



The countryside charity  
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Branch Chair  
Jan Arger

**Authority:** Ryedale District Council

**Type of consultation:** Planning Application

**Full details of application/consultation:** 21/00740/FULL - Change of use of buildings and agricultural land to equestrian use to allow the establishment of a commercial livery yard to include erection of a block of 7no. stables, formation of a 60m x 40m outdoor equestrian arena with training mirrors, installation of 1no. partially covered circular horse walker, formation of 3no. covered winter turnout areas and tack room/feed store with storage area above in an existing agricultural store/barn, the erection of a lean-to adjoining the existing stable block to create a covered wash/dry area for horses and the addition of equestrian use to the existing agricultural use of the land red lined in Appendix 1

**At land at:** Courtyard Middle Farm, Main Street, Sproxtun, Helmsley, North Yorkshire, YO62 5EF

**Type of response:** Comment with mitigation

**Date of Submission:** 23<sup>rd</sup> June 2021

All responses or queries relating to this submission should be directed to the Secretary for the Trustees at the contact details shown above on this frontispiece.

All CPRE North Yorkshire comments are prepared by the charity using professional planners whose research and recommendations form the basis of this response in line with national CPRE policies.

External planning consultant used in this response:



KVA Planning Consultancy  
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## Comment

CPRE North Yorkshire - The Countryside Charity ('CPRENY') welcomes the opportunity to comment on the above application for change of use of buildings and agricultural land to equestrian use to allow the establishment of a commercial livery yard to include erection of a block of 7no. stables, formation of a 60m x 40m outdoor equestrian arena with training mirrors, installation of 1no. partially covered circular horse walker, formation of 3no. covered winter turnout areas and tack room/feed store with storage area above in an existing agricultural store/barn, the erection of a lean-to adjoining the existing stable block to create a covered wash/dry area for horses at Sproxton.

CPRENY do not object to the proposed change of use or buildings per se, however, do have some comments they wish to make regarding appropriate use of mitigation measures to ensure the area remains rural in appearance within the wider context of being within the Howardian Hills Area of Outstanding Natural Beauty ('AONB').

## Planning Context

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that an application should be determined in accordance with the development plan unless material planning considerations indicate otherwise. The planning system should contribute to achieving sustainable development. The National Planning Policy Framework (NPPF) (2019) aims to deliver sustainable development through the implementation of its policies. Paragraph 11 states that for decision making this means:

- c) *'approving development proposals that accord with an up-to-date development plan without delay; or*
- d) *where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date<sup>7</sup>, granting permission unless:*
  - I. The application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or*
  - II. Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.'*

Paragraph 213 of the NPPF clarifies that existing policies should not be considered out-of-date simply because they were adopted or made prior to the publication of the Framework. Weight should be given to them according to their consistency with the NPPF. (The closer the policies in the plan to the policies in the Framework, the greater the weight that should be attributed).

The Development Plan relevant to this application consists of:

- Ryedale Local Plan Strategy (adopted 2012); and
- Ryedale Local Plan Sites Document (adopted 2019).

Ryedale District Council (RDC) have recently announced a review of the Local Plan which will update policies for new development and have issued a 'call for sites,' however, due to this early stage of plan preparation, weight cannot be given to the new Local Plan at this time. Therefore, CPRENY believe that the proposals should be determined against the provisions of the local plan and material considerations as necessary.

A further material consideration to the determination of this proposal is the 'Howardian Hills Area of Outstanding Natural Beauty ('AONB') Management Plan 2019-2024' and also the 'Landscape Management

and Priority Sites 2019-2024'. The site is situated in its entirety within the AONB and as such the landscape is awarded the highest protection in planning policy terms.

The AONB Management Plan explains how the AONB is a very rural area served by a network of minor roads. The proposed site is located on the southern side of Sproxton village and as such the buildings are proposed to sit to the edge of the scarp slope, largely contained within an area currently in use by agricultural buildings with open fields beyond where the paddocks are to be located. The B1257 Malton to Helmsley route offers road users open views of the village and open fields and as such provides a typically rural vista at this location.

Much of the land is already separated into 'paddocks' and it is considered that the existing post and wire fences have no impact on the green fields and countryside due to the fact these have retained the open views of the countryside within the AONB. CPRENY would not support the construction of more built up or panelled fencing which would detract from the current open views.

CPRENY hope that the applicant would ensure any jumping paraphernalia is removed and stored as appropriate and/or located within a specific part of the site so as not to add 'clutter' to the open countryside views which are currently experienced. Some jumps are synonymous with rural equestrian areas, however, given the site is within the protected landscape, these should not be allowed to remain permanently within all areas where the applicant has applied for change of use.

CPRENY believe that the buildings should all be of a natural appearance to reflect the rural and open nature of the location, ideally constructed from timber, with a dark roof which will not offer opportunities to reflect natural light and cause a distraction or the development to stand out. Further, it is not known whether any spot lighting is proposed to the arena or to the stable area, in which case these should be suitable for the dark sky location and angled appropriately to avoid night blight and any glare. These elements could be conditioned should the local planning authority be so minded as to approve the proposal.

It is understood that the applicants currently operate an agricultural business from the site. It is considered that a livery for 7 horses, with associated vehicular movements, would be a significant reduction in the movements associated with the current enterprise and as such this is beneficial to the small village. The noise associated with the proposals is that of a typical rural environment and again is considered more sympathetic to the existing environment than the vehicular movements including HGVs associated with the current business.

The applicant should seek to provide a minimum of 10% net biodiversity gain across the site rather than simply replant a hedgerow that is required to be relocated to accommodate the proposals in line with national planning policy and the emerging Environment Bill.

Finally, CPRENY would object to any built development (including temporary) or additional fences being located further away from the existing agricultural 'yard' and down the scarp slope to the open valley bottom below which would detract from the open countryside nature. CPRENY consider, therefore, that any such development should be subject to a future planning application in order to protect the setting of Sproxton and the wider countryside of the AONB in line with Local Plan policy, particularly SP13.

In summary, CPRENY do not object in principle to this rural development at an established agricultural business, however, do have concerns which could be alleviated by appropriate mitigation measures as suggested above.

CPRENY reserve the right to comment further should additional information be submitted in support of the proposals.