The Planning Inspectorate

Appeal Decision

Site visit made on 29 June 2020

by T J Burnham BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 24th July 2020

Appeal Ref: APP/C2708/W/20/3248313
Craven Heifer Inn, Grassington Road, Skipton BD23 3LA

- 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 Mr Ryan Whitcut against the decision of Craven District Council.
- The application Ref 2019/20691, dated 25 June 2019, was refused by notice dated 15 October 2019.
- The development proposed is the erection of an Ice Cream and Snack Bar and outdoor children's play area.

Decision

1. The appeal is dismissed insofar as it relates to the ice cream and snack bar. The appeal is allowed insofar as it relates to the erection of an outdoor children's play area at The Craven Heifer Inn, Grassington Road, Skipton BD23 3LA in accordance with the terms of the application Ref 2019/20691 dated 25 June 2019, subject to the following conditions:

   1) The development hereby permitted shall begin not later than three years from the date of this decision.

   2) The development hereby permitted shall be carried out in accordance with the following approved plans: CR/18/1184/04, CR/18/1184/05, CR/18/1184/06 & CR/18/1184/01A.

Procedural Matter

2. The Craven Local Plan 2012 to 2032 (CLP) was adopted by the Council in November 2019. Therefore, as I am required to make my decision based on the policy in place at this time, my determination on this appeal has been made in accordance with this plan. Both parties have had opportunity to comment on the CLP during the course of this appeal.

Main Issue

3. The main issue is the effect of the proposals on the character and appearance of the Craven Heifer Inn and the surrounding countryside.

Reasons

4. The Craven Heifer Inn is a prominent, well-established building of traditional proportions and built of stone. It sits within open countryside, closely to the east of the B6265 (Grassington Road). It is prominent in views when approaching from the south, due to the rising land levels and the limited height of the hedge which sits on the western boundary of the site to the south of the

Inn and it makes a positive contribution to the character and appearance of the area. There are two distinct elements to the proposals which are clearly severable. These relate to both an ice cream and snack bar and an outdoor children's play area.

Ice cream and snack bar

5. Part of the proposals relate to an ice cream and snack bar with covered seating area. This structure would be placed on a section of car park to the south of the entrance to the site close to its boundary with Grassington Road. Overall, this would be a substantial structure with a significant footprint. It would extend for approximately 11.5m along the western boundary of the site and would have a height of approximately 3m. It would be finished in horizontal light oak stained timber boarding.

6. By reason of the positioning of the cabin so close to the western boundary and the limited height of the adjacent hedging comparative to the height of the structure, and as the road is set slightly higher than the site, it would be clearly visible from outside of the site, most prominently in views when driving north along Grassington Road.

7. Within these views, the structure would see the introduction of built form into an area with a relatively open character. It would have a modern and somewhat temporary appearance comparative to the Inn and in this context it would detract from and partially limit views towards the Inn. As a result of this, the Ice Cream and Snack Bar would detract from the character and appearance of the Craven Heifer Inn and the surrounding countryside.

8. This part of the proposal would therefore fail to accord with Policies EC1, ENV1 and ENV3 of the CLP which require good design and the protection of the countryside and landscape of the area.

Outdoor children's play area

9. Equipment associated with this part of the proposal would be set further east on the site, away from the boundary with Grassington Road and away from prominent views towards the Inn. A range of apparatus is proposed. The most substantial would include a zip wire, rope swing, scramble net and slide and a play tower which would be the tallest piece of equipment at approximately 3.4m in height. A low fence is also proposed to separate the play area from the car park.

10. Given its location away from the boundary with the road, the equipment would be less publicly visible. The structures would not have significant mass and a key construction material would be tan log posts which would be appropriate to the rural location of the site. Further, the southern hedge boundary is slightly higher than that on the western side of the site and offers more significant screening. Even in the case that the tallest structures would be partially visible from outside of the site, any minor visual intrusion be very limited given the minimal bulk and mass of the equipment.

11. This part of the proposal would therefore accord with Policies EC1, ENV1 and ENV3 of the CLP, the provisions of which are set out above.

Planning balance

12. Policy EC3 of the CLP states that the rural economy of the district will be supported, so that it may grow and diversify in a sustainable way subject to various criteria. In particular, criterion c) states that the rural economy will be supported by helping existing and new rural businesses, including tourism related businesses to succeed, grow and expand.

13. Both parts of the proposal would assist with this aim and the provision of the playground would be in line with the aims of Policy EC3. Whilst I have afforded weight to the benefit to the rural economy that would arise through the provision of the ice cream and snack bar, this is not a benefit that should be achieved at any cost, and I have afforded greater weight to the harm to the character and appearance of the Craven Heifer Inn and the surrounding countryside that would arise as a result of this part of the proposal.

Other Matters

14. Concern has been raised that the site location plan includes land which is not within the boundary of land leased to the public house. However, there is no evidence to indicate that such issues could not be properly dealt with under legislation dealing with private legal rights regarding land ownership.

15. A burial ground is located to the east of the site, however the Council do not consider that the proposals would form features that would be inappropriate within that context, and I have no reason to disagree, partly as the separation between the development site and the burial ground is significant.

Conditions

16. I have imposed the standard three-year time limit for commencement and a condition requiring the development to be carried out in accordance with the submitted plans in the interests of certainty. I do not consider that any further conditions relating to either parking, external lighting or a landscaping scheme are necessary.

Conclusion

17. The appeal is therefore dismissed insofar as it relates to the ice cream and snack bar and allowed insofar as it relates to the erection of an outdoor children's play area.

T J Burnham

INSPECTOR