

15/01327/FUL

**Construction of an access track as per amended plans received by Hambleton District Council on 26 October 2015.
at Land To South Of Tame Bridge Stokesley North Yorkshire
for Mr Adam Holloway.**

1.0 SITE DESCRIPTION AND PROPOSAL

- 1.1 The site is a 0.77 hectare plot of land measuring 155 x 50 metres, approximately 140 metres beyond the westward extent of Tame Bridge. The plot forms part of a larger field. At the roadside there is a band of mainly pine trees. The trees are relatively densely planted and spindly in form.
- 1.2 The tree belt at the front of the site is part of a longer tree belt extending along the south side of the Stokesley -Hutton Rudby road for approximately 1km overall, with one gap of approximately 135 metres at the west end of Tame Bridge. The stretch west of the application site to the entrance to South Lund farm, has a different character and appears to be younger, immature growth. The tree belt is penetrated by the accesses serving to Hillview (single family gypsy site), Brawith House, South Lund Farm, and the existing field of which this site forms part.
- 1.3 The proposal is an access into the site from the road, and a track through the trees into the field. The access is 5 metres wide at the entrance and 3 metres wide along the inner part. The proposal also shows a hardstanding, positioned south of woodland belt. The proposed track and hardstanding are intended to be surfaced with road planings. The proposal is intended to serve a small holding.
- 1.4 Since receipt of the application a speed survey has been undertaken and the proposed position of the access has been amended. As amended the access is located approximately 135 metres east of the existing access to South Lund Farm.
- 1.5 As amended the hard surfaced area is enlarged to approximately 25 x 10 metres, and is located on the west side of the plot. An amended Planning Statement states the land is to continue to be used for agricultural purposes, specifically keeping coloured ryeland sheep to produce lamb meat, fleece for spinning and craftwork and pedigree stock for sale and show. The applicant would travel to the site from their home in Stokesley.

2.0 RELEVANT PLANNING AND ENFORCEMENT HISTORY

- 2.1 None

3.0 NATIONAL AND LOCAL POLICY

- 3.1 The relevant policies are:

National Planning Policy Framework
Core Strategy Policy CP1 - Sustainable development
Development Policies DP1 - Protecting amenity
Core Strategy Policy CP4 - Settlement hierarchy
Core Strategy Policy CP16 - Protecting and enhancing natural and man-made assets
Development Policies DP30 - Protecting the character and appearance of the

countryside

4.0 CONSULTATIONS

4.1 Seamer Parish Council - We note that a neighbouring farmer has expressed concern over drainage and any damage to the culvert may cause flooding. The Council do not think this is a sustainable agricultural venture. A new access could potentially be abused. It is detrimental to the environment and is not serving any purpose. There is no explanation for the area of hard standing. The Council also expressed concern about another access on to this busy road.

4.2 Neighbours and site notice - Observations received:

- i. Attention is drawn to a drainage pipe running alongside the road with overflow from nearby pond and discharge from nearby properties and thereafter along a ditch to the west of the site and into river. Questions are raised about the responsibility for maintenance of this, and the owner should be made aware of responsibility for the drain. Previous blockage has led to flooding. A historic culvert in the woodland (made of interlocking tiles) is vulnerable to damage, and makes nearby properties vulnerable to flooding;
- ii It is queried whether the proposed use for sheep farming is viable;
- iii The new proposed location of parking area is against an old oak tree with nesting barn owls.

4.3 Highway Authority - as amended, the visibility provided is acceptable.

5.0 OBSERVATIONS

5.1 The site is outside Development Limits where, contrary to the principles of sustainable development contained in LDF policies CP1 and CP2, development may be supported if it meets one of the exception criteria in Core Strategy policy CP4. The criterion relevant to the sheep farming venture the applicant says the track is required for is:

- i. it is necessary to meet the needs of farming, forestry, recreation, tourism and other enterprises with an essential requirement to locate in a smaller village or the countryside and will help to support a sustainable rural economy

5.2 The issues to consider therefore are (i) whether the development is necessary to meet the needs of farming; (ii) the effect on the rural character of the area (CP16 and DP30); and (iii) highway safety.

Whether the development is necessary to meet the needs of farming

5.3 The use of the land for sheep grazing appears to be a new speculative venture and no evidence has been offered as to whether the applicant is engaged in agriculture at present. As such, and without evidence in support of the application, it is not clear whether it would be a sustainable business. In the absence of such evidence, the intended activity should be viewed as hobby farming, rather than agriculture, and its ability to support a sustainable rural economy, as per criterion i of policy CP4 must be questionable. Furthermore, it is considered that there should be greater confidence in the likely success of any new agricultural venture before permitting permanent development.

5.4 The proposal includes a 250 sq. m hardstanding the purpose for which has been suggested to be for turning. The hardstanding is relatively large however and no evidence has been submitted to justify the need for, and the size of for the

hardstanding, particularly in view of the limited vehicular traffic to be expected in connection with sheep grazing, and the modest size of the plot which it may be presumed would support relatively few sheep. . For these reasons it cannot be considered to be "reasonably necessary for agriculture" and does not benefit from the permitted development rights contained in part 6 of the General Permitted Development Order. It is not considered that small-scale sheep farming on only 0.77 hectares should necessitate a surfaced access and turning area, certainly not of the size proposed. A hardstanding of this nature is not a typical feature of livestock fields generally, and in the absence of any demonstrable need for the development for farming purposes, in accordance with policy CP4, it would not be acceptable.

- 5.5 With regard to the need for the access, the applicant has stated that use of the existing access (with scope for a track along the south side of the tree belt) is precluded by the owner of the remaining part of the field. No detailed evidence has been offered on this point.

The effect on rural character

- 5.6 The visual effect of the access would be to create a further opening in the roadside woodland, including the removal of some trees to create the access. Taking into account the distance from other openings, the overall effect of the opening will be relatively limited in wider views and has the potential to be acceptable, subject to appropriate conditions to control any boundary treatments, including any gate used.
- 5.7 Due to the improved visibility following relocation of the access, the Highway Authority has no objection and on this basis the proposal would not cause harm to road safety.

6.0 RECOMMENDATION

- 6.1 That subject to any outstanding consultations the application is **REFUSED** for the following reason:
- 6.2 It has not been demonstrated that the proposal is necessary to meet the needs of a farming enterprise and thus the development is contrary to Local Development Framework policies CP1, CP2 and CP4.