

12. FULL APPLICATION – PROVISION OF AN ALL WEATHER RIDING SURFACE TO AN APPROVED RIDING ARENA, INCLUDING NEW PERIMETER TIMBER FENCE AND LANDSCAPING AT LANE END FARM, ABNEY (NP/DDD/0115/0036, P.1660, 419924 / 379933, 27/02/2015/AM)

APPLICANT: MR & MRS EVERARD

Site and Surroundings

Lane End Farm is located within Abney. The property includes a traditional gritstone farmhouse which fronts onto the lane and to the rear (north) a recently constructed stable block and riding arena on a levelled area of land bound by timber fencing. The farmhouse is occupied by the applicants who use the stables, riding arena and a nearby field for the keeping of up to 3 horses for domestic purposes.

The farmhouse and associated garden are located within the designated Abney Conservation Area. The stable block and riding arena are located outside of, but on the edge of, the Conservation Area. Vehicular access to the stables and riding arena is via an existing track which runs through the farm to the east of the site which is in separate ownership.

The nearest neighbouring properties in this case are Holly Cottage and Archway Cottage to the south west of the application site, the farm to east of the site. To the south east of the application site (east of the farmhouse) there is a range of traditional agricultural buildings. Part of this range has been converted to holiday accommodation. Planning permission has also been granted to convert the roadside barn to an open market dwelling.

Proposal

This application seeks planning permission for the provision of a new all-weather riding surface to the existing riding arena, along with the erection of a new timber perimeter fence and landscaping, including regarding the land around the levelled arena, new tree and hedge planting and the creation of a manure heap. The submitted plans show that the location of the riding arena would be unchanged, but provided with a new all-weather riding surface constructed with a mixture of recycled black rubber and sand.

The south west and east corners of the existing riding arena would be 'squared off' and the new riding surface would be bounded by a new treated timber post and rail fencing to replace the existing.

The levels of the embankment around the existing arena would be re-graded to provide a more gradual slope up to the riding surface. A new area for manure storage would be created to the south of the arena 'dug in' to the earth bund at this point with a concrete base and side walls.

Additional planting is proposed to either side of the riding arena, the planting would include native low level hedge planting (including hawthorn, blackthorn, hazel and holly) and tree planting along the south west embankment.

The existing driveway and stable block would be retained as existing.

RECOMMENDATION:

That the application be APPROVED subject to the following conditions or modifications.

- 1. Statutory three year time limit for implementation.**
- 2. Development to be carried out in accordance with specified approved plans.**

3. **Riding surface to be carried out in accordance with the sample received by the Authority and maintained in perpetuity.**
4. **Timber fencing and kickboards to be stained or painted either dark brown or black at the time of erection and maintained in perpetuity.**
5. **Scheme of landscaping to be carried out in accordance with the approved plans and maintained in perpetuity.**

Key Issues

- The visual impact of the proposed development and whether the proposed development would conserve the landscape character of the area and the setting of the designated Abney Conservation Area.
- Whether the proposed development is acceptable in all other respects.

Relevant Planning History

2004: NP/DDD/0204/0220: Planning permission granted conditionally for the change of use of land for the keeping of horses and the erection of stable and tack room.

Planning permission was granted subject to conditions that the use be restricted to domestic purposes only, ancillary to Lane End Farmhouse and that no more than 3 horses be kept on the site at any one time.

2006: NP/DDD/0305/0319: Planning permission granted unconditionally for the change of levels of land.

Consultations

Highway Authority - No objection subject to use remaining private and ancillary.

District Council – No response to date.

Parish Council – No response to date.

Representations

The public consultation period for this application does not end until the week before the committee meeting. A verbal update will be given at the meeting if any additional letters of representation are received.

A total of eleven letters of representation have been received at the time this report was written. Seven of the letters support the application and four of the letters object. The reasons given in support or in objection to the application are summarised below. The letters are available and can be read in full on the website.

Support

- The riding arena is already well established. The provision of an all-weather surface and landscaping will not change the character of the property in any material way.
- The arena is not visible from the road or from any neighbouring properties.

- The development will not block access to nearby fields. Both the applicants and neighbours use the access to the north east of the riding arena. The applicants will continue to use this access and neither the proposed development nor proposed landscaping will obstruct access.
- A wet weather surface will ensure the ground is kept neat and tidy.
- The provision of an all-weather surface will prevent the need to use another area in inclement weather and therefore reduce traffic.
- The addition of a hawthorn and blackthorn hedge will give a scenic advantage.

Object

- The development and proposed planting has the potential to block access to the agricultural land to the north east of the site.
- The proposed development would have an adverse visual and landscape impact where seen from higher ground from the nearby moorland footpaths.
- The proposed development would have an adverse visual impact upon the designated Abney Conservation Area.
- Views from the footpaths look down into the site and therefore the proposed planting will not mitigate the adverse visual impact.
- If permission is granted, consideration should be given to re-siting the riding arena to the western boundary.
- The use of the proposed facility should be clarified. It is unclear whether the riding arena would be used for domestic or commercial purposes.

Main Policies

Relevant Core Strategy policies: GSP1, GSP3, DS1, L1, L3 and RT1

Relevant Local Plan policies: LC4, LC5 and LR7

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 policies L1, L3 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 and its cultural heritage.

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 domestic facilities 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

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 (ii), (iii) and (iv) because the proposed development would affect an existing riding arena which is located adjacent to existing buildings, would not change the use of the riding arena (which is restricted to domestic and not commercial purposes) and having had regard to advice from the Highway Authority would not be likely to cause road safety problems.

The first key issue in this case therefore, is the visual and landscape impact of the proposed development and the potential impact upon the setting of the designated Abney Conservation Area (CS policy L1 and L3 and LP policy LC5 and LR7 (i)). The second key issue is whether the development would affect access to neighbouring fields or otherwise have a harmful impact upon amenity (CS policy GSP3 and LP policy LC4 and LR7 (v)).

With regard to the concerns raised about the potential visual and landscape impact of the proposed development, there is an established riding arena on the site which is closely related to nearby existing buildings. The proposed all-weather riding surface would be constructed using a mixture of recycled rubber and sand. The proposed surface would have a dark appearance which would mitigate the visual impact of the development where viewed from the footpath network.

The replacement timber fence would not have an adverse visual impact provided that the timberwork is treated in a dark stain when erected and maintained thereafter. The existing dry stone field boundary walls would be retained. The proposed re-grading of the embankment would create a more gentle gradient and would not have any adverse visual or landscape impact. The proposed muck storage area would be 'dug into' the embankment where it would only be visible from within the yard.

It is therefore considered that the proposed development would not have an adverse visual or landscape impact or have an adverse impact upon the setting of the designated Abney Conservation Area. The submitted application proposes additional landscaping comprising native hedge and tree planting. The proposed planting would be appropriate in landscape terms and when established, would further break up views into the site from public vantage points. If permission is granted, a condition would therefore be recommended to ensure that the proposed landscaping is implemented.

The submitted application proposes physical alterations to the existing riding arena, the use of which is restricted to domestic purposes. The submitted application does not propose any change of use or propose to increase the maximum number of horses that can be kept on the site. Access to the site and parking arrangements would be unchanged. There are otherwise no concerns that the proposed muck storage area would have a harmful impact upon the amenity of neighbouring properties given its modest size and the intervening distances.

Concern has been raised in regard to potential impact upon access through the site to the existing field access in the north east of the site. The submitted plans show that this access would be retained, with sufficient space for agricultural vehicles to pass by the riding arena and the proposed landscaping. The agent has also confirmed that the applicants require tractor and trailer access via this route and that there is no intention to obstruct access.

It is therefore considered that subject to conditions to secure the specifications of the proposed riding surface and timber fencing and to require the implementation of the proposed scheme of landscaping, that the proposed development would not have a harmful visual or landscape impact, would not harm the setting of the Abney Conservation Area and would not constitute a nuisance to or harm the amenity of any residential property or land owner.

Conclusion

It is considered that subject to conditions, the proposed development would not have a harmful visual or landscape impact or harm the setting of the Abney Conservation Area. The proposed development would otherwise not constitute a nuisance to or harm the amenity of any residential property or land owner in accordance with Core Strategy policies GSP1, GSP3, DS1, L1, L3 and RT1 and saved Local Plan policies LC4, LC5 and LR7.

In this case there is no conflict between relevant Development Plan policies and the more recently published National Planning Policy Framework. In the absence of any further material considerations the proposal is therefore recommended for approval, subject to the conditions outlined in this report.

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