
Appeal Decision

Site visit made on 19 May 2020

by Diane Cragg DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 02 June 2020

Appeal Ref: APP/E2734/W/20/3245720

Land Comprising Field at 451238 455064, Church Lane, Moor Monkton YO26 8LA.

- 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 Michael Cairns against the decision of Harrogate Borough Council.
 - The application Ref 19/02549/OUT, dated 14 June 2019, was refused by notice dated 19 August 2019.
 - The development proposed is 3 No dormer type bungalows.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. I have taken the address of the appeal site from the appeal form as this more accurately describes the location of the proposed development.
3. Harrogate Borough Council formally adopted the Harrogate District Local Plan 2014-2035 (HDLP) on 4 March 2020 during the course of the appeal. The Council has confirmed that this replaces both the Harrogate District Local Plan (2001, as altered 2004) and the Harrogate District Core Strategy (2009). I have therefore determined the appeal having regard to the relevant policies within the HDLP. Both main parties have had the opportunity to comment on the implications of this for the appeal. I am satisfied that no interested party has been prejudiced by this approach.
4. The application has been made in outline with all matters reserved. A plan has been submitted as part of the appeal which indicates how three dwellings could be accommodated on the site. I have taken this plan into account for indicative purposes only.

Main Issues

5. The main issues are:
 - whether the appeal site is a suitable location for residential development having regard to development plan policy and the accessibility of services and facilities;
 - the effect of the development on the character and appearance of the area.

Reasons

Location and accessibility

6. Policy GS2 of the HDLP sets out the housing growth strategy to 2035 for the Harrogate Borough Council area. The policy details a settlement hierarchy wherein sites are allocated in main settlements, local service centres and service villages with small scale infill development supported on non-allocated sites in smaller villages. Development limits for places in the settlement hierarchy are identified under Policy GS3. Places not identified in the settlement hierarchy are considered to be part of the wider countryside where development will only be appropriate if permitted by other policies of the plan.
7. Moor Monkton, or, as the appellant describes the area, the 'sub-hamlet of Moor Monkton Lane end' is not identified as part of the settlement hierarchy in Policies GS2 and GS3. Therefore, the appeal site is part of the countryside where residential development is not supported by the locational principles of the HDLP. I have not been directed to any other policies in the HDLP which would support residential development at the appeal site.
8. The National Planning Policy Framework (the Framework) promotes sustainable development in rural areas, including by requiring housing to be located where it will enhance or maintain the vitality of rural communities. Paragraph 103 of the Framework acknowledges that opportunities to maximise sustainable transport solutions will vary between urban and rural areas.
9. The appeal site is part of a larger field between a small area of linear development extending from the junction of the A59 and Church Lane and Lynwood Lodge. The settlement of Moor Monkton is more than 1km further north than the appeal site and has very limited facilities. There are bus stops on the A59 about 200 metres from the site. At the entrance to Church Lane there is a short section of footpath which extends round to the bus stop. However, for most of its length Church Lane has no footpaths or lighting.
10. I saw during my site visit that there are shops and facilities, including employment opportunities and railway stations, available within surrounding villages and a number of shops along the A59. These facilities, for the most part, are some considerable distance from the appeal site and are unlikely to be accessed by walking or cycling because of the busy nature of the A59 and the lack of footpaths and cycle lanes along it. The bus stops are accessible from the site, albeit for the most part there is no footpath along Church Lane. However, I have not been provided with the details of the frequency of the bus service and the route the buses take. I cannot therefore conclude that the bus service would provide access to the facilities in nearby villages.
11. Based on the evidence before me, I consider that it is likely that given the distances involved, and the limitations of the immediate rural roads, that most of the trips to access work, schools and leisure facilities would be by car. In these circumstances the proposed development does not provide the opportunity to maximise the use of sustainable transport facilities even when accepting that the site is a rural location.
12. Overall, I conclude that the appeal site is not a suitable location for residential development having regard to development plan policy and the accessibility of

services and facilities. As a result, the development would conflict with Policies GS2 and GS3 of the HDLP and the Framework.

Character and appearance

13. At its entrance from the A59 Church Lane is characterised by linear, mainly residential development set back from the road frontage behind landscaped front gardens. Beyond this initial linear development, the hedges, trees and verges along Church Lane together with open, undeveloped fields and sporadically placed buildings provide an attractive landscape with a traditional open, rural character and appearance.
14. The appeal site is part of a large field with a well-established continuous boundary hedge along the site frontage. Notwithstanding the substantial hedge to the front boundary, and in contrast to the linear development at the entrance to Church Lane, the field affords long distance views over it of the wider countryside.
15. The indicative plan illustrates how three detached dwellings facing the lane with separate vehicle accesses could be placed on the land. The development is designed to extend the existing ribbon of development along the road frontage. However, the proposed built form would encroach into the field and the removal of sections of hedging to provide access would reduce the attractiveness of the continuous front boundary hedge within the landscape. The development would have an urbanising effect on the appearance of the Lane. It would result in a prominent encroachment of built development into the open countryside that would detract from the traditional rural character and appearance of the area.
16. For these reasons, I conclude that the proposal would harm the character and appearance of the area in conflict with Policies HP3 and NE7 of the HDLP which seek, among other things, to ensure that development reinforces those characteristics, qualities and features that contribute to the local distinctiveness of the rural environment. The development would also conflict with the Framework which requires development to contribute to and enhance the natural and local environment by recognising the intrinsic character and beauty of the countryside.

Other Matters

17. I appreciate that the appellant wishes to construct the dwellings to support a family member and to provide affordable housing in the area. However, I have not been provided with any evidence that there is a lack of sites available for affordable housing. Nor do I find, based on the limited evidence before me, that the personal circumstances of the appellant would be enough to outweigh the harm associated with the location of the development and the character and appearance of the area.

Conclusion

18. For the reasons given above, the appeal is dismissed.

Diane Cragg

INSPECTOR