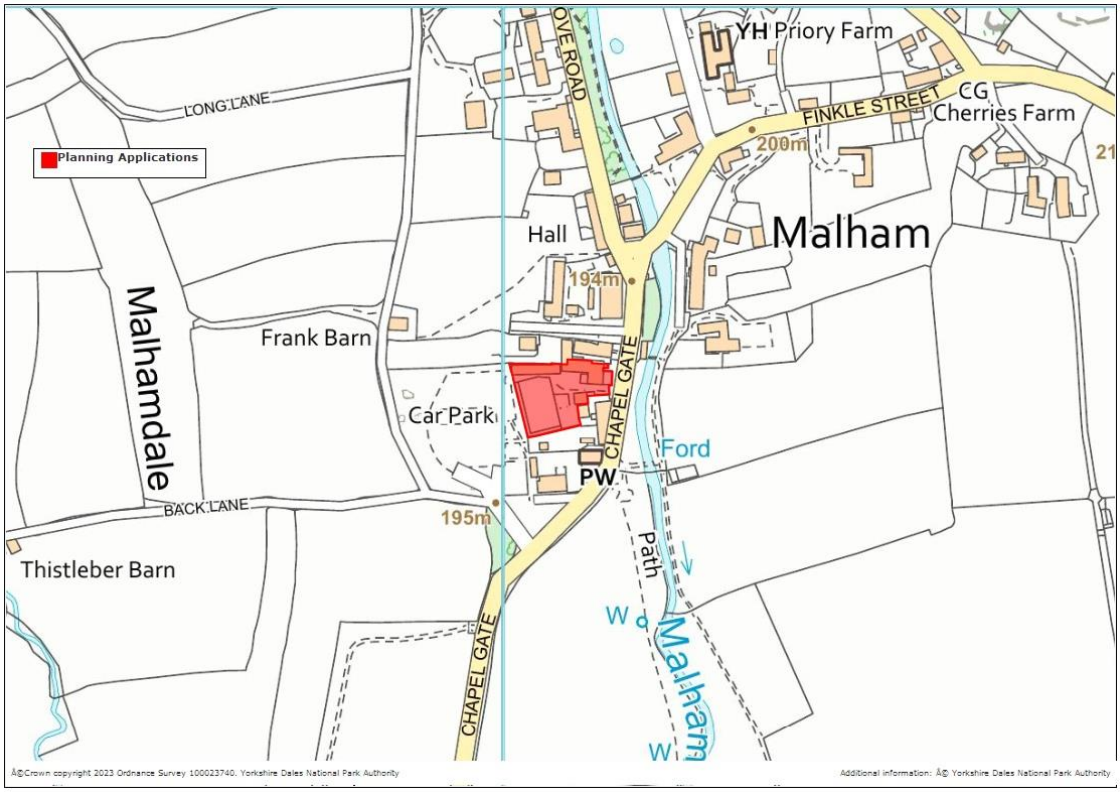
YORKSHIRE DALES NATIONAL PARK AUTHORITY

Committee:	Planning	**Parish:**	Malham
Date:	14 November 2023	**Officer:**	Wendy Thompson
Applicant:	Great All Rounders	**Application No:**	C/54/79E
Site Address:	Holme Farm, Main Street, Malham, Skipton, BD23 4DA		
Proposal:	Full planning permission for erection of training equipment to the top of the south perimeter fence of the riding arena, comprising a line of mirrors approximately 20m in length (retrospective)		



REASON FOR COMMITTEE CONSIDERATION

1. This application is reported to Committee for the following reason: the Parish Council recommendation is contrary to the decision which the Head of Development Management proposes to take.

APPLICATION SITE

2. Holme Farm lies to the rear of Main Street, Malham and is a horse training, riding and trekking centre. It comprises blocks of stables and a large rectangular all-weather riding arena which is used for riding lessons. The arena was originally permitted in 1997 and condition 4 attached to that permission removed permitted development rights for the erection of any new fences, structures or buildings.

3. In May 2023 it was reported that a row of mirrors had been erected along the southern boundary of the arena mounted on a timber fence. The fence has been painted dark brown and a row of leylandii trees has been planted by the applicant. The fence measures 20m long and is 2.4m high. The fence has been erected along the joint boundary with an adjoining residential property, which has a long garden of approx. 47m in length.

PROPOSAL

4. The application seeks retrospective planning permission for the retention of the training mirrors to the top of the south perimeter fence of the riding arena, approximately 20m in length and 2.4m high.

RELEVANT PLANNING HISTORY

5. The following application is relevant: C/54/79B Full planning permission to use land and buildings as trekking centre, including use of barn for stabling, repairs to existing stable building, layout of all-weather arena, and hard standing for private use and horse box Approved 02/06/1997.

CONSULTATIONS

6. **Kirkby Malhamdale Parish Council** – Has objected to the amended proposal. The latest comments from the Parish Council relate to the amended application (without the hedge) and re-states comments made in earlier letters and is summarised below:

> "The attachment contains no written statement from the applicant and is purely a visual interpretation of the fence and mirrors, plus a plan of the site. There is absolutely no reference or notes about the hedge – either the removal of the leylandii trees or whether a replacement hedge will be planted.
>
> By removing altogether any reference to the hedge from their retrospective planning application, this approach from the applicants is not at all in the spirit of being cooperative with the Parish council who have been generous and supportive of this application despite it completely failing to follow the correct planning application timeline and process at outset. I appreciate your earlier comment that tree/hedge planting is not a planning matter BUT In this instance we are seeking to find an agreeable compromise and solution to support the installation of what are very prominent mirrors adjacent to the riding arena, whilst respecting the visual appearance of the site for the neighbours and from the adjacent National Parks car park.

All we – Kirkby Malhamdale Parish Council – want the applicants to do is to confirm the following:

1. That the leylandii hedge that had been installed has been completely removed, and;
2. That a replacement hedge of more local species of trees and bushes for the hedge has been planted to replace the leylandii trees.

   We do not think this is too much to ask and would reflect a similar spirit of cooperation from the applicants to then get our support. Without this clarification and commitment from the applicant I am not authorised to confirm that KMPC is in support of this application and would in fact object to the application because we believe that some degree of natural vegetation screening is appropriate and necessary for the visual amenity of the mirrors installed alongside the riding arena. We believe this is an entirely fair request for the benefit of the adjacent properties and also to enhance the overall visual appearance of this development."

PUBLIC RESPONSES

Neighbour/interested parties' responses received: 16

7. Advertised by site notice displayed 6th July 2023 and neighbour notification letters. 13 letters of support and 3 objections have been received. Summarised the comments are:

Support

- Is a useful piece of equipment for horse riding, teaching and training
- Will not block the view from the neighbours.
- Will increase privacy.
- Will support a valuable and well-respected local business that is an asset to Malham.
- It does not impact the wider environment.

Objection

- It is overly tall and overshadows neighbouring garden and YDNPA picnic area due to changing land heights.
- It has a suburban appearance.
- Its design and planting are contrary to advice contained within the Yorkshire Dales National Park Design Guide
- The planting is not good for wildlife.
- Shorter lengths of mirror could be just as useful.
- The leylandii hedge is non native and intrusive and is hard to control.

ASSESSMENT

Key Issues:

- Planning policy
- Visual Impact
- Residential amenity of neighbours
- Parish Council comments
- Equality Act

PLANNING POLICY

8. Policy SP4 of the Yorkshire Dales Local Plan (2015-2030) concerns Design Quality and provides a list of criteria that is applied to all proposals for new development. Part (a) requires new development to be informed by and to respond positively to the site, its surrounding context and landscape setting, so that the scale, height, proportions, massing, form materials and appearance are sympathetic and complementary.

VISUAL IMPACT

9. The mirror has very little visual impact from the within the riding arena as it simply reflects the arena and stables therefore responds positively to its context. The fence on which the mirror is mounted is visible from the public car park and also in glimpses across the picnic area to the side of the Visitor Centre. It does not appear out of place in its setting whether seen adjacent to the neighbour's garden or within the context of the riding arena. The fence is a dark muted colour and when weathered, will become visually recessive. The retention of the fence would not harm the visual character of this part of Malham, which is a mixture of older traditional buildings, the riding establishment, businesses and the Authority's buildings, car park and picnic area. The visual character in this particular part of the village is not as highly sensitive to change as other parts and whilst the fence can be considered suburban in its appearance and wouldn't be encouraged in other settings, it does not have an intrusive or harmful visual effect in this location.

RESIDENTIAL AMENITY OF NEIGHBOURS

10. The fence runs along a 20m length of a joint boundary wall and owing to a change in levels is approx. 3m high from the neighbour's side. The adjoining garden has some mature trees and shrubs along the neighbour's side of the boundary, but further to the western end where the garage and parking area are, the fence is visible over the boundary wall as there is no planting. This is approx. 31m from the house and so not visually prominent from the house. It is in a more utilitarian part of the garden where cars are parked and the garage is sited, it is also close to the gate from the National Park car park so is not the most private part of the garden.

11. It is considered that the fence, despite its height, would not significantly affect the residential amenity of neighbours as the unscreened part is at the part of the garden furthest from the house. The applicant has planted a leylandii hedge to help screen the fence but this does not form part of the application as it does not amount to 'development' that is controlled by the planning system.

PARISH COUNCIL COMMENTS

12. The Parish Council has objected with three very detailed letters. The Parish Council is supportive of the business and the need for the mirrors but has objected to the planting of the leylandii hedge and would like to see a native species hedge planted as mitigation for the visual impact of the fence. It is considered that the visual impact of the fence and mirrors is limited (as set out above) and as such a hedge isn't required. The Parish Council have also expressed concern over the retrospective nature of the application, but as soon as the applicant was aware that permission was needed an application was submitted.

EQUALITY ACT

13. The Authority has a duty under s.149 of the Equality Act 2010 to have regard to the need to eliminate discrimination and advance equality of opportunity between persons who share a relevant characteristic and persons who do not share it. The relevant characteristics are age; disability; gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion or belief; sex and sexual orientation.

14. It is considered that there are no overt reasons why this proposal would affect anyone with the protected characteristics such that the application should be permitted or refused on equality grounds.

CONCLUSION

15. Whilst it is unfortunate that the application is retrospective, the applicant applied to regularise the matter as soon as it was drawn to their attention. The amended proposal would not have a significant impact on the visual quality of the area or on the residential amenity of the neighbours. It is considered that the proposal accords with Policy SP4 of the Yorkshire Dales Local Plan (2015-2030).

RECOMMENDATION

16. It is recommended that retrospective planning permission is GRANTED subject to conditions based on the following:

- Accordance with plans
- Removal when not required.
- No external lighting