet roof.

It is also proposed to use the fields on the south of Blacksmiths Hill to provide space for horses to graze and visitors to the caravan park to ride. At the top of these fields, and over the brow of the hill (375m back from the road) , it is proposed to site ground based photovoltaic panels to create 50kw of energy for use by the applicant at their home and for the business.

The solar panel array would comprise 20 panels and measure 10m wide and be sat at a 30 degree angle from ground level so would measure a maximum of 1.8m high.

In support of application:-

The paddocks alone offer 24 acres of riding space. There is no intention for visitors to try and ride down the A171. All riding will be supervised by an experienced rider and the proposal here is for small scale, low key equine use only. Riders who are inexperienced will ride in the paddocks under close supervision. A key element of this rural experience will be learning about the horses including mucking out, riding safety, grooming and preparing for a riding experience. Those more experienced riders will no doubt take their horse via a horsebox to experience the National Parks 500 miles of bridleways should they wish. The existing rural tourism business is family run and the owners would discuss with any potential visitor their riding experience, and will assist in preparing a program in advance of their arrival to ensure that if a visitor wishes to ride; this will be carefully managed. It is envisaged, however, that most visitors will simply want a basic riding experience. The total landholding is approximately 100 Acres, including the Woodland.

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This site it isn't a riding school at the moment, hence why the Applicant does not yet have a license. Should this be a requirement in the future all reasonable steps will be taken to proceed with this.

Main Issues

The main issues are whether the proposed development will have a detrimental impact on the special qualities of this part of the National Park and whether the development will have any detrimental impact on the landscape character of the locality, or create unacceptable levels of activity.

Development Policy 3 of the NYM Core Strategy and Development Plan documents states that in order to maintain and enhance the distinctive character of the National Park, development will only be permitted amongst other things where a high standard of design detailing is used whether traditional or contemporary, which reflects or complements that of the local vernacular.

Development Policy 14 seeks to ensure that new tourism development and the expansion or diversification of existing tourism businesses will be supported where the proposal will provide opportunities for visitors to increase their understanding, awareness and enjoyment of the special qualities of the National Park; where the development can be satisfactorily accessed from the road network (by classified roads) or by other sustainable modes of transport including public transport, walking, cycling or horse riding; where the development will not generate an increased level of activity; and where it will make use of existing buildings.

Development Policy 17 of the NYM Local Development Framework relates specifically to horse related development. This policy states that commercial equestrian centres and liveries will be permitted where there is no requirement for a new or additional dwelling to manage the site; the neighbours are not affected by disturbance and/or smell nuisance; the proposal site is accessible by an adequate network of safe equestrian routes; there is provision for parking and associated facilities and the proposal is of an appropriate scale and is well related to existing buildings.

Core Policy D of the NYM Core Strategy and Development Plan documents seeks to address the cause of climate change and contribute to reducing greenhouse gas emissions in a number of ways, including generating energy from renewable sources where they are a scale and design appropriate to the locality, and which contribute towards meeting domestic, community or business energy needs within the National Park.

The NYM Renewable Energy Supplementary Planning Documents suggest that ground mounted solar panels can be an acceptable solution where they are in a location away from the main frontage of the property or other important views.

The proposed building would be positioned in the place of a previous building and adjacent other development. Its scale has been reduced and the materials proposed improved. Furthermore it would be set behind a substantial hedge which is to be retained. The building would have the proportions and appearance of a modern agricultural building and would not be visually intrusive in the immediate or wider landscape. The use proposed is low key, with 5 stables and would be unlikely to have any detrimental impact on neighbouring amenity which comprises caravan sites, pub, café and petrol station.

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The proposed solar panels, whilst a large array, would be well sited, over the brow of the hill with the caravan site behind and consequently would not be visually intrusive in the immediate or wider landscape and would meet the aims of CPD and supplementary guidance.

The keeping and grazing of horses on the land as proposed would not have a detrimental impact on the character of the area and provided it does not become cluttered with ancillary equipment is considered to be acceptable.

The development would all be ancillary to the operation of a substantial existing caravan site.

Comments have been made regarding the requirement for the necessary licences, however, this is a separate regime from planning, and shouldn't be considered as part of this application.

In view of the above it is considered unlikely that the development in terms of visual appearance or activity levels associated with the use would have a detrimental impact on the amenities or character of the locality and would be in accordance with CPD and DP3, 14 and 17 of the NYM Local Development Framework.

Consequently approval is recommended.

Draft Local Plan

Strategic Policy J relates to recreational and tourist development, Policy BL11 relates to commercial horse development and Strategic Policy F relates to climate change. The proposals would be in accordance with these Draft Policies but they cannot yet be given great weight.

Pre-commencement Conditions

N/A

Explanation of how the Authority has Worked Positively with the Applicant/Agent**Approval (Amendments Requested and Received)**

The Authority's Officers have appraised the scheme against the Development Plan and other material considerations and recommended changes to the proposal including amendments to the design of the stable building so as to deliver sustainable development.