



Appeal Decision

Hearing Held on 12 January 2021

Site visit made on 15 January 2021

by M Seaton DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12 March 2021

Appeal Ref: APP/G2713/W/20/3257599

Land to East of Green Hills Lane, Ainderby Steeple, North Yorkshire

(Grid Ref Easting: 433804; Grid Ref Northing: 491536)

- 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 & Mrs G Robinson against the decision of Hambleton District Council.
 - The application Ref 20/00815/FUL, dated 22 April 2020, was refused by notice dated 24 June 2020.
 - The development proposed is for the construction of an agricultural storage building.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is whether there is a demonstrable agricultural need for the construction of a storage building in this location.

Reasons

3. The appeal site occupies a countryside location to the south of the village of Ainderby Steeple, and is accessed from Green Hills Lane, which close to the site is a narrow largely single carriageway road. Green Hills Lane immediately adjoins the west boundary of the site, with open land and countryside to the north, east and south, and indeed to the west beyond the lane. I observed there to be a cluster of dwellings and buildings to the north towards Ainderby Steeple and close to the junction between Green Hills Lane and Ashcroft, with only largely sporadic buildings and farmsteads viewed as punctuating the landscape in the other directions.
4. The appeal site itself accommodates an existing large square shaped storage building which is indicated as covering an area of 330m², as well as a smaller 'L-shaped' building covering 95m² set close to the northern boundary of the site and which is located in a separate fenced compound. Within the yard area to the south of the larger building are also 3 storage containers and part of the linking structure that the appeal pertains to.

Development plan

5. The completed Statement of Common Ground (SoCG) indicates that the development plan comprises the policies of the Hambleton Core Strategy 2007

(the Core Strategy), and the policies of the Hambleton Development Policies Development Plan Document 2008 (the DPD). It was also indicated at the Hearing that the emerging Local Plan had been through an Examination in Public (EiP), and that a few sessions of the EiP remained. However, whilst this document would be capable of being a material consideration, neither party has sought to rely upon it in support of their respective evidence, and in any event the weight to be attached to the document at this stage would be relatively limited.

6. The reason for refusal cites Core Strategy Policy CP4 which addresses Settlement Hierarchy, and DPD Policy DP9 regarding Development outside Development Limits. Policy CP4 sets out that development in the countryside will only be supported where an exceptional case can be made and it is necessary to meet the needs of various listed uses and enterprises, including the needs of farming, as a means of helping to support a sustainable rural economy. This approach is also reflected in Policy DP9 where the requirements of Policy CP4 are cross-referenced.

Agricultural need

7. The appellant contends that the storage capacity provided by the existing buildings on the appeal site is insufficient to allow all the necessary agricultural equipment to be stored inside and out of the elements. At the time of my visit, which occurred after a period of inclement weather and snow, the storage yard accommodated only a few items of equipment in the form of several trailers as well as some limited materials.
8. The larger storage building accommodated the majority of equipment including a JCB Loadall and Ford 550 digger, and old car, as well as 4 smaller agricultural tractors, all viewed as being in varying states of repair. Additional attachments for the vehicles, trailers and significant amounts of other assorted equipment were viewed, with both a mezzanine and a secure storage area accommodating smaller items. Only very limited internal space remained close to the main entrance to the building. The smaller L-shaped building and associated secure yard appeared to be largely in use for the storage of materials and other smaller items. It is also indicated that the 3 containers on the site are in use for the storage of smaller items.
9. Having had regard to the inventory of stored equipment provided by the appellant at the Hearing, with only a couple of notable exceptions I have no reason to dispute that the equipment stored within the existing buildings would be capable of being utilised for agricultural purposes. In this respect, whilst I have noted the Council's observation that the yard area has at times appeared akin to a builder's yard, I do not have any concerns in the main that the unit is being used to store equipment or materials for anything other than agricultural purposes.
10. However, it is clear from the submissions that the crux of the case centres upon whether there is an actual need for the amount of equipment stored at the appeal site, and whether this is commensurate with the size of the agricultural holding or justifies the need for a further building.
11. The appellant has highlighted that the agricultural holding currently totals 19.484 acres of land, although this has been reduced over the years from a far more significant holding of approximately 150 acres farmed by the appellant's

family. I note there is no evidence of further plans to reduce the size of the holding. The current holding comprises the 3.6 acres at the appeal site, as well as 3 parcels of land totalling 15.884 acres near Hornby, which is indicated to be approximately 9 miles away to the north-east. It was clarified at the Hearing that the appellant does not possess access to buildings or storage facilities elsewhere and does not loan equipment to other agricultural operations. Indeed, equipment for harvesting grassland for hay at Hornby is sourced from another operator, with the remaining land farmed for cereal crops.

12. I have carefully considered the balance between the amount of equipment and paraphernalia and the size of the holding, and I share the Council's view that the level of equipment is not commensurate with the size of the holding, but more in keeping with a holding of a far greater size. It would appear that the reduction in size of the holding from the previous operation has not been matched by a similar scaling down of equipment and materials.
13. I do accept the virtue of the appellant seeking to maximise opportunities to recycle, repair and re-use equipment and materials, and this approach is not unreasonable. But the need to store extensive stocks of materials and equipment for a possible future use cannot represent necessity or be a justification for another building. I also appreciate the convenience of retaining 4 small agricultural tractors with each allocated its own task or role in connection with the holding thus avoiding the need to change attachments or farm implements and equipment. However, I agree with the Council that this is ultimately a luxury where a single tractor could potentially suffice.
14. I am satisfied that the physical floorspace of the existing buildings could accommodate all equipment that would be necessary for the operation of the agricultural holding, and which would require internal storage. In this regard, the removal of extraneous and superfluous items coupled with a better overall use of the space including a reorganisation of lesser used items, and an acceptance that other items might have to be moved around in order to facilitate appropriate working conditions, would appear to be all that would be required to allow all equipment to be stored within the existing buildings.
15. For this reason, and on the basis of the written and verbal submissions, I am satisfied that an agricultural need for the proposed building in this location has not been demonstrated. I therefore find the proposed development would conflict with Policy CP4 of the Core Strategy and Policy DP9 of the DPD.

Other Matters

16. The Council has ultimately concluded that the detailed design and appearance of the resultant building would be acceptable in the context of the existing site and area, and I would agree with this assessment and conclusion. However, this is not a matter which has been central to my decision-making.

Conclusion

17. For the reasons above, the proposal would not accord with the development plan read as a whole, and the appeal must therefore be dismissed.

M Seaton

INSPECTOR

APPEARANCES

FOR THE APPELLANT:

Terry Prideaux
Paul Simmons

RBA Town Planning
RBA Town Planning

FOR THE LOCAL PLANNING AUTHORITY:

Peter Jones
Nathan Puckering

Development Manager (North)
Planning Officer (Graduate)

DOCUMENT SUBMITTED AT THE HEARING

- 1 Appellant's Inventory of Equipment & Items stored on site, dated 19 December 2020.