



Appeal Decision

Site visit made on 16 September 2025

by N Teasdale BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 7th October 2025

Appeal Ref: APP/U2750/W/25/3367336

Ingleby Orchard, Green Balk, Great Broughton TS9 7ED

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant full planning permission.
 - The appeal is made by Mr Chris Brown against the decision of North Yorkshire Council.
 - The application Ref is ZB24/00273/FUL.
 - The development proposed is Installation of man made menage surface.
-

Decision

1. The appeal is allowed, and planning permission is granted for Installation of man made menage surface at Ingleby Orchard, Green Balk, Great Broughton TS9 7ED in accordance with the terms of the application, Ref ZB24/00273/FUL, and the plans submitted with it, subject to the following conditions:
 - 1) The development hereby permitted shall be carried out in accordance with the following approved plans:

Site Location Plan Drawing No 21-1528-02 Rev F

Existing and Proposed Part Block Plans Drawing No. 21-1528-01 Rev E

Additional Planting Drawing No N1328-ONE-ZZ-XX-L-DR-0001 Rev P02
 - 2) The additional planting shown on drawing no. N1328-ONE-ZZ-XX-L-DR-0001 Rev P02 shall be implemented in full within 12 months of the date of this decision and shall thereafter be maintained in perpetuity.

Procedural Matter

2. The development as described in the above banner heading has already taken place at the appeal site. This appeal has therefore been assessed on a retrospective basis.

Main Issue

3. The main issue of the appeal is the effect of the development on the character and appearance of the surrounding area.

Reasons

4. The appeal site relates to a parcel of land located to the east of the edge of Great Broughton with the wider site boundaries being dominated by trees and hedges. The land is used for equestrian purposes and there is a stable block located to the south where the appellant keeps their horses that are exercised and turned out on the site and surrounding fields. A driveway runs along the eastern side of the site

with access from Green Balk to the north via a stone walled entrance and timber gate. The site is surrounded by rolling open countryside, with the North York Moors forming the backdrop. There are numerous examples of small domestic stables in the area, integrating with agricultural buildings and surrounding fields.

5. The appeal site currently has a man made surfaced menage, with timber fencing located north of the existing stable block. This appeal seeks consent to regularise the works. I understand that one of the horses suffers from an equine health condition which requires strict restrictions on grass turnout as this worsens the impact of the condition. The menage therefore provides a safe environment for the horse to exercise without risk.
6. The equestrian operations at the site are solely used on a private basis which has been controlled by a condition since the first permission and remains the case under condition 3 of planning permission 22/02174/FUL. This states that, unless otherwise approved in writing with the Local Planning Authority, the stables and land use hereby approved shall not be used other than for private recreational purposes and shall not be used for any commercial purposes. This would not change as part of the development put forward and the menage would not increase the numbers of horses on the site or additional buildings and thus the level of activity would remain unchanged. The works have merely resurfaced a relatively small part of the wider site that allows for easier exercise and riding of the horses that are already there. The Council has referred to earth works (drainage/heating etc) but the appellant has confirmed that only very minor works were required to facilitate the installation of the menage. This includes a small network of perforated land drains which lead to soakaways within the site, and these were already in situ and were simply replaced when the menage was installed. In any event, these cannot be seen. The appellant also confirms that no heating has been installed and there was no evidence of such at my site visit. Such matters are therefore of lesser concern to me.
7. At my site visit, I observed the size, scale, siting and design of the menage and fencing which I find is typical of its type and is proportionate to the small-scale operations of the site for private use only. It is also a typical feature associated with a site that has an equestrian use and also one which is not uncommon in a rural countryside location. I cannot therefore agree that the addition of the menage changes the sites appearance and character from a small private domestic stables to a perceived larger commercial business. It is small in scale and will continue to serve a small private domestic use already established at the site.
8. I appreciate that the site has developed over the past few years with the entrance and access, new pond and stables with paddock to the east. However, I understand such works have been granted planning permission and thus considered acceptable in this location. The menage given its overall size, scale, siting and design does not change the overall impact at the site both individually and cumulatively and I do not find the works to result in an urban feature particularly given that such is characteristic for this setting. The rural character and natural beauty of the area is therefore conserved.
9. A Landscape Impact Assessment has been complete for the site which I have had due regard to as well as taking into account my own observations as part of my site visit. To this end, views of the surface of the menage is limited from areas outside the site. This is due to the landscaping surrounding the site and presence

of trees. The stone wall and gated entrance to the front also helps to screen views when travelling along Green Balk. I understand that new planting has already taken place where gaps are along the boundaries which will grow and will help to further screen views. The fencing around the menage is more visible although given its limited height and design being post and rail, it is barely noticeable and would certainly not unacceptably draw the eye. Views of the fencing will also become less once planting is fully established and a landscaping plan has been submitted for the site to further screen views.

10. The Council makes reference to an earth bund, but the appellant has confirmed that no such feature is part of the proposed development as shown on the submitted Site Layout Plan. The proposed landscaping area is located on the northern boundary of the site, adjacent to Green Balk. This includes planting at multiple heights across a relatively broad depth of the site and would blend in naturally with the landscape. It would not result in an engineered landform, and I find the landscaping plan to be acceptable in the particular circumstances of this appeal.
11. For the above reasons, the development does not unacceptably harm the character and appearance of the surrounding area. It therefore accords with Policies E1, E7 and S5 of the Hambleton Local Plan, 2022 which together, amongst other matters, explain that the Council will seek to ensure that new development recognises the intrinsic beauty, character and distinctiveness of the countryside as an asset that supports a high-quality living and working environment, contributes to the identity of the district, provides an attractive recreational and tourism resource and is a valued biodiversity resource. For the same reasons, the development also accords with paragraph 187 of the National Planning Policy Framework relating to conserving and enhancing the natural environment.

Other Matters

12. The response from the Parish Council refers to a lack of regard for biodiversity. I have limited detail on this but given the small-scale nature of the works, I do not raise concern in relation to biodiversity matters and this has also not been raised by the Council as a concern.

Conditions

13. I have considered the Council's suggested planning conditions in light of the Framework and Planning Practice Guidance. I have amended these where necessary for clarity whilst also taking into account the retrospective nature of the appeal where certain conditions such as timeframe would not be required.
14. A plans condition is necessary in the interests of certainty. The Council has suggested a condition relating to a scheme for landscaping. However, a Landscape Plan was submitted as part of the application which I find to be acceptable. On this basis, I have conditioned the implementation of the landscaping plan within a reasonable period of time.

Conclusion

15. For the above reasons and having had regard to the development plan as a whole, the appeal is allowed subject to conditions.

N Teasdale

INSPECTOR