

Draft statement of common ground

Silpho Brow Farm West planning appeal APP/W9500/W/20/3262806

“Change of use of agricultural buildings for the purposes of stabling horses and commercial storage in connection with the use of the site as a horse rescue, rehabilitation and horse rehoming charity, retention of touring caravan for workers rest room, retention of portacabin for use as workers accommodation, siting of toilet block, replacement summerhouse and gravel surfacing of field entrance to assist with drainage together with fenced external storage area (part retrospective) change of use of agricultural buildings for the purposes of stabling horses and commercial storage in connection with the use of the site as a horse rescue, rehabilitation and horse rehoming charity”

Site history

There were formerly two semi detached cottages, which operated as separate family farms, these comprised Silpho Brow Farm and East End Farm, each of which farmed a substantial acreage and had associated buildings.

Both farms and land were sold to a third party, who converted the East End Farm buildings into a dwelling (The Shippon, later renamed Silpho Brow Farm East), and demolished several farm buildings.

Silpho Brow Farm (West) was sold off in 1994, with a substantial acreage of land and all the remaining farm buildings, and continued as a farm.

The Shippon was sold off in approximately 1998 with a small paddock and a new building to house sheep.

The small cottage that had formerly been East End Farm was sold off in 2000 as Silpho Brow Cottage, with a total site area of 1.69 acres and no buildings.

Planning consents

Silpho Brow Cottage

2000 – erection of a timber barn (for horse stabling). Conditions imposed prohibiting future residential use.

2001 – amendments to design of barn, change of construction materials to stone and pantile

2009 – conversion of barn to garage and store

2009 – erection of 3 timber stables and store in paddock for private householder personal use only

2009 – extensions, conservatory and alterations to cottage

2014 – conversion of barn/garage/store to form holiday letting cottage

The Shippon (Silpho Brow Farm East)

1996 – construction of a building to house sheep

2007 – dog kennel, hen hut and hardstanding (part retrospective)

2009 – replace wood windows with UPVC (retrospective)

Silpho Brow Farm West

1997 – erection of pitched roofs over flat roofs

2008 – 1st floor side extension (not implemented)

2008 – change of use of barn to 2 bed holiday cottage (not implemented)

Silpho Brow Farm West (The appeal site), background.

The farm is located at the end of the tarmac section of Beacon Brow Road, Silpho Brow, and consists of a 3 bedroom semi detached stone built house with gardens and orchard, yard areas, an L shaped range of traditional stone barns and 3 adjoining modern barns.

The appellant owns 24 acres of land around the holding and also farms other land locally.

The appellant moved into the barn and the 15 acre field in 2010, and subsequently purchased the farm house and buildings in 2014.

On the advice of the LPA, in 2019 a planning application was submitted to regularise the activities which had been taking place at the farm for some years.

The planning officers' report recommended approval subject to conditions, the decision was deferred by the planning committee pending a committee site visit. The site visit was delayed for several months due to the Covid 19 pandemic.

The planning committee refused the application in September 2020.

Relevant policies

Planning Policy

Local Plan

Policy BL1 (Employment and Training)

Policy BL11 (Commercial Horse Related Development)

Policy CO2 (Transport)

SPC

SPG

The Local Plan has now been adopted and these Policies can be given considerable weight.

Areas of agreement/disagreement

Agreed

1. The site is untidy and some areas of the fields are muddy/poached in wet winter weather.

Not agreed

The cause of the untidiness is not the horse rescue charity operation, it is typical of many small farms and smallholdings, and will improve significantly once the charity is able to devote all of its time to running the site, rather than devote its limited resources to dealing with admin related to objector activities. The proposed fences around the storage compound and the planted hedge screening suggested by the LPA will ensure that the appearance is improved.

“poor winter land management leading to harmful poaching of the grazing fields”.

The muddy areas of the fields are not uncommon or unreasonable on livestock farms and do not affect the amenity of the area any more than other local farming practices. Building new internal fences to allow areas to be rested as part of the implementation of a pasture management plan will improve the visual impression of the fields.

In addition, it has now been discovered that the poor condition of the unsurfaced section of Beacon Brow Road and the overgrown trees is the responsibility of a public body. Work needs to be carried out by them to improve drainage and reduce mud deposits on the roadway, and we are awaiting their action.

Volunteer structures - the volunteer amenity structure (2 bedroomed portacabin) and the caravan (kitchen/rest room) were only ever intended to be short-term facilities. They will either be replaced with more modern versions of the same size with the involvement of the LPA, or alternative accommodation made from the farm buildings, by discussion with / applications to the LPA in the future.

The proposed toilet block will improve facilities, and both the portacabin and caravan are located adjacent to existing buildings and house, within the farm yard, having minimal impact.

“Insufficient information on the horse rescue centre business model has been submitted to demonstrate that suitable mitigation could be funded/provided to resolve the impacts described above together with insufficient demonstration of intent over the last 6 months to improve the character and appearance of the site and surrounding lands reinforces the unacceptability of the proposal to take place in a protected landscape.”

Further and better information was provided but this was submitted late, and it is clear from comments made by a number of planning committee members that they did not read this additional information.

It is accepted that relatively few improvements to the tidiness of the site were carried out during the six months prior to the committee visit, this was due entirely to the effects of the

Coronavirus pandemic, which resulted in the loss of two staff members and a severe reduction to our income and volunteer practical help. In pre pandemic times there are normally one full time (5 days pw) and one part time (1 – 2 days pw) staff members at the farm. There are normally up to 4 volunteers staying at the farm, who look after the animals and carry out other duties.

The retention of the horse rescue centre would not be contrary to Policies SPC, SPG, and BL1 of the North York Moors National Park Local Plan (July 2020).

Traffic - Only insignificant additional traffic movements are associated with online sales/charity activities, and the alleged level of traffic has been greatly exaggerated by objectors. We requested an official traffic survey from a public body, but this has not been carried out.

“... the excessive amount of external plant, and equipment”

Our plant and equipment such as tractors, their implements, a telehandler and closely related ancillary items is the minimum amount that is reasonably practicable for a small farm, which does not have the benefit of being able to contract out agricultural work to specialist contractors because of our small acreage.