

## HARROGATE BOROUGH COUNCIL

### PLANNING AREA2 DC COMMITTEE – AGENDA ITEM 6: LIST OF PLANS.

DATE: 19 July 2005

<b>PLAN:</b> 14	<b>CASE NUMBER:</b> 05/02221/COU
<b>APPLICATION NO.</b> 6.149.104.COU	<b>GRID REF: EAST</b> 436071 <b>NORTH</b> 448586
	<b>DATE MADE VALID:</b> 09.05.2005
	<b>TARGET DATE:</b> 04.07.2005
	<b>WARD:</b> Spofforth With Lower

Wharfedale

**APPLICANT:** Malcolm And Jane Follos

**AGENT:**

**PROPOSAL:** Change of use from racing yard (Sui Generis) to livery stables (Sui Generis).

**LOCATION:** Barn And Land To Rear Of Scotts Arms PH Main Street Sicklinghall  
Wetherby North Yorkshire LS22 4BD

## REPORT

### SITE AND PROPOSAL

The site is located to the rear of the Scotts Arms Public House in Sicklinghall. It comprises approximately 14.ha of land with 6 existing buildings. The existing buildings include two purpose built stable blocks as well as two profile sheeting barns the site accommodates 18 stables and an indoor ménage. The surrounding land is used as grazing. The access to the site is from Main Street through the car park of the Scotts Arms Public House. There is another access from Park Lane to the north west corner of the site.

The application proposes a change of use of the land and buildings from a racing stables to a livery stables. Whilst the two uses are on the face of it similar in nature, they can be quite different in both character and intensity of use. The applicant has confirmed that the maximum number of livery horses will be 14. They propose to offer a full service livery and not a "DIY" livery. There will be two staff employed at the premises, and whilst horse owners will not have to visit daily to feed and look after their animals, it is anticipated that owners will visit their horses on a regular basis, predominantly weekends and evenings.

### MAIN ISSUES

1. Principle
2. Highways Issues

### RELEVANT SITE HISTORY

None.

## **CONSULTATIONS/NOTIFICATIONS**

### **Parish Council**

Sicklinghall

### **The British Horse Society**

No comments received to date

### **Environmental Health**

No objections subject to conditions

### **Ramblers Association**

No comments received to date

### **Highway Authority**

No objections subject to conditions - refer to assessment

## APPLICATION PUBLICITY

**SITE NOTICE EXPIRY:** 17.06.2005

**PRESS NOTICE EXPIRY:** 17.06.2005

## REPRESENTATIONS

SICKLINGHALL PARISH COUNCIL - No objections

OTHER REPRESENTATIONS - None received.

VOLUNTARY NEIGHBOUR NOTIFICATION - The Scotts Arms Public House was notified of the application on 11th May 2005.

## RELEVANT PLANNING POLICY

PPS1 Planning Policy Statement 1: Delivering Sustainable Communities

PPG2 Planning Policy Guidance 2: Green Belts

PPS7 Planning Policy Statement 7: Sustainable Development in Rural Areas

PPG13 Planning Policy Guidance 13: Transport

SPE9 North Yorkshire County Structure Plan Policy E9

LPA01 Harrogate District Local Plan (2001, as altered 2004) Policy A1: Impact on the Environment and Amenity

LPG02 Harrogate District Local Plan (2001, as altered 2004) Policy GB2: The control of development in Green Belt

## ASSESSMENT OF MAIN ISSUES

1. PRINCIPLE - The site lies within the green belt, and therefore Policy GB2 is relevant to the consideration of the proposal. Policy GB2, which is based on the advice set out in PPG2, is permissive of uses which preserve the openness of the green belt and which are

compatible with the purposes of including land within it. It states that proposals for the reuse of buildings within the green belt should not have a materially greater impact than the present use on the openness of the green belt. The proposed use is an appropriate use within the green belt, no new buildings are proposed, and the existing buildings are proposed to be reused without alteration. It is therefore considered that the proposed use as a livery stables will not have any greater impact on the openness of the green belt than the previous use, and therefore is considered to comply with Policy GB2 of the adopted Harrogate District Local Plan.

Policy A1 of the local plan states that proposals should maintain or improve the quality of the environment and amenity of the area. As both the previous and proposed uses are very similar in nature, involving the stabling and grazing of horses, the important consideration is whether the proposed use will be a more intense use of the site, and if so whether this will lead to any unacceptable planning issues. Whilst there is no information regarding the numbers of staff employed or the number of horses accommodated by the previous use it is considered that for a similar number of horses, due to the requirements for regular exercising of race horses, this was probably in excess of the anticipated number of staff and visitors for the livery use. In addition it is likely that there was a greater number of movements of horses in and out of the yard to attend races, than is likely to be the case for livery. It is therefore considered that so long as a condition is in place restricting the use to a maximum number of livery horses, the proposal should not be any more intensive than the previous use and should therefore have no harm to the amenity of the area.

2. ACCESS AND PARKING - The Highway Authority have commented that the visibility at the access from the Scotts Arms car park onto Main Street is substandard looking west at only 2m x 13m. The highway authority are therefore likely to object should the proposed use as a livery if this will generate more traffic than the previous use. As discussed above it is considered that the proposed use is not likely to be any more intensive, and indeed is likely to be less intensive and should therefore generate less traffic movements. The highway authority have suggested that a condition is imposed restricting the proposed use to fully serviced livery and not DIY livery, which would generate more traffic movements, however it is considered that this condition would not be easily enforceable. Instead, to ensure that the use cannot become too intensive it is proposed to restrict the number of horses liveried at the stables. With this condition it is considered that the proposal will not be detrimental to highway safety, and will comply with Policy A1 of the local plan.

A public right of way crosses the site. The Highway Authority have commented that one of the existing buildings on the site obstructs the public right of way. It is therefore proposed to add an informative that an application for the diversion of this footpath should be made to rectify the situation. A condition is proposed to prevent any further obstruction of the public right of way.

**CONCLUSION** - The proposal is considered to comply with the relevant planning policies and it is therefore acceptable subject to the conditions set out below.

**CASE OFFICER:**

Ms S Purvis

RECOMMENDATION

That the application be APPROVED subject to the following conditions:-

- 1 CA05 DEVELOPMENT SHALL BE BEGUN BEFORE
- 2 CC03 DEV IN ACCORD WITH DRAWINGS/CONDITIONS
- 3 HW32 PUBLIC RIGHTS OF WAY
- 4 Suitable and sufficient provision should be made for the storage and disposal of waste so as not to give rise to a nuisance to neighbouring residential premises. No burning of waste to be carried out and provision to include consideration of location of waste storage prior to collection in relation to neighbouring premises.
- 5 The use hereby approved shall be for the livery of no more than 14 horses or ponies at any one time, unless otherwise agreed in writing by the Local Planning Authority.

Reasons for Conditions:-

- 1 CA05R TO COMPLY WITH SECTIONS 91-94
- 2 CC03R TO SECURE SATISFACTORY IMPLEMENTATION
- 3 HW32R TO PROTECT THE RIGHT OF WAY
- 4 In the interests of residential amenity.
- 5 In the interests of the amenity of the area and highway safety.

#### **INFORMATIVES**

- 1 The applicant is advised to liaise with the Highway Authority with regard to the diversion of the public right of way.