

**16/02163/FUL**

**Revised retrospective application for change of use from agriculture to temporary mixed use, adding external temporary storage of log cabins and static holiday homes  
At Sunley Woods Farm, Husthwaite  
For Mr Ben Duffield.**

**1.0 SITE DESCRIPTION AND PROPOSAL**

- 1.1 The application site is part of Sunley Woods Farm, Husthwaite. The farm is located to the north east of Husthwaite village within the Howardian Hills Area of Outstanding Natural Beauty (AONB). Holiday homes and log cabins are currently stored on the western side of the farm alongside the road from Husthwaite to Coxwold.
- 1.2 This is a second application submitted by the applicant. Planning application 16/00639/FUL with the same description as this application was refused in July 2016.
- 1.3 The current application has been submitted with revisions to try and address the points raised in the previous application. In this application the size of the red line boundary has been reduced further, the applicant has proposed a restriction on the number of units on the site at one time and suggested additional species to add to the proposed hedge mix to be faster growing.
- 1.4 The holiday home business is run by the Mr Ben Duffield, the son of the tenant farmer. Mr Duffield works on the farm as well as the holiday home business. The storage of units has occurred at the site for several years. The business is a start-up business to help supplement the income from the farm. The units are bought from sites when contracts come to an end. Units need to be removed immediately from sites at the end of the contract. They are taken to Sunley Woods Farm to be stored temporarily before they are moved onto a selling agent or repair company. Caravans (small units measuring approximately 9.1-10.7m x 3 -3.6m) and static lodges (19.8m x 6.7m) are stored temporarily on the farm. Caravans are on the site on an average from one week to four weeks, the larger units are on site a little longer and can be there up to three months.
- 1.5 The units were previously on site for repairs or renovation. During the consideration of this application the applicant's agent has confirmed that repairs are no longer undertaken on the site. The site is now used solely for storage. The units are not broken up on site nor do sales take place. There are no visiting members of the public.
- 1.6 Work regarding the caravans takes place in conjunction with farming work and this application proposes the mixed use of the land of both agriculture and holiday unit storage. The red line boundary of the application site has reduced in size from application 16/00639/FUL, by excluding all of the farm buildings previously included, however the extent of the open area to the south-west is unchanged. The information first submitted with this current application stated the site boundary would accommodate 8 units, however the applicants agent has submitted further information on 15th November 2016 to ask for an amendment to the number of units on site due to the different sizes of units involved. The applicant proposes a restriction of up to 8 large units (static lodges) or 25 smaller units (caravans).

- 1.7 The applicant proposes the planting of a hedge around the west and south western boundary of the site to screen the site from the eastern edge of Husthwaite village and properties of Lists House and Beacon Banks located to the south west of the farm. In addition there is a public bridleway running from Kays Bank in a generally east-west direction along the hillside 400m south of the application site. The hedge is proposed to be of mixed species including blackthorn, hawthorn, willow and poplar to a height of 2.8m.

## **2.0 RELEVANT PLANNING & ENFORCEMENT HISTORY**

- 2.1 16/00639/FUL - Change of use from agriculture to temporary mixed use, adding external temporary storage of log cabins and static holiday homes - refused 4 July 2016. The reasons for refusal were:
1. The proposed development is contrary to Local Development Framework Policy CP4, CP16, DP30 and DP32 due to the harm to the visual amenity, character of the rural landscape of the Howardian Hills Area of Outstanding Natural Beauty.
  2. In the absence of evidence to show to the contrary it is considered that the size of the application site, and unrestricted nature of the development which does not require the provision or use of additional buildings, has the potential to allow a large expansion of the business that would in turn cause an industrialization of the landscape to the detriment of the amenity of neighbours, highway safety and the character of the Howardian Hills Area of Outstanding Natural Beauty and the setting of the North York Moors National Park. Such unrestricted development would be contrary to the NPPF and the Local Development Framework Policies particularly, CP1, CP2, CP4, CP15, CP16, CP17, DP1, DP3, DP9, DP25, DP26, DP30, DP32, and DP33.
- 2.2 15/00113/CAT3 - Enforcement case relating to the use of the land in relation to holiday home business resulting in the submission of the previous and current planning applications.

## **3.0 RELEVANT PLANNING POLICIES**

- 3.1 The relevant policies are:

Core Strategy Policy CP1 - Sustainable development  
Core Strategy Policy CP2 - Access  
Core Strategy Policy CP4 - Settlement hierarchy  
Core Strategy Policy CP15 - Rural Regeneration  
Core Strategy Policy CP16 - Protecting and enhancing natural and man-made assets  
Core Strategy Policy CP17 - Promoting high quality design  
Development Policies DP1 - Protecting amenity  
Development Policies DP3 - Site accessibility  
Development Policies DP9 - Development outside Development Limits  
Development Policies DP25 - Rural employment  
Development Policies DP26 - Agricultural issues  
Development Policies DP30 - Protecting the character and appearance of the countryside  
Development Policies DP32 - General design  
Development Policies DP33 - Landscaping  
National Planning Policy Framework - published 27 March 2012

## **4.0 CONSULTATIONS**

- 4.1 Coxwold Parish Council - No objection.

4.2 Husthwaite Parish Council - Wishes to see the application refused in its current form in accordance with Development Policy DP30 - Protecting the character and appearance of the Countryside. The following points are made:

- Although the Parish Council is pleased to note that the applicant is willing to include faster growing species into the proposed screen hedge it should be noted that, as the units are sited on land higher than the surrounding hedges, any screening would need to be in excess of 3m high (and even this would not hide the units from the Beacon Banks public footpath within the AONB);
- It is considered that the proposed maximum number of 8 log cabins / static homes on the area at any one time is still too many for the location within the Howardian Hills AONB and the Parish Council would request that this number is reduced further; and
- We realise that a time limit on repair would be difficult to control, but as some of the light coloured static caravans seem to have been in situ for numerous months now, some restriction should be included in any planning approval to clarify the term 'temporary storage'.

4.3 Highway Authority - Concern must be expressed at the visibility available from the existing access in a north easterly direction which is restricted by the existing boundary hedge and bend. However there is an existing agricultural use associated with the site and it is not considered that the proposal will result in an intensification of use of the access. Therefore there are no local highway authority objections to the proposed development.

4.4 AONB Manager - raises a number of comments in relation to the revised proposals' which are summarised as follows:

- The proposed limit on the number of caravans is welcomed, although one consultee has pointed out that chalets may consist of a number of separate units so some clarification/amendment may be needed on the defined number. As some of the repair work takes place under cover in the agricultural building, this should also mean that fewer than (8) units will be stored on the outdoor area at times;
- Can appreciate the Parish Council wish to see faster growing species in screening hedge however do not consider the proposed hedge will meet the Parish Councils wishes, provide a suitably dense screen or be easy for the applicant to manage. Poplar and willow are quicker growing than more commonly used hedgerow species but would make the hedge grow at an uneven rate, with the risk that species such as hawthorn may be suppressed. Poplar and willow within a hedge will not be as dense as hawthorn or blackthorn, creating an open 'gappy' appearance. A dense long lasting hedge would have been sacrificed for short-term gain in terms of speed of growth. A screen of willow and poplar trees would be contrary to landscape character in this situation within the AONB, making the landscaping scheme potentially stand out as much as the development it was attempting to screen; and
- No objections to the scheme overall in principle, it would be dependent upon a more appropriate and effective screening hedge and trees proposal being developed. Having considered the scheme, its location and the comments of other consultees, I feel that the most appropriate scheme would comprise a 2.8m tall hedge of species including hawthorn, blackthorn, field maple and dogwood. In addition smaller tree species such as rowan, bird cherry and crab apple should be planted at irregular intervals within the hedge, as 3m standard trees. This scheme would provide an immediate taller element to the planting, of appropriate but smaller tree species, with a dense and locally appropriate hedge developing in parallel.

4.5 Public comments - one objection has been received and is summarised below:

- Neighbour over looks Sunley Woods Farm and has submitted a photograph from their sitting room window. The number of units on the site has increased since the first planning application in Spring 2016;
- Static caravans awaiting refurbishment have been stored on this site for some time and had assumed that as this was a 'start-up' enterprise, a more permanent and suitable location would be found as the business flourished (as it clearly is doing);
- Welcome proposal to screen development, there has already been ample opportunity to do this over recent years when the business started but nothing has happened. It will take several years for the planting proposed to become an effective screen, even with the revised planting proposed; and
- Questions if there is an alternative and less conspicuous area on the Coxwold side of the farm Although revised application limits the number of units, eight units is too high, there should be a limit on the number of units stored at any one time to 4 or 6. A number of the chalets are made up of two units.

4.6 North York Moors National Park Authority - no objection providing the proposed hedgerow planting is required by condition.

## 5.0 OSBERVATIONS

5.1 The issues to be considered include (i) the principle of the change of use in this location; (ii) the impact of the proposal on the character and appearance of the surrounding rural landscape; (iii) the impact on the amenity of neighbouring properties; and (iv) highway safety.

### Principle of change of use

5.2 The proposal seeks retrospective consent to use an area of hardstanding to store holiday homes/caravans. The site is located in a rural location outside of the limits to development. The applicant seeks a temporary mixed use to allow the area to be used for farm equipment and storage of holiday homes. The applicant considers the proposal allows for diversification which helps sustain the existing agricultural enterprise in accordance with DP25 - Rural Employment. The policy of the Council in the LDF and the NPPF is that diversification, in this case of an area of farm yard to a mixed use, would support a prosperous rural economy.

5.3 The current set up of the business involves only the applicant working between farm jobs and dealing with the holiday homes. Supporting information has been submitted regarding the change of use and its accordance with Policy DP25 and DP26. The applicant's agent considers the proposal is small in scale, it reuses existing rural buildings and because the applicant works on the farm the proposal is not capable of being located within the settlement limits. The business would be inefficient and not viable if the applicant had to travel from one site to another.

5.4 As noted above it is considered that in principle the change of use to a mixed use to support the rural economy is acceptable. The previous application lacked details of how the business operates. This revised application has provided the number of units that could be on site at one time and an approximate time each type of unit will stay at the site. The nature of the business has changed during the consultation period of this application in that no repair/renovation work now takes place and the site is to be used only for the storage of units.

- 5.5 The applicant has confirmed their understanding if the business was to grow in the future it would need to be located on a different larger site and be financially independent from the farm income. Such an increase in trade is not the future plan of the applicant as he is needed on the farm and the applicant has no intention of expanding the business from its current scale on this site. It operates well alongside the work on the farm and gives the flexibility of being able to cater for the demands of both businesses.
- 5.6 The units are moved to and from the site in compliance with the codes of conduct for large vehicles; this is a practice familiar to the applicant as they are used for the large agricultural vehicles. The applicant proposes that any movement of units is carried out avoiding school entry and exit times to prevent unnecessary congestion in Husthwaite village. This was a concern raised in the previous application and no details have been supplied to show how the time of movements would be controlled.
- 5.7 This current and previous application lack details in respect of the financial or other social benefits of the business, other than the financial support the business provides for the existing farm business and as such is not supported by Development Policy DP25 Rural employment, criterion iv. DP25 requires employment development in locations outside development limits to be supported by an appropriate business case which demonstrates that support will be provided to the local economy, which in turn would help sustain rural communities.

Impact of the proposal on the character and appearance of the surrounding rural landscape and the impact on the amenity of neighbouring properties

- 5.8 The holiday homes are highly visible from the properties in Husthwaite located on the north-eastern edge of the village and from the properties and public bridleway located to the south-west of the farm and from the roadside. The applicant proposes the planting of a mixed species hedge to the south-west boundary of the site. The existing hedge to the south of the farm buildings is approximately 2.8m high and the applicant proposes the new hedge will match the existing. A neighbour and the Parish Council have raised concerns regarding the appearance of the holiday homes in the landscape and the need for the proposal to be screened including concerns the proposed hedge would not sufficiently shield the holiday units. It is considered a new hedge along the south-eastern boundary of the site would shield some views of the holiday homes; nevertheless it would not block or sufficiently reduce views due to the elevated position of the farm.
- 5.9 It is considered the storage of holiday homes on the south-eastern side of the farm site has a detrimental impact on the appearance of the AONB and rural landscape which cannot be rectified by the planting of a hedge. Such an impact is contrary to Local Polices, CP4, CP16, DP30 and DP32 and the NPPF.
- 5.10 The size of the site included within the red line boundary has been reduced following the refusal of 16/00639/FUL and the applicant has confirmed they are willing to restrict the number of units on the site at one time and as such preventing the potential to expand to a much larger business which was a concern in 16/00639/FUL. Nevertheless concerns have been raised as part of this application to the number of proposed units on the site at one time. The applicant originally stated the maximum number of units on the site at one time would be 8. However the applicant's agent has since confirmed that due to the difference in size of a caravan to a static lodge they site could hold 8 large units or up to 20 small units. It is considered up to 8 large units or 20 small units on the site has a detrimental visual impact on the character and appearance of the countryside and the ANOB.

Highway safety

- 5.11 The Local Highway Authority have no objections to the development but have expressed concern regarding the visibility available from the existing access in a north easterly direction which is restricted by the existing boundary hedge and bend. They conclude that due to the existing agricultural use associated with the site it is not considered that the proposal will result in an intensification of use of the access. Removal of the hedge to improve visibility to the north east may have additional severe harmful visual impacts when viewed from the roadside. Alterations to the access and hedgerow would have a harmful impact contrary to the LDF and NPPF policies CP4, CP16 and DP30 and DP32.

## 6.0 RECOMMENDATION

- 6.1 That subject to any outstanding consultations the application is **REFUSED** for the following reason:
1. The proposed development is contrary to Local Development Framework Policy CP1, CP2, CP4, CP15, CP16, CP17, DP1, DP3, DP9, DP30, DP32, and DP33 due to the harm caused by the storage of static lodges and caravans and associated developments, to the visual amenity and character of the rural landscape of the Howardian Hills Area of Outstanding Natural Beauty.