



Appeal Decision

Site visit made on 8 August 2017

by Elaine Gray MA(Hons) MSc IHBC

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

Decision date: 08 September 2017

Appeal Ref: APP/A2335/W/17/3175065

Field off Kirby Lonsdale Road, Nr Addington, Nether Kellet LA2 6RL

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by W. A. Agriculture Ltd against the decision of Lancaster City Council.
 - The application Ref 16/01351/FUL, dated 21 October 2016, was refused by notice dated 13 December 2016.
 - The development proposed is construction of an agricultural shed for free-range hens.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposal on the character and appearance of the surrounding area.

Reasons

3. The appeal site lies within the landscape character type Drumlin Field, sub-type Docker-Kellet-Lancaster (13c), as described in the Council's document entitled 'A Landscape Strategy for Lancashire – Landscape Character Assessment' ('the landscape strategy'). The area is characterised by rolling fields interspersed with drumlins. Stone walls, hedgerows and pockets of woodland are key features of the landscape.
4. Although situated just outside the Forest of Bowland Area of Outstanding Natural Beauty, the appeal site falls within the area covered by the document entitled 'Forest of Bowland Area of Outstanding Natural Beauty Landscape Character Assessment' (LCA). Here, it is identified under the sub-type Gressingham (K1), which highlights the enclosed rolling pastoral fields and patches of mature mixed coniferous woodland, coupled with the rolling topography, as contributing to an intermittent sense of enclosure, moving through the landscape.
5. In support of their proposal, the appellant has commissioned a Landscape and Visual Impact Assessment (dated 17 August 2015), which was reviewed by way of a Landscape and Visual Assessment Verification Report (dated October 2016), and I have taken these into consideration. On my visit, I viewed the site from the nearby public footpath, and also from the road immediately to the north of the site. Whilst the site is not located within any designated landscape area, the National Planning Policy Framework (the Framework) is clear that the

intrinsic character and beauty of the countryside is to be recognised. This is a pleasant rural landscape, and I saw that many of the key characteristics, as noted in the assessments above, were clearly evident from these vantage points.

6. The proposal would create a large agricultural building on land which slopes gently down from the level of the adjacent Kirby Lonsdale Road. A significant area of land would need to be built up to provide a level platform for the new building. The slopes would be planted with trees with the purpose of screening the development. The tree cover would become taller and denser over a number of years. Nonetheless, it would be clear from its scale, shape and extent that this new platform was not part of the natural landform, and the tree cover would not disguise this.
7. The proposal would thus conflict with the guidelines given in the LCA, insofar as it seeks to ensure that built development is sheltered within the undulating landform. It would introduce a substantial development on a currently open site in a somewhat isolated position surrounded by undeveloped land. I do not consider that what is proposed represents an appropriate landscaping scheme that would satisfactorily mitigate the adverse impact upon landscape character. The development would therefore appear incongruous in this location, and would be harmfully at odds with the prevailing form of the surrounding landscape.
8. In addition, it is proposed to plant a line trees along the boundary stone wall to further screen the development from walkers. However, the long, open views of the landscape across the stone wall are an important aspect of the enjoyment of this stretch of footpath. The loss of such views would be detrimental to the experience of those using the footpath. Moreover, the need for such mitigation measures serves to underline the inappropriate visual impact of such a development on the appeal site.
9. From the Kirby Lonsdale Road, the parallel belts of mature trees on either side of the road restrict views of the wider countryside. However, the trees in themselves form a notable and attractive feature by virtue of the tunnel effect that is created by their canopies overhead. Policy DM29 of the Lancaster District Development Management Development Plan Document (DPD) supports the protection of trees which positively contribute, either as individual specimens or as part of a wider group, to the visual amenity and/or environmental value of the location.
10. The development would require the removal of a number of trees to create an access within this area which would measure approximately 16m at the roadside. Long visibility splays on either side of the access would also be required. The removal of the trees would result in the loss of the sense of enclosure and continuity which add to the visual attractiveness of this stretch of road. At present, the unmade grass verges on each side of the road contribute to the natural, rural appearance of the area. The change to a significant area of hardstanding in this location would be clearly visible, and harmfully at odds with the natural surroundings.
11. Furthermore, the new building, a feed silo, and the hardstanding in front of the building would be visible from the road through the access, adding to the intrusive effect of the development. As the trees are deciduous, the presence of the development would be more obvious during the winter months. I note

the appellant's disagreement that the development would 'urbanise' the road. Nonetheless, whilst I accept that agricultural developments of this type are found in rural areas, the scale of the development and the choice of modern materials would appear incongruous in this particular location.

12. The adjacent road is subject to the national speed limit, and so the appellant contends that motorists would have only partial, glimpsed views of the site entrance. However, the stark contrast between the development and its surroundings would be clear, even in relatively brief views of it. Cyclists would have significantly longer to view the development, and in which case its impact would be proportionately greater.
13. Drawing these factors together, I conclude that the development would materially harm the character and appearance of the surrounding area. It would thus conflict with Policy E4 of the Lancaster District Local Plan (LDLP), insofar as it states that development within the countryside will only be permitted where it is in scale and keeping with the character and natural beauty of the landscape, and appropriate to its surroundings in terms of siting scale, design, materials, external appearance and landscaping. It would also conflict with the aims of DPD Policy DM29.

Other matters

14. Whilst welcome, the future management of the remaining woodland and the planting of further trees in the locality would not outweigh the harm to the surrounding area that I have identified. I noted the large sheds which have been erected on land nearby, and I consider that these demonstrate the negative impact that such development can have within a landscape of this kind. My attention has been drawn in particular to the planning permission¹ which was recently granted for a unit of similar size and nature. However, the full details of the circumstances in which this proposal was found to be acceptable are not before me. I therefore cannot be certain if this case is directly comparable to the appeal proposal. In any event, each case must be considered on its own merits.
15. The appellant further states that the proposal is essential to growth of the business, but no substantive evidence has been produced in this regard. Nonetheless, the proposal would undoubtedly contribute to the consolidation and expansion of an existing agricultural business, and would meet the aims of DPD Policy DM7 and the Framework of supporting a prosperous rural economy. These are public benefits of the scheme, and are to be given weight. However, in my view, they are insufficient to outweigh the harm that would be caused to the character and appearance of the surrounding area.
16. I note the appellant's concern that the Council has not commissioned their own specific landscape survey in respect of the appeal proposal. However, as noted above, the Council has submitted the landscape strategy and the LCA, which comprehensively characterise the landscape and offer guidelines for development within the relevant areas. That being the case, I am satisfied that there is sufficient information before me to consider the case fully.
17. I acknowledge the reasons given by the appellant for this particular choice of site. However, this has not led me to a different conclusion on the main issue.

¹ 14/00492/FUL

Finally, the appellant states that the scheme would increase biodiversity in the area. However, without specific evidence to show that this would be the case, I can give little weight to this circumstance.

Conclusion

18. For the reasons above, I conclude that the appeal should be dismissed.

Elaine Gray

INSPECTOR