

North York Moors National Park Authority

Parish: Hawsker-Cum-Stainsacre

App No. NYM/2020/0628/FL

Proposal: removal of condition 3 of planning approval NYM4/033/0160A/PA to sever the tie of the stable block with No 1 Prospect Field

Location: Highfield, High Hawsker

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

Date for Decision: 28 October 2020

Extended to:

Director of Planning's Recommendation

Approval subject to the following conditions:

1. MATS00 The external materials and general appearance/finish of the stables shall remain as existing (i.e. dark stained timber boarding) and shall thereafter be so maintained.
2. RSUO16 **Stables - No Commercial Use of Stable - Ancillary to Dwelling (insert)**
There shall be no commercial use of the stable 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.
3. GACS18 **No Manure Burning**
No burning of manure or stable sweepings shall take place anywhere on the site and any such materials stored on the site shall be moved and the area and site completely cleared regularly.
4. LNDS03 **Trees/Hedging to be Retained (insert)**
No trees, shrubs or hedges on the **western boundary** 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. MATS00 For the avoidance of doubt and in order to comply with the provisions of NYM Strategic Policies A and C 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.
2. RSUO00 In order to comply with NYM Local Plan Policy CO20 which seeks to ensure that proposals for equestrian development are well related to a existing buildings and to enable the Local Planning Authority to control any commercial use of the facilities 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 Strategic Policy A.
3. 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.
4. LNDS00 In the interests of the satisfactory appearance of the development and in order to comply with the provisions of NYM Strategic Policy C which seeks to ensure that development proposals incorporate suitable landscaping details.

Consultations

Parish - No objection provided it continues to be for recreation and not for commercial purposes or livery.

Site Notice Expiry Date - 07 October 2020.



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**Background**

Highfield is a relatively modern, 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.

Planning permission for the change of use of land which is currently used for the grazing of horses to a manège has recently been granted under reference NYM/2020/0524/FL.

There is an existing stable block to the rear of the property abutting the western boundary. This stable block gained planning permission in September 1991 in association with a property known as No. 1 Prospect Field. At the time of that application, it is believed that the land was owned by the occupiers of that property and therefore, condition 3 of that permission tied the ownership of the stable to No.1 Prospect Field and restricted its use to hobby purposes only.

The land and stables are now in the same ownership as the dwelling known as Highfield and in use for stabling of ponies owned by the applicant. This application therefore seeks permission to sever the tie from No.1 Prospect Field.

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Policy Context

The relevant NYM Local Plan Policy to this application is CO20 (Equestrian Development for Private Use). CO20 requires equestrian related development 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 use of the existing stable in association with Highfield is acceptable under the above terms and whether it is likely to result in any adverse impact upon the residential amenities of neighbouring occupiers.

The stable block is an existing structure which is barely visible in views into the site from either the street or from the road to the west due to topography and substantial screening by hedges. Access to the stables is via the private drive serving Highfield and the gable elevation of the stables is just visible. There is no doubt that the position of the stable block in relation to Highfield is acceptable and in fact has a better physical and visual relationship to Highfield than to No. 1 Prospect Field.

There is no proposed change to the use of the stables; it will remain to be in domestic/hobby use, simply by ponies in different ownership. It is not therefore considered that changing the ownership to Highfield will result in any deterioration to the residential amenities of neighbouring occupiers.

The Parish Council has no objection provided the use continued to be restricted to hobby purposes and no commercial or livery use at the site is offered. It is recommended that the condition is re-worded to tie the ownership of the stables to Highfield and all remaining, relevant conditions have been amended in line with the updated Local Plan. There being no other representations 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 assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.