



Appeal Decision

Site visit made on 17 June 2021

by David Cross BA(Hons) PgDip(Dist) TechIOA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 9 July 2021

Appeal Ref: APP/E2734/W/21/3271289

Greystone Edge, Kirkby Moor Road, Kirkby Malzeard, Ripon HG4 3QR

- 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 S Gaunt against the decision of Harrogate Borough Council.
 - The application Ref 20/03206/FUL, dated 31 March 2020, was refused by notice dated 9 November 2020.
 - The development proposed is erection of holiday cabin.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - The effect on the landscape and scenic beauty of the Nidderdale Area of Outstanding Natural Beauty (AONB); and
 - Whether the site would be sustainably located with regards to development plan policy.

Reasons

Character and Appearance

3. The appeal site is located in an area of land associated with the traditional stone building of Greystone Edge. There are also other buildings adjacent to the main dwelling, and whilst these are of a utilitarian appearance they reflect the rural character of the area.
4. The proposed cabin would be of a design and materials which do not reflect the traditional character of buildings in the area, and would be a distinctly separate feature from the cluster of buildings. In long distance views from the south, the cabin would be apparent as a new freestanding feature introducing a degree of clutter into the landscape. Activity associated with the cabin, such as the parking of vehicles, would add to this cluttered appearance, to the detriment of the landscape and the AONB. With regard to the latter, the National Planning Policy Framework (the Framework) requires that great weight should be given to conserving and enhancing landscape and scenic beauty, and that the AONB has the highest status of protection in relation to these issues.

5. Due to the topography of the area and screening from trees, the proposal would not be readily apparent from the public realm in short to medium distance views. However, this does not mitigate for the harm I have identified in respect of longer distance views and the AONB.
6. I conclude that, due to its siting and design, the proposal would harm the landscape and scenic beauty of the AONB. The proposal would therefore conflict with policy GS6 of the Harrogate District Local Plan 2020 (the Local Plan) which states that development will only be supported where it does not detract from the natural beauty and special qualities of the AONB, amongst other things. The proposal would also conflict with policy NE4 of the Local Plan which seeks to protect or enhance the character and appearance of the landscape. The proposal would also be contrary to paragraph 172 of the Framework in respect of conserving and enhancing the landscape and scenic beauty in the AONB.

Location

7. The appeal site is located within the countryside, and policy EC7 of the Local Plan sets out the criteria against which rural tourism proposals in the countryside will be assessed.
8. Policy EC7(A) requires that it should be demonstrated that proposals for new accommodation in the countryside require a rural location and cannot be accommodated elsewhere. The appellants refer to stabling provided at the property and that the proposal could cater for riding holidays. However, this feature is not unusual in a rural area and it has not been demonstrated that this could not be provided elsewhere. Similarly, the provision of flexible accommodation for short stays is also not restricted to the appeal site or the locality. Reference has also been made to wedding venues in the area, although resultant demand for accommodation could be provided in more sustainable locations, such as in nearby settlements. Based on the evidence before me, it has not been demonstrated that the accommodation provided by the appeal proposal could not be provided in or adjacent to a settlement elsewhere.
9. Policy EC7(B) refers to potential for unacceptable adverse impact on the built and natural environment. Given my conclusions in respect of the harm to the AONB the proposal would conflict with this criteria of the policy.
10. Policy EC7 also requires that proposals such as the appeal scheme should be accessible to existing local services. The nearest facilities are in the settlement of Kirkby Malzeard which is some distance from the appeal site. Whilst the road leading to this village is not busy, due to the distance involved I consider that residents of the proposal are likely to rely on the private car to access facilities. Although Kirkby Malzeard has a bus service, I do not consider that this will significantly reduce trips by car due to issues of convenience as well as the initial walking distance to access the bus stop from the appeal site. The potential for the appellant to collect guests and arrange deliveries from nearby businesses would be of little benefit as this would also lead to trips by private vehicle.
11. For the reasons given, I conclude that the proposal would conflict with the provisions of policy EC7 of the Local Plan, and would therefore not represent a sustainably located rural tourism proposal.

Other Matters

12. I acknowledge that there would be demand for the proposal and that the accommodation would provide an income for the appellants. However, this could be said for many sites in the AONB, and it has not been demonstrated that the proposal is required as part of a farm diversification scheme. The benefits arising from the support to facilities in the area would be very limited due to the amount of accommodation provided. These considerations would therefore not outweigh the harm I have identified.

Conclusion

13. For the reasons given above, the proposal would conflict with the development plan and there are no considerations that would outweigh that conflict. I conclude that the appeal should be dismissed.

David Cross

INSPECTOR