

North York Moors National Park Authority

Scarborough Borough Council Parish: Staintondale	App Num. NYM/2010/0706/FL
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Proposal: Conversion of stable block to form 1 no. dwelling and conversion of barn to stable block

Location: Cobb Farm, Staintondale Road, Ravenscar

Applicant: Mr Paul Heaven, 44 Gap Road, Humanby Gap, Filey, North Yorkshire, YO14 9QP

Agent: Mr Christopher Hall, 64A Nelson Street, Scarborough, North Yorkshire, YO12 7SZ

Date for Decision: 09 December 2010

Grid Ref: NZ 497732 500340

Director of Planning's Recommendation

Refusal for the following reasons:

1. The Local Planning Authority is not satisfied that it has been demonstrated that there is an essential functional need for living accommodation to serve the applicant's holding or evidence of a firm intention and ability to develop the enterprise concerned; or clear evidence that the proposed enterprise has been planned on a sound financial basis; consequently the proposal would be contrary to Core Policy J of the NYM Local Development Framework and Annex A of Planning Policy Statement 7.
2. The existing buildings on the site do not constitute traditional rural buildings which contribute to the character of the area or are worthy of retention. The proposal is therefore contrary to Development Policy 8 of the Local Development Framework which only seeks to permit the conversion of traditional rural buildings. The long term retention of this concrete building would harm the character and appearance of this part of the National Park.
3. In the opinion of the Local Planning Authority, the proposed conversion of the barn to stables would be contrary to Development Policy 17 of the NYM Local Development Framework which seeks to resist horse related development if it requires the provision of new residential accommodation. The proposal, if permitted, would create an equestrian venture on a low key agricultural site which would by virtue of activity levels, comings and goings of associated traffic, paraphernalia associated with a trekking centre and residential use, create an obtrusive form of development in the open countryside which would be harmful to the character and appearance of this part of the National Park.

Consultations

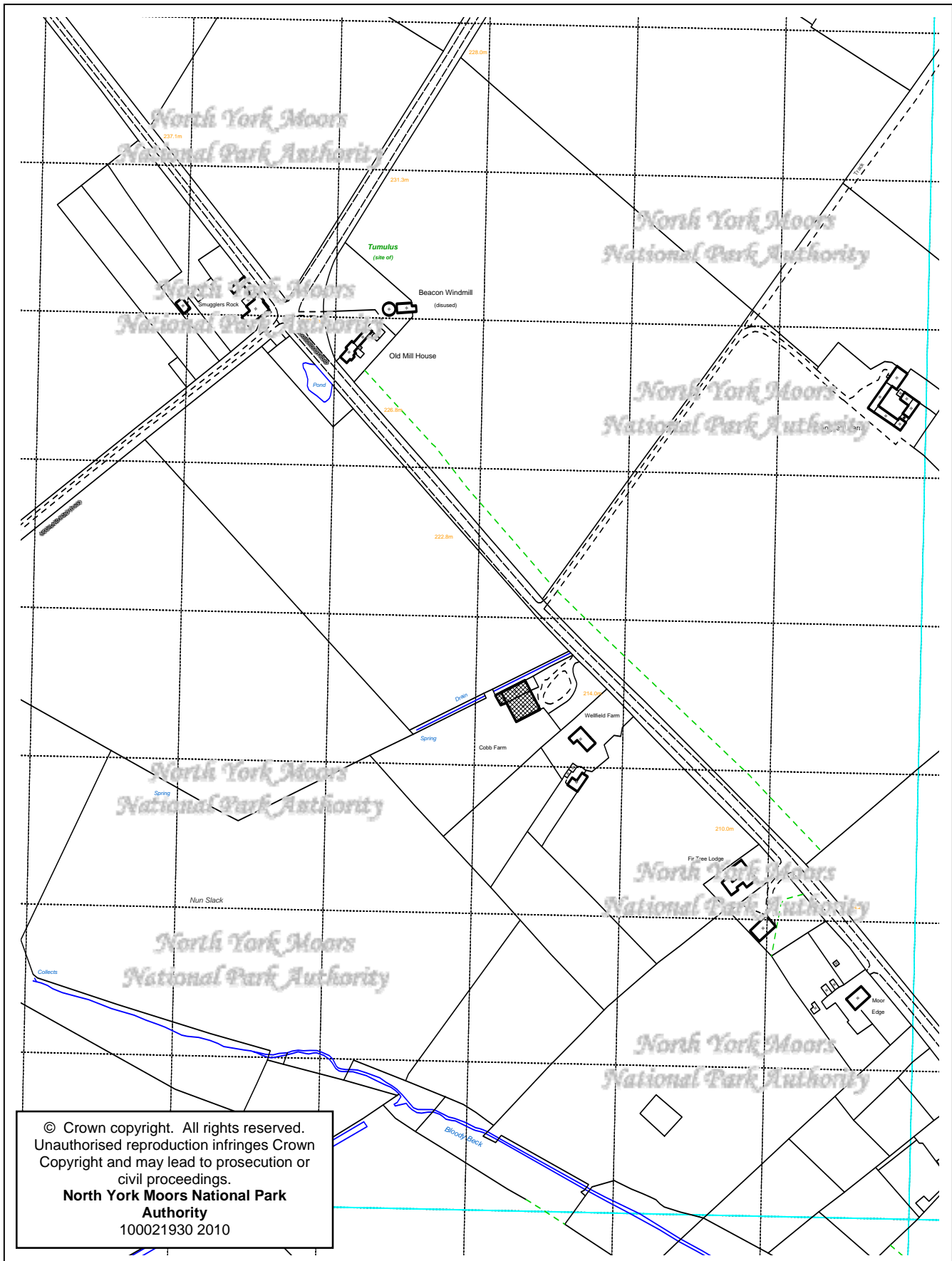
Parish -

Highways - No objections.

Yorkshire Water - No comments are required.

Environmental Health Officer -

Site Notice Expiry Date - 16 November 2010.




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**North York Moors National Park
 Authority**
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Others - Mrs Dootson and Miss Halliday, Wellfield Farm, Staintondale Road – Object for the following reasons:

- When there was a trekking centre here previously, it was run from our house, before the house and land were sold off separately.
- We thought that only the conversion of traditional stone buildings were permitted. If this does not apply then we and many others have buildings they could convert to houses.
- The site is not an infill plot.

Other concerns include drainage, what need for rest room. Fire risk, provision of car parking, need for employee, noise and disturbance. Furthermore the applicant already has a house in Hunmanby and does not work in the Park.

Sharon and Mike Gregson, Smugglers Rock Country House, Staintondale Road, Ravenscar -

Object to the application for the following reasons:

- The previous reasons for refusal are still relevant, which is that there is no evidence of need.
- The comments of the appeal decision are even more compelling now than before as it has not been demonstrated that there is a functional need for a dwelling to support an agricultural enterprise.
- The existing building does not comply with DP8 as it is of no architectural or historic importance.

The applicant purchased the property in full knowledge and at a price that reflected that there was no potential for development here.

Julie Stafford, Robin Hood View, Raven Hall Road - Have concerns regarding the application as I used to run Wellfield Trekking Centre and have rights to the name. The turning of the site into a horse farm requiring 1 full time and 1 part time worker is of concern as it implies that some sort of business will be run from here.

Mrs C France and Mr M Slater, 1 Ravenhall Road, Ravenscar - Support the application as we see no reason why the conversion of the stable block should not go ahead.

Background

Cobb Farm (previously known as Wellfield Trekking Centre and now renamed “Old Wellfield Trekking Centre”) is located beyond the northern limits of the established settlement of Staintondale and to the south of the established settlement of Ravenscar. The site comprises grazing land (approximately 7.3 ha 18 acres) that is used for grazing horses, a stable block and a more recently constructed storage barn.

The previous owner of the site stored a caravan within the modern agricultural storage building, without the benefit of planning permission. An Enforcement Notice was served, requiring the removal of this caravan. The land and buildings were sold to the applicant (including the caravan) after the Enforcement Notice had been served, and the applicant was aware of that notice prohibiting residential occupation when he purchased the land and buildings.

In 2007, full planning permission was sought to site a mobile home within an existing modern storage barn to provide permanent living accommodation for the current applicant and his wife. This application was refused on the basis that it comprised new residential development in the open countryside.

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Background (continued)

At that time the applicant wrote in support of the application that:

Our main intention is to provide a safe and secure haven for our animals. The land is ideal for keeping horses of which we have seven. Our main concern is horse welfare as we have already had one incident in which one of the horses has been seriously injured. If we had been living on the land we would have responded resulting in less suffering of the horse. We also intend to provide a safe haven for horses that sadly have been mistreated or abused to give them love and happiness on their road to recovery and then give them back to the Animal Welfare/RSPCA for re-homing. My family have this great opportunity to live a life in an area we have been looking at since I came out of the army seven years ago.

This application was refused on the basis that there was no agricultural need. Then in 2008 a further planning application was submitted for the siting of a three bedroom mobile home, to be sited between the front boundary of the site with the road and the existing agricultural buildings. In support of this application the applicant stated that:

It is proposed to use the 18 acres of grassland to develop an outdoor, high welfare pig breeding and rearing business. It is proposed to keep 100 breeding sows with rearing of the progeny to 30 kg live weight. The progeny will then be sold as stores for finishing elsewhere. There are also 11 stables which house three of our own horses and four livery horses. This livery enterprise will continue as a regular source of non agricultural income.

This application was again refused on the basis that there was no agricultural need and that the mobile home would be visually intrusive in the landscape. The applicants appealed this decision and the appeal was considered through the Hearing procedure. The appeal was dismissed on the basis that there was insufficient agricultural justification for the proposal.

Planning permission is now sought to convert the modern concrete blockwork stable building into a two bed dwelling and convert the existing modern Yorkshire boarded barn into a new stable block housing six stables, food store and a tack and staff room with existing welfare facilities.

Whilst the application forms state that the existing stable would be converted, the supporting statement suggested that it will be demolished and re-built and "fit exactly into the existing footprint of the old stable block in terms of height, length and width...constructed of block and render..The new dwelling roof will be in terracotta pantile"

In support of the application, the applicant's agent this time states that:

The applicant (Mrs Heaven) is hoping to run the horse farm with the help of employing one person on a part time basis. Mr Heaven would be keeping his full time job. They consider that they comply with Category E (need to live in the Park as a result of current sole employment) and probably Category B as the applicant first lived in the National Park before entering the armed forces for 16 years in the Peak District

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Main Issues

Core Policy J of the NYM Local Development Framework seeks to ensure the provision of a mixture of housing types and tenure to maintain the vitality of local communities, consolidate support for services and facilities and support the delivery of more affordable housing. This is to be achieved through locating all open market housing, including new build and converted units to the Local Service Centre of Helmsley and the Service Villages, as well as other measures including restricting new housing development in the Open Countryside to that which is proven as essential for farming, forestry or other essential land management activities.

Annex A of Planning Policy Statement (PPS) 7 states that temporary agricultural workers dwellings should only be permitted where there is clear evidence of a firm intension and ability to develop the enterprise concerned; there is a functional need, clear evidence that the proposed enterprise has been planned on a sound financial basis; the functional need could not be fulfilled by another dwelling in the area and that other normal planning requirements, such as siting and access are satisfied.

The site is located within open countryside and consequently, in accordance with Core Policy J, the only type of new housing that would be likely to be considered to be acceptable would be if there was a proven need for an agricultural worker. With the last application for the mobile home, the applicants argued that there was an essential agricultural need as the applicants were intending to keep pigs. However, when the Planning Inspectorate considered the appeal, it was determined that there was no agricultural need.

This current application is to provide accommodation ancillary to the keeping of horse, this is not an agricultural use and insufficient justification has been submitted that this case involves another 'essential rural worker' and consequently the proposal would not comply with Core Policy J. The applicants have argued that they would comply with the local occupancy criteria. Firstly it is not considered that either the desire to keep horses would comply with Criteria E which sets out that his employment requires him to live in the Park, or that the fact that the applicant once lived in either the North York Moors or Peak District National Park would comply with Category B as no longstanding links with the local community has been demonstrated. Despite these issues, new development for local occupancy accommodation (non-letting) would be contrary to Core Policy J, as such new development is confined to villages not the open countryside.

Development Policy 8 of the NYM Local Development Framework seeks to permit the conversion of traditional unlisted rural buildings which are situated within an existing group, for an employment use, short term self catering holiday accommodation, residential annexe to an adjacent existing dwelling or long term/permanent residential letting units for local occupancy, where the building is of architectural or historic importance and makes a positive contribution to the character of the area, is structurally sound, is of sufficient size to accommodate the proposed use without the need for significant alterations or extensions, is compatible in nature, scale and levels of activity with the locality, is of a high quality of design and does not require changes to the building's curtilage or new vehicular access or parking areas that would be visually detrimental.

The building, to which this application relates, clearly is of no architectural merit and actually detracts from the character of the area. Consequently, its proposed conversion to domestic accommodation would be contrary to Development Policy 8.

It is not entirely clear from the application whether a conversion of the existing building is proposed or a new build, however neither would comply with adopted policies.

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Main Issues (continued)

Development Policy 17 of the Local Development Framework only permits commercial horse related development where there is no requirement for a new dwelling to manage the site. In view of this the conversion of the existing barn to provide stabling would be contrary to this policy as the applicants are arguing that a dwelling is required on site to look after the horses.

Taking all of the above into account it is difficult to reach any other conclusion other than these proposals represent an entirely unjustified case for residential development in open countryside for which there is a strong local and natural presumption against.

In view of the above it is considered that the proposal would be contrary to Core Policy J and Development Policies 8 and 17 of the NYM Local Development Framework and Planning Policy Statement 7. Consequently, refusal is recommended.