

North Yorkshire Council Planning Consultation

Application ref: **24/00130/FUL**

Date of this consultation: 12 February 2024 Latest date for receipt of reply: 4 March 2024

Proposal: Retrospective change of use of land to domestic curtilage and associated fencing.

Location: Horse Banks, Highthorne Lane, Husthwaite, North Yorkshire

Planning Officer: Ms Emily Hindle

Email: Planning.ham@northyorks.gov.uk

Telephone: 0300 131 2 131

Parish Council's Response

* This Council wishes to see the application **REFUSED** for the following reasons: -

The site lies outside the built form of the village, on agricultural land and we consider the extension of domestic curtilage into open countryside is contrary to policies S5 and E7.

Development in the Countryside: Local Plan Policy S5 seeks to ensure that new development in the countryside recognises the intrinsic beauty, character and distinctiveness of the countryside. It states that development in the countryside will only be supported where it is in accordance with national planning policy or other policies of the development plan and would not harm the character, appearance and environmental qualities of the area in which it is located.

The proposals seek retrospective permission for associated fencing works, including a 1.8m high timber fence along the eastern boundary of the property to provide additional privacy from the bridleway. According to the Officer Report for the original planning application 21/01960, 'the site is located adjacent to the Husthwaite Conservation Area which is focused around the historic village core', 'is part of a field enclosure that positively contributes to the setting of the village and is visible from public highways and public footpaths both within and on the approach' and 'forms part of the wider rural setting to the village and is therefore considered to contribute to the significance of the area', so we feel that the erection of a 1.8m fence along the eastern boundary will cause harm to the character and appearance of the area. Furthermore, the garden curtilage for Horse Banks is consistent with the rear boundary of the other 4 residential plots and we do not consider the extension of its overall curtilage to be appropriate to the character and appearance of the surrounding area.

Hambletons Landscapes: Policy E7 of the local plan seeks to ensure that the character and distinctiveness of the landscapes of Hambleton is protected and where possible enhanced. It states that the Council will protect and enhance the openness and special characteristics of Hambleton's landscapes and conserve distinctive landscape setting of individual settlements. According to the application, Policy E7 is particularly relevant to the nature of the proposed development and relates to the need for development to function well and add to the overall quality of the area, be visually attractive and sympathetic to local character, yet we feel that the erection of a 1.8m fence along the eastern boundary will neither protect the openness nor conserve the landscape setting. In the original planning application, the Parish Council requested that a new mixed species hedge be planted behind the houses to provide an aesthetic barrier between the bridleway and new development and, although the land has been enclosed by post and rail fencing along the west and south boundaries with hedgerow planting on the inside, we are disappointed that the suggestion to screen the new development does not apply to the whole boundary.

Finally, The Parish Council understood that a condition of the original planning permission for 21/01960 included 'no enlargement, improvement or other alteration shall be carried out to the dwelling or building nor shall any structure be erected within or on the boundary of the curtilage of the dwelling hereby approved without express permission on an application made under Part III of the Town and Country Planning Act 1990.' Therefore, if Planning Services are minded to approve this application, the Parish Council requests that the applicant surrenders all permitted development rights for any development within the new curtilage. This will provide greater control over any further development and ensure that no structure can be erected nor any enlargement, improvement or other alteration take place within the extended boundary without the appropriate planning permission being granted.

Do you wish to be consulted, should minor amendments to the scheme be submitted? YES / NO

Signed: *CL Fenwick* on behalf of Husthwaite Parish Council. Date: 4 March 2024

Please return completed form to:

Planning Services, North Yorkshire Council, Civic Centre, Stonecross, Northallerton, North Yorkshire, DL6 2UU