



Appeal Decision

Site visit made on 8 October 2019 by L Wilson BA (Hons) MA

Decision by A U Ghafoor BSc (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 24 October 2019

Appeal Ref: APP/E2734/W/19/3234862

Lingerfield Farm, Market Flat Lane, Scotton, HG5 9JA

- 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 Martin Taylor¹, on behalf of Quarters Homes Ltd, against the decision of Harrogate Borough Council.
 - The application Ref 18/05182/OUT, dated 7 December 2018, was refused by notice dated 12 February 2019.
 - The development proposed is an outline application (all matters reserved except for means of access) for 2 dwellings.
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Preliminary Matters

3. This is an outline application with all matters reserved except for access. Landscaping, appearance, layout and scale are reserved matters for future approval. I will proceed on the basis that details shown on the submitted drawings are for illustrative purposes.
4. A copy of an additional appeal decision was provided by the appellant. The Council have had the opportunity to comment upon this evidence but have not responded. I am satisfied that the additional information would not prejudice interested parties and as such I have incorporated and considered the matters raised within my decision.

Main Issues

5. There is no in principle objection to the proposed access on highway safety grounds: I have no reason to disagree with that approach. The main issues are 1) whether the site represents an appropriate location for housing and 2) the effect of the proposal upon the character and appearance of the surrounding area.

¹ Taken from the appeal form.

Planning Policy

6. Both parties agree that the Council can demonstrate a 5-year supply of housing land (HLS). The appellant states at the time of the determination of the application the Council had a 5.56 years supply of housing and the latest supply figure is 6.89 years. In a recent appeal decision, which relates to a development in the countryside² in the Borough, and Inspector considered the most important policies for determining that appeal were out-of-date. The inspector found the adverse impacts of granting permission would not significantly outweigh the benefits of boosting the supply of housing. However, that decision is diminishable as the circumstances in this case are different. In that case there was a dispute about the Council's 5-year HLS position. Additionally, that appeal relates to another village and it appears the Council were not concerned about access to local services.
7. Turning to the consistency point, the appeal parties agree that the site is not located within a settlement and that it is situated within the open countryside. Policy SG3 of the Harrogate District Local Development Framework Core Strategy (2009) (CS) is relevant for development within the countryside. The Policy states, outside the development and infill limits of the settlements listed in Policy SG2, land will be classified as countryside and there will be strict control over new development in accordance with national and regional planning policy protecting the countryside and Green Belt. While the phraseology does not exactly match the text found in the National Planning Policy Framework (the Framework), Policy SG3 is broadly consistent because it seeks to promote sustainable rural development and recognises the intrinsic character and beauty of the countryside. I also find no significant conflict between the objectives of the Framework and Policies EQ1, SG4 and EQ2 of the CS and Policies C2 and HD20 Harrogate District Local Plan Saved Policy Version (2007) (LP).

Reasons for the Recommendation – Location

8. Policy EQ1 of the CS seeks to minimise car usage. Paragraph 103 of the Framework recognises that opportunities to maximise sustainable transport solutions will vary between urban and rural areas. The appellant states Knaresborough Town Centre and Saint James Retail Park are within a 5 km catchment area of the proposed development. In addition, the appellant states Scotton village is within a 2 km walking catchment. The services and facilities in Scotton are limited and therefore would not serve the daily needs of future occupants.
9. There is a bus stop and local primary school approximately 800-900 metres to the north of the site, but the evidence presented does not sufficiently show the frequency of the service. In addition, the appellant has provided an extract from a guidance document which suggests 1000 m is an acceptable distance to walk for commuting and school. However, it is unclear as to whether or not these distances are based on pedestrian friendly routes.
10. To the front of the site there is not a footway, however located approximately 75 m from the site is a footway for occupants to walk to the bus stop and school. The pavement is narrow in parts and there is no external lighting. Market Flat Lane is well used due to the nearby commercial uses and walking on the footway entails crossing the road twice. The narrow footway and lack of lighting would likely discourage pedestrians walking to the bus stop and school, particularly if there was a lack of daylight.

² APP/E2734/W/19/3224226

11. The appellant states Knaresborough railway station is located 3 km from the site and has cycle parking. The station provides services to Leeds, York and Harrogate. Theoretically occupants could cycle to the station, but in this direction Market Flat Lane is subject to the national speed limit and again there is no street lighting which would likely discourage cyclists.
12. Whilst the dwelling would not be "isolated", the site would be unsuitable for this kind of development given its distance from services and facilities. Consequently, future occupants would be largely dependent on the use of a private vehicle to access shops, services and facilities. Appropriate opportunities to promote sustainable transport modes cannot be taken.
13. The proposal would not infill nor round off existing residential and industrial development. There is no built development directly to the north of the site and the site expands further to the west than the existing development. The scheme conflicts with Policy SG3 as it does not form one of the development types encouraged by it.
14. The Framework, at paragraph 78, seeks to promote sustainable development in rural areas and indicates housing should be located where it will enhance or maintain the vitality of rural communities. Paragraph 79 seeks to avoid isolated homes in the countryside and sets out criteria. The dwellings may support local services and facilities but there is no evidence before me which clearly shows that the proposal would maintain or enhance community vitality. The construction period would be temporary and the economic contribution from two dwellings would be limited.
15. The appellant has referred me to an appeal decision where an Inspector found a proposed development would support local facilities and the site was not considered isolated³. The decision cannot be directly compared to this appeal as it relates to a different village and at the time of the decision the Council could not demonstrate a deliverable 5-year supply of housing. As such, the appeal decision is not determinative points in favour of the proposal. The proposed dwelling would contribute to the local housing supply. However, the Council can demonstrate a 6.89 years supply of housing sites and therefore carries very limited weight in this case.
16. I find that the proposal would not constitute an accessible nor sustainable location. As such, the site represents an inappropriate location for housing and the proposal would conflict with CS Policies SG3 and EQ1 and the Framework.

Character and Appearance

17. The site is located within area 52 of the Council's Landscape Character Assessment although it is not situated within a designated landscape. Buildings within the street scene differ in form, design and character. There are industrial buildings to the north and south of the site. Within the site there are land level differences with the west siting lower. Views of the plot from Market Flat Lane are limited but it is visible from public vantage points on the public bridleway to the north, which sits lower. The site contains several trees and has an open countryside character and appearance.
18. Notwithstanding that the proposal is in outline, even if two single-storey dwellings were to be erected, they would be visible from the public bridleway. Whilst the site

³ APP/E2734/W/18/3199909

does currently contain some domestic paraphernalia this is limited and mainly located close to the existing dwelling. The plot does not have the appearance of a garden. The main garden area of Lingerfield Farm is enclosed by fencing close to the property.

19. Existing buildings are largely screened from the public bridleway due to mature vegetation. The commercial building to the south reads as an agricultural building and is well screened. The new dwellings would not be seen in the context of existing buildings. The erection of two dwellings, together with its associated paraphernalia, would be visually harmful to the rural character and result in an encroachment of residential development into the countryside. The presence of two dwellings would be prominent and visually intrusive and appear out of place relative to the visible built form. Although landscaping could be provided as part of a reserved matters submission, the scale of residential development proposed would not represent good design.
20. For these reasons, I find that the proposed development would have a significant adverse visual effect on the character and appearance of the surrounding area. In addition to the above Policy conflict, the proposal would also not comply with Policies C2 and HD20 of the LP, CS Policy EQ2 and SG4 and the Framework.

Conclusion and Recommendation

21. For the reasons given above, I recommend that the appeal should be dismissed.

L M Wilson

APPEALS PLANNING OFFICER

Inspector's Decision

22. I have considered all the submitted evidence and the Appeal Planning Officer's report, and, on that basis, I too agree and conclude that the appeal should be dismissed.

A U Ghafoor

INSPECTOR