

9. Full Application – Change of Use of Agricultural Land to Ménage and Associated Grading Work, Twitchill Farm, Bowden Lane, Hope (NP/HPK/0914/0999. P2499, 417739 / 384637, 18/11/2014/AM)

APPLICANT: MR JOHN ATKIN

Site and Surroundings

Twitchill Farm is located in open countryside on the northern slope of the valley, approximately 1km to the north east of Hope.

The application site is located in a field approximately 30m to the south of the nearest buildings at the farm (which are in separate ownership). The land falls from north to south and east to west significantly across the application site towards a wooded stream which runs along the western boundary. A well-used public footpath from Hope to Win Hill runs along the track to the farm along the eastern boundary of the application site.

Proposal

This application seeks planning permission for the creation of a menage with associated engineering operations to re-grade the land to form the required level finished surface. This application is a re-submission following the refusal of a planning application under delegated powers earlier this year.

The submitted plans show that the proposed riding arena would be created on part of a field located 30m to the south of the buildings at Twitchill Farm (measured at the closest point). The proposed riding surface would be formed by 'cut and fill' and the creation of earth banks with a maximum height of 2.5m to 4.0m. The riding arena would have an irregular shape measuring approximately 38m by 50m.

The riding arena would be surfaced with sand and recycled rubber chippings and would be bounded by timber fencing. The proposed raised banking to the south and west would be planted with a mix of trees including birch, oak and rowan. The banking to the north and east would be planted with shrubs including hazel, hawthorn and beech. Further screen planting is shown on the field to the north west of the proposed menage.

RECOMMENDATION:

That the application be REFUSED for the following reason.

- 1. The proposed development would have a significant adverse visual impact and would significantly harm the scenic beauty of the National Park, contrary to Core Strategy policies GSP1, GSP3 and L1, saved Local Plan policies LC4 and LR7 and the National Planning Policy Framework.**

Key Issues

- The visual impact of the proposed development and whether the proposed development would conserve the landscape character and other valued characteristics of the area.

History

2014: NP/HPK/0614/0583: Planning application for change of use of agricultural land to menage and associated re-grading work refused. The reason for refusal was:

- 1. The proposed development would have a significant adverse visual impact and would*

significantly harm the scenic beauty of the National Park, contrary to Core Strategy policies GSP1, GSP3 and L1, saved Local Plan policies LC4 and LR7 and the National Planning Policy Framework.

2013: NP/HPK/0614/0501: Planning application for change of use of agricultural land to manage and associated re-grading work withdrawn prior to determination.

Officers in this case have met on site with the applicant, agent and the Authority's Landscape Officer to discuss the scheme and potential alternative sites. However, no acceptable alternative sites could be identified.

Officers advised that the visual impact of the proposed development at this site would be harmful and harm landscape character and that proposed landscaping would take a long time to establish and would not mitigate the impact of the development.

2011: NP/HPK/1110/1124: Planning permission granted conditionally for removal of condition to allow holiday lets to be occupied as affordable dwellings.

2008: NP/HPK/1008/0873: Planning permission granted conditionally for erection of two agricultural buildings to house livestock and store fodder and implements.

Consultations

Highway Authority – No response to date. The Highway Authority raised no objection to the previous scheme.

Borough Council – No response to date other than confirmation that the Environmental Health department raise no objection.

Parish Council – No response to date.

Representations

No representations have been received at the time this report was written.

Main Policies

Relevant Core Strategy policies: GSP1, GSP3, DS1, L1 and RT1

Relevant Local Plan policies: LC4, LR7 and LT18

The Authority's adopted development strategy is set out in Core Strategy (CS) policy DS1 which states that recreation and tourism development is acceptable in principle in open countryside. CS policy L1 and GSP3 set an overarching requirement that all development conserves and enhances the valued characteristics of the National Park including the scenic beauty of its landscapes.

CS policy RT1 says that (A) the National Park Authority will support facilities which enable recreation, which encourage understanding and enjoyment of the National Park and are appropriate to the National Park's valued characteristics. CS policy RT1 (B) goes on to state that in open countryside, clear demonstration of need for such a location will be necessary.

Saved local Plan (LP) policy LR7 refers specifically to facilities for keeping and riding horses and states that these will be permitted provided that:

- i. The development does not detract from the landscape or valued characteristics of the area, either individually or cumulatively; and
- ii. is located adjacent to existing buildings or groups of buildings; and
- iii. is not likely to cause road safety problems; and
- v. Does not constitute a nuisance to local residents, landowners or farmers by noise, smell or other adverse impact.

There is no conflict with the above policies and national policies set out within the National Planning Policy Framework (the Framework) because both seek to promote appropriate and sustainable recreational development in the countryside while giving great weight to the conservation of the National Park.

Assessment

This application is essentially the same scheme which was refused planning permission earlier this year. The plans submitted with this application clarify that the applicant owns the application site and the land where landscaping planting is proposed, but otherwise are identical to the previous application.

Relevant Development Plan policies are supportive in principle of facilities for riding horses and in this case the proposed riding arena is in accordance with LP policy LR7 (iii) and (iv) because, having regard to Highway Authority advice given previously, the proposed development would not be likely to cause road safety problems provided that the use of the riding arena was restricted to domestic and not commercial purposes. The proposed development would also be in accordance with LR7 (v) as the proposed development would not be likely to cause a nuisance to local residents, landowners or farmers because of the distance between the proposed riding area and the nearest neighbouring properties.

The key issue is therefore the visual impact of the proposed development and whether the proposed development would detract from the landscape or other valued characteristics of the National Park (CS policy L1 and LP policy LR7 (i and ii)).

The proposed riding arena would be sited approximately 30m to the south of the nearest building at Twitchill Farm within an existing field. The level of the field slopes significantly downwards from north to south and also from east to west towards a stream which runs along the western boundary of the site. The application site is clearly visible from along the well-used public footpath which runs along the access track on the eastern boundary of the site up to higher ground above the farm where it joins the bridleway and open access land along the valley top.

It is considered that this site is sensitive in landscape terms because the land is clearly visible from nearby vantage points and from higher ground to the north. Twitchill Farm and the application site are also visible from across the valley in a number of more distant vantage points. Due to the level changes across the field, significant engineering works would be required to create the finished surface for the proposed riding arena. The submitted plans show that a 3.5m cut and 4m fill would be required north to south and a maximum 3.5m cut and 3.5m fill would be required east to west.

The proposed ground works are relatively extensive in area, and would result in a substantial change to the natural form of this part of the valley side. The ground works, riding surface and timber fencing would all be clearly visible from nearby public vantage points and from elevated positions to the north of the site. The proposed development would not be sited adjacent to existing buildings (as required by LP policy LR6 (ii)) and therefore would be read as a new and isolated feature rather than as part of the existing development at the farm.

From more distant views across the valley, the proposed development would be seen against existing mature trees following the route of the stream which would mitigate the impact to a degree. However, the proposed earth banks and timber fencing would still be apparent in the context of the gently sloping valley side.

It is therefore considered that the proposed development would be likely to have a significant visual impact and that the development would appear as an isolated and incongruous addition which would harm the scenic beauty of the landscape. It is therefore considered that the proposed development is contrary to Core Strategy policies GSP1, GSP3 and L1 and saved Local Plan policies LC4 and LR7 (i and ii).

The submitted application proposes to plant trees on the raised banking to the south and west (birch, oak and rowan) and hedge planting (hazel, hawthorn and beech) along the banking to the north and east. The submitted plan also shows an additional area of planting to the north east, land which has been confirmed to be within the applicant's ownership and control.

In this case it is considered that the proposed extensive scheme of landscaping within the application site would take a significant time to establish to a height which would partially mitigate the proposed development during which time the impact of the development would remain apparent. Officers also consider that even when established the planting would not fully mitigate the impact of the proposed development especially when viewed from higher ground to the north.

Conclusion

It is therefore concluded that the proposed development would have a significant visual impact where seen from nearby vantage points and would cause significant harm the landscape character of the area.

The proposed development would not harm the amenity of any neighbouring property or land use due to the intervening distances and topography. The proposed development would not give rise to any highway safety concerns because it would not result in any significant intensification or any changes to existing access arrangements, provided that the use of the riding arena was restricted to domestic use only.

However, these issues do not add any significant weight either for or against the proposal and do not overcome the more fundamental concerns in regards to landscape and visual impact contrary to a range of landscape and conservation policies within the Development Plan and the NPPF.

Therefore, the proposed development is considered to be contrary to the Development Plan and in the absence of further material considerations indicating an exception to the Development Plan is otherwise warranted; the current application is accordingly recommended for refusal.

Human Rights

Any human rights issues have been considered and addressed in the preparation of this report.

List of Background Papers (not previously published)

Nil