

North York Moors National Park Authority

Scarborough Borough Council (North) Parish: Eskdaleside-Cum-Ugglebarnby	App No. NYM/2016/0504/FL
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Proposal: change of use of land to form manege for hobby use

Location: Zetland House, 17 Mill Lane, Iburndale, Sleights

Applicant: Mr Toby Taylor, Zetland House, 17 Mill Lane, Iburndale, Sleights,
Near Whitby, North Yorkshire, YO22 5DU

Agent: Bell Snoxell Building Consultants Ltd, c/o Mr Louis Stainthorpe,
Mortar Pit Farm, Sneathonthorpe, Nr. Whitby, North Yorkshire
YO22 5JG

Date for Decision: 02 September 2016

Grid Ref: NZ 487334 506962

Director of Planning's Recommendation

Approval subject to the following conditions:

1.	TIME 01	The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.
2.	PLAN 01	Strict Accordance With the Documentation Submitted or Minor Variations - Document No's Specified
3.	RSUO 00	There shall be no commercial use of the horse manege 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 Zetland House and for no other purpose unless a separate grant of planning permission has first been obtained from the Local Planning Authority.
4.	GACS 00	No external lighting shall be installed in the development hereby permitted.

Consultations

Parish -

Highways -

Environmental Health Officer – No objection.

Site Notice Expiry Date – 11 August 2016.

Others – The following list of people have written with concern about the application for one or more of the following reasons:

Mr Doug Johnson, 3 The Row, Iburndale
 Mrs Louise Lockley, 7 Mill Lane, Iburndale
 Mrs Patricia Pearce, 2 Mill Lane, Iburndale
 Mr John Greenwood, 9 Mill Lane, Iburndale
 Mr Ray Clifford, Kettle Well Cottage, YO22 4QQ
 Mrs Jean Butler, 1 The Row, Iburndale
 Mr Ken Benford, 3 Brookside, Iburndale
 Mr & Mrs Geoffrey, Rose Cottage, 2 The Cliff, Iburndale

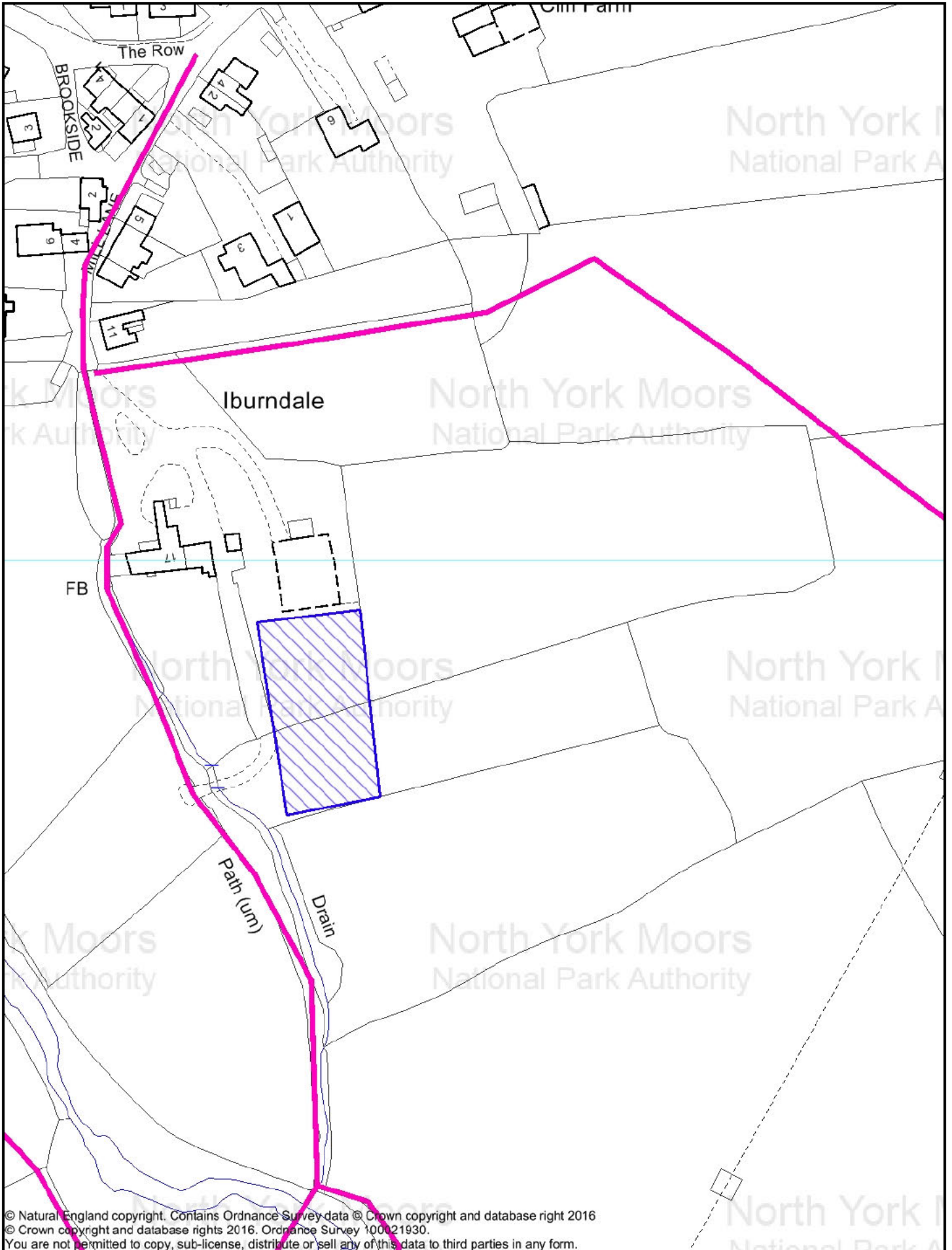
- Objection lies not in the structure to be erected nor in its intended use, but rather the inevitable increase in horsebox activity along Mill Lane.



North York Moors National Park
 Authority
 The Old Vicarage
 Bondgate
 Helmsley YO62 5BP
 01439 772700

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Scale: 1:1250





ETLAND
HOLE



Notice
The following notice is posted on a wooden post in the foreground on the right side of the driveway.



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Others continued

- Application carefully avoids detailing the level of traffic expected in support of this development leads to suspicions that there will be a significant increase.
- The vehicle acquired recently for this task is excessively large for it to safely manoeuvre into and traverse along the lane.
- An increase in activity or other horseboxes visiting the facility can only exacerbate the problem and present a very real and foreseeable safety risk.
- Would like assurances that this development will not increase traffic along Mill Lane, an unmade residential lane leading to Zetland House.
- Concerned about the use of the manege by others associated with the owners of Zetland House adding to the disruption and worsening condition of Mill Lane.
- Access route totally unsuitable for large vehicles. Any increase in volume of traffic will exacerbate existing situation.
- Possibility that personal use of the manege might be extended to include other owners and become a business enterprise.
- Has groundwork already commenced prior to the final permission.
- Lane is not built for heavy traffic.
- Once the structure is approved and built there are reasons for it to make money by other people using the facility by other horse owners whether or not a change is incurred.
- Concerns about any development at Zetland House due to narrow restricted access to the property.
- Continuous problems with horse box travelling to and from the site.
- Can only assume the burning of horse manure will increase.
- No problem with the new build just the possible over use of the Lane.
- Please take access to Zetland House into consideration with this application.
- Concerns over restricted vehicle access to the property.
- Under no circumstances should the manege be used as a commercial operation.

Background

The application is for change of use of land to form manege at Zetland House, 17 Mill Lane, Iburndale, Sleights.

The application site is accessed via Mill Lane, a narrow, unadopted lane leading from Iburndale Lane, Sleights. The settlement is generally characterised by traditional stone built cottages, small terraces and modest dwellings which are scattered with little regular 'street pattern'. Zetland House lies at the end of Mill Lane (south) and is a substantially larger property with land and modern agricultural type buildings.

A search of the Authority's records has not revealed any planning site history or planning restrictions/constraints for the site.

Planning permission is sought further to pre-application discussions for a 25 metre by 45 metre horse manege identified by the red line on the location plan. The manege would be located to the south of the existing steel framed shed on an area of underused land, 20 metres south east of the main house. The site is on a gradual slope which would be required to be levelled to facilitate the development.

The Design and Access Statement advises that the applicant has been breeding horses on the site for a considerable length of time with horses foaling on a yearly basis. The manege would be used for exercising and training the applicant's horses.

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Background continued

The proposed manege will be enclosed by a timber post and rail fence and finished with an all weather surface.

No additional screening is planned and no changes to access the site are proposed under this planning application.

The applicant's agent has written to confirm that the manege will not be used for commercial use. Its sole use is for the hobby/domestic purposes ancillary to the occupation of Zetland House. Neither is it proposed to hire out the manege to other users.

Main Issues

Development Policy 19 of the NYM Core Strategy and Development Plan Documents states that proposals for extensions or alterations to dwellings, or other development within the domestic curtilage will only be supported where the scale, height, form, position and design does not detract from the character of the original dwelling and its setting; the development does not adversely affect the amenities of neighbouring occupiers, or that of the existing dwelling. The supporting text recognises some harmonious interest in horses and states that to avoid horse paraphernalia harming the character and appearance of the countryside, horse related developments should be for recreational use and located within or adjacent to the associated domestic curtilage.

The Local Planning Authority is considering a proposed development for a manege which is identified in red on the submitted location plan. In doing so, it is acknowledged that the applicant owns the immediate surrounding land outlined on the same plan in blue. The site is closely related to the existing dwelling together with the associated sheds/buildings. The application site is well screened from Iburndale Lane, The Cliff and UGGLEBARNBY areas and is not readily visible on the approach from Mill Lane as it would fall behind the sheds/buildings. There are also well established hedge/field boundaries.

The fencing and flat surfaced area will not be overly prominent in the landscape and would be seen in the context with Zetland House and behind existing buildings on the site. In the chosen location the development is not considered to have an adverse impact on neighbouring property or residential amenity for the application property or neighbours.

With regards to comments received from third parties these are noted. Mill Lane serves the application site which is narrow and is of poor quality construction. The Local Planning Authority is unable however to control existing vehicle movements. The applicants have a lawful use of the road for their residential and hobby purposes.

Whilst many of the objectors have no problem with the development per se there is concern about over use of an existing access. It is understood that Mill Lane is a private access and it is not anticipated or indicated that activity levels are anticipated to change as a result of the proposal. Officers have consulted with the Highway Authority at the request of third parties and although Officers await comments from them, the statutory 21 day period has now expired and no comments have been forthcoming. As the access along Mill Lane does not form part of the application nor is it within the red line plan Officers can only consider the main aim of Development Policy 19 which is to ensure that buildings and structures associated with the keeping of horses for recreational purposes will be closely associated with the domestic curtilage.

Officers have appraised the scheme against the NYM Core Strategy and Development Plan Documents and other material considerations and conditions are considered necessary to

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Main Issues continued

deal with the remaining issues so as to deliver a development that will not detract from the quality of life of local residents. A further condition to prevent commercial use of the development is suggested to enable the Local Planning Authority to control any change of use of the development which could give rise to conditions detrimental to the special qualities of the National Park and the residential amenities of adjoining occupiers.

Conclusion

Officers consider the development before them will not be likely to have a detrimental impact on the site or the site setting within this part of the open countryside and is therefore in accordance with the criteria set out in Development Policy 19 of the Development Plan in force.

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.