

# North York Moors National Park Authority

## Plans list item 5, Planning Committee report 08 February 2024

**Application reference number:** NYM/2023/0857

**Development description:** Erection of stable building for equestrian and livestock purposes (revised scheme following refusal of NYM/2023/0204)

**Site address:** Land south of St Margarets Church, Aislaby

**Parish:** Aislaby

**Case officer:** Miss Megan O'Mara

**Applicant:** Ms J Birch

**Agent:** George F White fao: Miss Hannah Wafer, Dean Street Arch, 22 Dean Street, Newcastle, NE1 1PG

### Director of Planning's Recommendation

Refusal for the following reason:

#### Reason(s) for refusal

Refusal reason code	Refusal reason text
1	The proposed stable building would be sited in an isolated and prominent position within a field that lacks sufficient screening and as such, the development would result in unacceptable harm to the local landscape character and special qualities of the National Park, contrary to Policy CO20 of the Authority's adopted policies, as set out within the Local Plan.

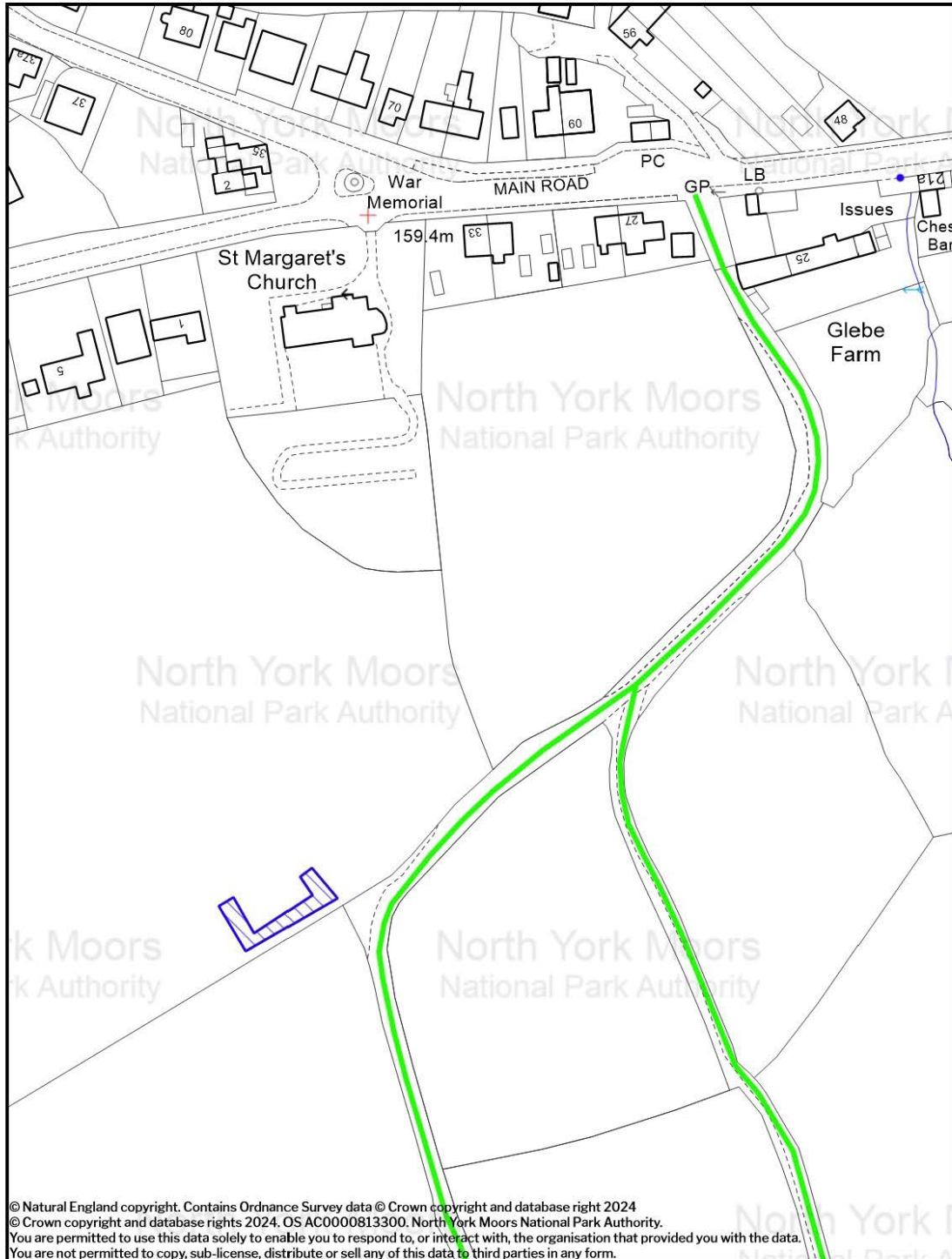
## Map showing application site



**North York Moors  
National Park**

Application Number: NYM/2023/0857

Scale: 1:1250



**This photo shows the view of the development site from the church yard. A small horsebox can be seen in the location of the proposed stable building.**



**This photo shows the development site from the adjacent bridleway.**



## Consultation responses

### Parish

Object - The majority view of Aislaby Parish Council is that the North York Moors National Park Authority (NYMNP) has already made their decision on this matter, and it should not be changed. The revisions seem to be merely a set of opinions, nothing appears to have fundamentally changed therefore, in our opinion, NYMNP's grounds for refusal still stand, i.e. 'The proposed stable building would be sited in an isolated prominent position within a field that lacks sufficient screening and as such the development would result in unacceptable harm to the local landscape character and special qualities of the National Park, contrary to policy CO20 of the Authority's adopted policies as set out within the Local Plan'.

### Highways

No objections - On the clear understanding that this application will be conditioned to remain ancillary to the applicant and that the applicant has a vehicular right of access along the bridleway to the gate for the delivery of the stable building materials, there are no highway objections to the application.

### Third party responses

The following people have written in support of the application for some or all of the following reasons:

**Miss Nicola Prince of Select, 47 The Ropery, Whitby, United Kingdom, YO22 4EY**  
**Bridget Eddon of 8 Stonecross Road, Whitby, North Yorkshire, YO213LT**  
**Mrs Sarah Atkinson of 3 Ryelands Park, Easington, Saltburn-by-the - Sea, TS13 4PE**  
**Mrs Natalie Noble of Manor farm, Beacon way, Sneaton, YO225HS**  
**Miss Jenny Webster of 10 Thornhill view, Glaisdale, North Yorkshire, YO21 2AX**  
**Miss Lucy Mothersdale of 57 Wagtail Crescent, Whitby, YO22 4QU**

- Necessary for animal welfare.
- Will not impose on surrounding countryside.
- Design is in proportion and in keeping with surroundings.
- The following person has objected to the application for the following reasons:
- Mrs Susan Murray at Resident, 82, Main Road, Aislaby, North Yorkshire, YO21 1SP
- Unacceptable impact on the local landscape character and the special qualities of the national park.
- Negatively impacts the view from the bridleway towards a designated conservation area and view from the Grade II listed church and church yard.
- No existing buildings on the site and this proposal would not be closely associated with existing buildings and would be prominent in the landscape regardless of a reduction in its size from 135.37 sq m internal area to 118 sq m.

Already adversely impacted the site through installation of hard landscaping to provide vehicular parking without any consultation or approval by the NYM Planning Authority.

The bridleway is too narrow to accommodate the twice daily (minimum) journey that the owner's large car is making along the track.

### **Consultation expiry**

31 January 2024

### **Background**

The development site is a field south of a row of residential dwellings that run along the southern side of Egton Road, Aislaby. The open field, up until recently, was free of any structures or fencing and is identified as agricultural in terms of its lawful use. It was brought to the Authority's attention that significant groundworks and the removal of vegetation had taken place. The groundworks, which would have required planning permission, have cut into the existing landscape to provide a flat base for the proposed stable building, to which this application relates.

The applicants have not sought planning permission for a change of use of the land from agricultural to equestrian.

The applicants submitted a pre-application advice enquiry seeking guidance on the erection of a number of structures on the land and were advised by an officer that the Authority would be unlikely to support the proposals due to landscape impact. The applicants subsequently submitted a planning application for the erection of a timber stable building along the southern boundary of the field. The proposed 'U' shaped stable building measured 18.5m by 9.3m with an eave's height of 2.44m. This application (NYM/2023/0204) was refused.

The current application is a revised scheme, again seeking planning permission for the erection of a timber stable building. The proposed building, to be sited in the same location as previously proposed, now takes the form of an 'L' shape and measures 20.4m x 9.28m at its widest points, with a height of 2.45m to the eaves.

### **Main issues**

#### **Local Plan**

**Strategic Policy A** relates to Achieving National Park Purposes and Sustainable Development. Within the North York Moors National Park, a positive approach to new development will be taken, in line with the presumption in favour of sustainable development set out in the National Planning Policy Framework and where decisions are consistent with National Park statutory purposes. New development should conserve and enhance the natural beauty, wildlife and cultural heritage of the National Park and also promote opportunities for the understanding and enjoyment of the special qualities of the National Park by the public. Where there is an irreconcilable conflict between the statutory purposes the Sandford Principle will be applied, and greater weight will be

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attached to the first purpose of conserving and enhancing the natural beauty, wildlife and cultural heritage of the National Park.

**Strategic Policy C** relates to the quality and design of development within the National Park. The policy seeks to ensure that proposed development maintains and enhances the distinctive character of the National Park through appropriate siting, orientation, layout and density together with carefully considered scale, height, massing and form. Proposals should incorporate good quality construction materials and design details that reflect and complement the architectural character and form of the original building and/or that of the local vernacular.

**Strategic Policy I** relates specifically to development affecting the Historic Environment. The policy states that all developments affecting the historic environment should make a positive contribution to the cultural heritage and local distinctiveness of the National Park through the conservation and, where appropriate, enhancement of the historic environment. Development should conserve heritage assets and their setting in a manner appropriate to their significance, especially those assets which contribute most to the distinctive character of the area.

**Policy ENV11** relates specifically to Historic Settlements and the Built Heritage. The policy states that development affecting the built heritage of the North York Moors should reinforce its distinctive historic character by fostering a positive and sympathetic relationship with traditional local architecture, materials and construction. High standards of design will be promoted to conserve and enhance the built heritage, settlement layouts and distinctive historic, cultural and architectural features.

**Policy C020** relates specifically to horse related development for private use, including stables, outdoor exercise arenas and permanent field shelters. The policy states that development will only be permitted where there is no unacceptable impact on the local landscape character or the special qualities of the National Park. Existing buildings must be used as far as possible and any new stables, yard areas and facilities are closely associated with existing buildings and are not prominent in the landscape. The scale of any new structures must be appropriate to their setting and the design must reflect the principles outlined in the Authority's Design Guide. The development must not harm the amenities of neighbouring occupiers by reason of noise, disturbance, smell or other adverse impact; any lighting should be discreet in order to minimise light pollution.

### **Principle of development**

This application seeks planning permission for the erection of a timber 'L' shaped stable building on a field south of Egton Road in Aislaby, following the refusal of a previous scheme for a 'U' shaped building. The revised plans show that a bay has been removed which has changed the layout of the structure from a 'U' to an 'L,' however the length of the building is actually increasing from the previously proposed 18.5m to 20.4m (an increase of just under 2m).

It is proposed that the stable will primarily be used for the keeping of horses on the land, with some space within the building allocated to agricultural purposes.

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It is not clear from the plans or the supporting information how the building will be used for agricultural purposes. The application states that the proposed stable is for private equestrian use, not commercial, as such, the development is assessed predominantly against Policy CO20 of the Authority's adopted policies, as set out within the Local Plan.

Policy CO20 explains that many households living at the edge of villages or in Open Countryside keep horses for private use, taking advantage of the network of country lanes and bridleways for recreation. Horse related development needs to be managed with care as it can be harmful to the appearance of the landscape, especially where stables, all-weather exercise areas and paraphernalia associated with horse keeping are located in fields and paddocks adjacent to residential properties rather than within the domestic curtilage. The character of the landscape can also be altered when agricultural land is broken up into smaller scale paddocks containing horse keeping structures.

Open fields, such as the development site, contribute towards the local landscape character and special qualities of the National Park. In this instance, the landscape character is largely agricultural. The site is not within the main built-up part of the village and as such, any development on this site is particularly sensitive. Developing agricultural land on the outskirts of villages results in ribbon development that encroaches into the open countryside having an urbanising impact of the landscape, contrary to the Authority's adopted policies (Strategic Policy B) which seek to conserve and enhance the natural beauty of the National Park, as well as safeguarding and improving the sense of tranquillity and remoteness in the National Park.

The Authority aims to protect the landscape from intrusion by isolated features, so new stables, loose boxes or outdoor exercise arenas which are separated from existing buildings or are prominent in the landscape will not be permitted. Stables, field shelters and exercise areas should be located in positions which relate well to existing buildings and proposals should take advantage of hedgerows or other landscape features that would provide screening.

The development site is an open field with clear views across and into the site from the wider area. The prominence of this site has been exacerbated through the removal of a substantial amount of vegetation and hedgerows that originally provided some level of screening. The applicants have also divided the site into smaller paddocks and whilst the fencing itself does not require permission, the use of the land for equestrian purposes does. The use of the land solely for the grazing of horses is acceptable and does not constitute a change of use, however the stabling of horses does constitute a change of use of the land. The keeping of horses for domestic purposes/enjoyment is not agriculture. The change of use of agricultural land for equestrian purposes will only be acceptable where the change of use does not result in harm to the local landscape character.

The applicants do not live in Aislaby (they live outside of the National Park in Whitby) and as such, the pressure on the land is increased by the number of structures that are required to meet the needs of the applicants and their horses, providing storage and

shelter that could ordinarily be provided for within existing domestic outbuildings within a residential unit.

For clarity, the Authority interprets point 2 of Policy CO20 to mean existing buildings associated with the applicant's residential unit. This is to prevent the introduction of isolated buildings across the National Park that are not closely related, physically and functionally, to domestic units for maintenance and management. The proposed stable would be isolated from any existing buildings which not only results in harm to the landscape, but also raises concerns regarding the long-term management of the site and the welfare of the animals kept on site given that the applicants do not live within close proximity.

Policy CO20 is clear that horse related development for private use, including stables, outdoor exercise arenas and field shelters will only be permitted where there is no unacceptable impact on the local landscape character or the special qualities of the National Park. The policy also requires that existing buildings be used as far as possible and any new stables, yard areas and facilities are closely associated with existing buildings and are not prominent in the landscape. It is considered that the proposed stable building would be prominent within the open field and combined with the new access, levelling groundworks and division of the land into smaller plots would result in detrimental harm to the character of the landscape and surrounding area. There would be clear and direct views of the proposed stable building from the listed church and the residential dwellings along the top of the field on Egton Road.

A number of third party comments have been received, many of which are supporting the proposed development; however, their comments predominantly relate to animal welfare rather than the considerations set out in Policy CO20.

The Authority's Building Conservation Officer has no concerns regarding the impact of the proposed development on the Conservation Area street-scene, however it is noted that there are views of the development site from the Grade II listed church and church yard and as such, additional screening would be required if the application were to be supported. The Building Conservation Officer also had concerns that any associated lighting with the development would have a detrimental impact on the tranquillity of the area and listed church and churchyard.

Overall, officers consider that the proposed stable building would be isolated from existing buildings and sit in a prominent and highly visible position within the landscape and as such, fails to adhere to Policy CO20 of the Authority's adopted policies. The overall impact of the proposed development is exacerbated by the scale of the proposed building, together with a distinct lack of sufficient screening. Furthermore, the unauthorised groundworks are considered to have resulted in substantial harm to the landscape character.

In conclusion, the proposed development fails to adhere to the Authority's adopted policies and Design Guidance is demonstrably harmful and as such, the application is recommended for refusal.



### **Public Sector Equality Duty imposed by section 149 of the Equality Act 2010**

The proposal is not considered to unduly affect any people with protected characteristics.

### **Pre-commencement conditions**

Not applicable.

### **Contribution to Management Plan objectives**

Not applicable.

### **Explanation of how the Authority has worked positively with the applicant/agent**

The Authority's Officers have appraised the scheme against the Development Plan and other material considerations and concluded that the scheme represents a form of development so far removed from the vision of the sustainable development supported in the Development Plan that no changes could be negotiated to render the scheme acceptable and thus no changes were requested.