

North York Moors National Park Authority

Parish: Hawsker-Cum-Stainsacre

App No. NYM/2020/0524/FL

Proposal: change of use of land to form manege

Location: Highfield, High Hawsker

Applicant: Mr Guy Coulson, Highfield , High Hawsker, Whitby, YO22 4LF

Date for Decision: 22 October 2020

Extended to:

Director of Planning's Recommendation

Approval subject to the following conditions:

1. TIME01 **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. PLAN01 **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	N/A	27 August 2020
Block Plan	N/A	27 August 2020
Cross Section of Manege Surface	N/A	26 August 2020
E-mail and Plan re. Drainage	N/A	15 October 2020

or in accordance with any minor variation thereof that may be approved in writing by the Local Planning Authority.
3. RSUO00 There shall be no commercial use of the manège 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 Highfield and for no other purpose unless a separate grant of planning permission has first been obtained from the Local Planning Authority.
4. GACS00 No external lighting shall be installed in the development hereby permitted. Any variation to this will require a new grant of planning consent from the Local Planning Authority.
5. LNDS03 No trees, shrubs or hedges **east and west** 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.

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Reasons for Conditions

1. TIME01 To ensure compliance with Sections 91 to 94 of the Town and Country Planning Act 1990 as amended.
2. PLAN00 For the avoidance of doubt and to ensure that the details of the development comply with the provisions of NYM Strategic Policies A and C which seek to conserve and enhance the special qualities of the NYM National Park.
3. RSUO00 In order to enable the Local Planning Authority to retain control over the scale of activity at the site and ensure compliance with Strategic Policy A of the North York Moors Local Plan which seek to conserve and enhance the special qualities of the NYM National Park.
4. GACS00 In order to comply with the provisions of NYM Strategic Policy A which seeks to ensure that new development does not detract from the quality of life of local residents and in accordance with Local Plan Policy ENV4 which seeks to protect dark night skies.
5. LNDS00 In order to comply with the provisions of Policy ENV1 of the North York Moors Local Plan which seeks to conserve and enhance the quality and diversity of the natural environment.

Consultations

Parish - No objection. However, concerns have been raised about the drainage of the land, this is not shown on the plans, drainage towards the cinder track would be inappropriate due to the regular flooding along the track.

Environmental Health Officer -

Site Notice Expiry Date - 25 September 2020.



Site photograph showing the gable of the host property 'Highfield' and the land in question is located behind the hedge, to the rear of the house.

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Background

Highfield is a relatively new, detached property of artificial stone construction under a pantile roof. It occupies an elevated position and is set back from the road on the north side of the road in Hawsker, approximately 50m from the junction with the main road (A171). The property is the first/last property on entering/leaving the village and is bound to the east by the properties on Prospect Field. The dwelling benefits from a parcel of land stretching back (to the north) where it meets the cinder track.

Planning permission was granted in 2004 for the erection of a block of three kennels located adjacent to existing kennels and stables to the immediate north west of the house.

This application seeks full planning permission for the change of use of land which is currently used for the grazing of horses to a manège. The applicant has explained that the land suffers from poaching and becomes waterlogged and therefore, it is anticipated that the change in use and surface will help alleviate this problem and result in an area which can be used as turnout or for exercise of the horses/ponies.

Policy Context

The relevant NYM Local Plan Policy to this application is CO20 (Equestrian Development for Private Use). CO20 requires equestrian related development (including outdoor arenas) not to have an unacceptable landscape impact; development to be closely associated with existing built development; the scale to be appropriate to the setting; and not to have an adverse impact upon neighbouring amenities.

Main Issues

The main issues to consider are whether the proposed manège would be acceptable in landscape terms and whether it is likely to result in any adverse impact upon the residential amenities of neighbouring occupiers.

The proposed development will be seen in the context of the host property and the stables at the site (which are the subject of a companion application ref.: NYM/2020/0628/FL) and will be barely visible to general public view. Access to the site is via the private drive serving Highfield and rises to the land to which this application relates. The topography of the site, together with mature boundary hedges obscures most views of the land.

The land is bound to the west by an agricultural field and the main road beyond that, whereas to the east, the land shares a boundary with private gardens serving the neighbouring residential properties. The land is currently used as a pony paddock but is suffering from poaching by the ponies in winter. The applicant has provided photographs to show the unattractive appearance and impractical nature of the land caused by winter turnout. Consequently, Officers consider that the visual impact of changing the surface material will be minimal because at present, the land is probably incapable of recovering over summer to allow grass to return. Furthermore, the proposed all weather surface will result in improvements to the welfare of horses/ponies as they will be less susceptible to hoof and skin problems caused by mud and standing water.

Having regard to the effect of the proposal upon the amenities of adjoining neighbours, it is not considered that the change in surface will have a significant or unacceptable change in comparison to the current situation.

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Although it is accepted that the proposed surface will allow the applicant to make better use of the field throughout the year for exercise, no external lighting proposed. Therefore, its use in winter months will be naturally restricted by daylight hours and so there a few concerns regarding loss of residential amenity in respect of noise and lighting. Furthermore, the proposal is for the private use of the applicant only and therefore, it is not anticipated that there will be an increase in activity levels/numbers of horses at the site.

The Parish Council has confirmed no objection in principle but has raised a concern in respect of drainage, stating that drainage towards the cinder track would be inappropriate due to the regular flooding along the track. These concerns have been passed to the applicant who has provided additional information.

The applicant has provided an additional plan explaining that existing land drains run towards the cinder track where they enter drainage gully running adjacent to cinder track. Drainage will be improved on site area where ménage is to be built by replacing compacted soil with hardcore and proposed new surface thus allowing surface water to easily soak away. The proposed ménage works will have no impact on water reaching the cinder track surface.

Officers have been advised that the only area which floods on the cinder track is where it meets A171 near pedestrian/horse crossing and this is because of poor maintenance of cinder track surface which will be addressed with SBCs works to improve the track. Photographs of this area have been supplied by the application showing the waterlogged nature of the gateway and the distance from his property.

In view of the above, Officers are satisfied that the proposed ménage is unlikely to result in an unacceptable increase in volume or speed of surface water drainage which would add to the problems referred to by the Parish Council.

No other representations have been received and in view of the above, approval is recommended.

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

The Local Planning Authority has acted positively and proactively in determining this application by identifying areas of the application which required further information/clarification with the applicant's agent and requesting the submission of additional information to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.