

Appeal Decision

Site visit made on 30 January 2017

by Graeme Robbie BA(Hons) BPI MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 23 February 2017

Appeal Ref: APP/E2734/W/16/3161488

Croft House, Picking Croft Lane, Killinghall HG3 2BE

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Mr N Pullan against the decision of Harrogate Borough Council.
 - The application Ref 16/02969/OUT, dated 14 July 2016, was refused by notice dated 8 September 2016.
 - The development proposed is the erection of 1 dwelling.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The application was submitted in outline, with matters relating to access, layout and scale to be considered at this stage, and matters relating to appearance and landscaping reserved for future consideration. The proposed site plan (drawing No: Pullan-03 rev A) shows proposed hedgerow planting, but as landscaping is a matter reserved for future consideration I have treated that element of that drawing as indicative.

Main Issue

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

Reasons

4. The development plan comprises the Harrogate Local Development Framework Core Strategy (2009, CS) and the saved policies of the Harrogate District Local Plan (2001, as altered 2004) (LP). CS policy SG4 seeks, amongst other matters, to ensure that scale, density, layout and design should make the most efficient use of land; be well integrated with, and complementary to, the spatial qualities of the local area; be appropriate to the form and character of the settlement and/or landscape character, and there should be no loss of greenfield land unless justified by national planning policy, the RSS, the CS or a policy or proposal within the Local Development Framework), whilst CS Policy EQ2 seeks to protect and enhance the built and natural environment, including biodiversity and landscape character, giving special protection towards those areas and buildings of recognised importance. Saved LP policy C2 states that development should protect existing landscape character.
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5. The National Planning Policy Framework (the Framework) states¹ that housing applications should be considered in the context of the presumption in favour of sustainable development. It goes on to state that relevant policies for the supply of housing should not be considered up to date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites. In such circumstances, paragraph 14 of the Framework is engaged, stating that where the development plan is absent, silent or relevant policies are out of date, permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.
6. Following a recent appeal decision² regarding land off Ripon Road in Killinghall, it is agreed between the parties in the current instance that the Council are unable to demonstrate a five-year supply of deliverable housing sites. There is also agreement that, as a consequence of this, the provisions of CS policies SG4 and EQ2 and saved LP policy C2 should not be considered up to date. However, in that decision, the Inspector also concluded that moderate weight may still be given to CS policies SG4 and EQ2 as they also serve a wider purpose in seeking to protect the Borough's landscapes and I note that the Council have subsequently adopted this approach in the current instance.
7. The appeal site comprises a small parcel of land that lies within an open, expansive and gently undulating landscape to the south of Killinghall. The approach to Killinghall from the south along Otley Road is along a straight stretch of road that gently slopes down towards the village. To the east of Otley Road, opposite the junction with Picking Croft Lane, Grainbeck Lane runs due east and provides a clear physical distinction between the village, and the rural open countryside beyond. However, as a consequence of the on-going construction of a new residential development on the northern side of Picking Croft Lane, to the west of Otley Road, Picking Croft Lane fulfils a similar function to that of Grainbeck Lane, in that it neatly and clearly distinguishes between the open, rural landscape, to the south, and the built extent of the village beyond to the north.
8. The existing group of buildings immediately to the west of the appeal site, which includes Croft House and Croft Lea, stand slightly apart from the new residential development diagonally opposite. The appeal site lies between the two in longer views from the south (Lund Lane) and southeast (Otley Road) however and currently provides something of a visual gap between the two. However, as the proposed dwelling would stand between the existing group and the new-build development, it would effectively bridge the visual gap between the two. Furthermore, it would do so in a form and manner that would extend built development both south of, and eastwards along, Picking Croft Lane and would lead to the coalescence of the Picking Croft Lane group with the new residential development and the wider Killinghall settlement.
9. Whilst I accept that the new residential development on the northern side of Picking Croft Lane would undoubtedly have altered the character and appearance of this part of Killinghall, and indeed the setting of the village, I do not share the view that it provides an appropriate context for the appeal proposal. Although this new development dominates views towards Killinghall from the south, the coalescence of it with the existing group of buildings at

¹ Paragraph 49

² APP/E2734/W/16/3153512

Picking Croft Lane as a result of the appeal proposal would create a visual spur of developed land further westwards into open countryside. It would, as a consequence, harmfully affect the setting of the village and blur the clear distinction between the open and expansive landscape to the south of Killinghall, presently marked by both Picking Croft Lane and Grainbeck Lane, and the developed land to the north within the village.

10. The Landscape Character Assessment of Harrogate District (LCA) refers to the landscape within the area³ in which Killinghall lies as being heavily influenced by the urban edge of Harrogate. In this area, it is noted that the LCA identifies there being several villages and scattered farmsteads and residences and that the coalescence of settlements and buildings is cited as a particular sensitivity and pressure within this character area. Therefore, rather than the buildings and dwellings on Picking Croft Lane being a group within the open countryside, they would effectively be seen as, and become part of, Killinghall, with the consequent reduction in the sense of separation between Killinghall, residences on Lund Lane to the south, and Harrogate to the further to the south and southeast.
11. Notwithstanding the limited quantum of development in this instance, I find that the proposal would result in the coalescence of Killinghall and the existing group of buildings on Picking Croft Lane in a manner that would harm local landscape character, contrary to CS policies SG4 and EQ2, as it would not be appropriate to the form and character of the landscape, and contrary to saved LP policy C2 which states that development should protect existing landscape character. I accept that there are other parts of Killinghall which are closer, as the crow flies, to Harrogate, including parts of the adjacent new residential development. However, as I have identified above, the proposal would materially and harmfully reduce the visual gap between the new development north of Picking Croft Lane, the appeal site and the buildings to the west of the appeal site and, incrementally, erode the openness between Killinghall, properties on Lund Lane and the northern edge of Harrogate.
12. Although it is agreed between the parties that the policies cited in the Council's reason for refusal are not up to date, I share the Council's view and that of my colleague⁴, that they may still be afforded moderate weight as they have a wider purpose in seeking to protect the Borough's landscapes. In that respect, they reflect one of the core planning principles set out in the Framework⁵ in that planning should take account of the different roles and character of different areas, recognising the intrinsic character and beauty of the countryside.
13. I acknowledge that the proposal would have benefits in terms of both the economic and social dimensions of sustainable development, as set out in paragraph 7 of the Framework. It would result in an additional dwelling at a time when the Council cannot demonstrate a five-year supply of deliverable housing sites. The proposal would also provide an opportunity for the development of a self-build property where latent demand for such appears to exist, and where the occupiers of the dwelling would provide support to the services and facilities within Killinghall. Taken together with the (albeit limited)

³ Area 24: Lower Nidderdale Valley north west of Harrogate

⁴ APP/E2734/W/16/3153512

⁵ Paragraph 17, 5th bullet-point

boost to the housing supply, these factors weigh modestly in favour of the proposal.

14. Whilst the proposal would therefore provide benefits in terms of the social and economic dimensions of sustainable development, these would be commensurate to a single dwelling. I am satisfied however that the adverse impacts of the proposal, in terms of its harmful impact on the local landscape character and setting of Killinghall, would significantly and demonstrably outweigh these benefits, when assessed against the Framework as a whole.

Conclusion

15. For the reasons set out, and having considered all other matters raised, I conclude that the appeal should be dismissed.

Graeme Robbie

INSPECTOR