



Appeal Decision

Site Visit made on 6 July 2021

by Paul Martinson BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 20 September 2021

Appeal Ref: APP/G2713/W/21/3272388

Land to the North of B1264 at Toll Bar Junction, Low Worsall, Yarm, North Yorkshire

- 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 Tyers against the decision of Hambleton District Council.
 - The application Ref 20/02616/FUL, dated 19 November 2020, was refused by notice dated 26 February 2021.
 - The development proposed is Multipurpose Agricultural Store and Stables / Equestrian (for private use).
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The emerging Hambleton Local Plan was submitted to the Secretary of State on 31 March 2020. The plan has not been approved for adoption and is subject to modifications. As a result, it has limited weight in the appeal.
3. I have taken into account the revised National Planning Policy Framework ('the Framework'), as published on 20 July 2021. Any reference to the Framework below is consequently a reference to this latest revised version.

Main Issues

4. The main issues are:
 - the effect of the proposed development on the character and appearance of the area; and,
 - whether the site is a suitable location for the proposed development having regard to vehicle movements.

Reasons

Character and appearance

5. The appeal site is a roughly triangular parcel of land, that is predominantly grassed and located on a bend in the road (the B1264) in a rural location. The site is surrounded by open farmland, forming a pattern of fields in a broadly agricultural landscape. Fields tend to be bounded by hedgerows with occasional boundary trees. I saw that buildings were rare within the surrounding area and were predominantly limited to remote farmsteads and dwellings comprising of

small clusters of buildings. Overall, my impression was of an attractive and open agricultural landscape with limited development.

6. The boundary of the appeal site with the B1264 is formed by a predominantly deciduous hedge with a reasonably consistent height of around two metres which limits views from this road. This is unlike hedges to neighbouring fields, which are predominantly maintained at lower heights allowing wider views of the surrounding landscape. The route of a former road runs adjacent to the boundary of the appeal site on two sides. It retains some of its hardsurfacing and provides vehicular access to the site at the two points where it meets the current B1264. A loose mix of hedge and trees are growing to one side of the route of the former road which forms a boundary with the adjacent fields. This limits views of the appeal site gained from the B1264 across the neighbouring land.
7. It is proposed to construct an 'L shaped' timber boarded stable building within the field, comprising of six loose boxes and a tack room. This would face onto a gravelled courtyard opposite a proposed agricultural store building which would consist of blockwork lower walls and profiled steel sheeting above. Both buildings would be roofed with profiled steel sheeting. The buildings and courtyard would be separated from the surrounding field by a post and rail fence and provided with a gravel access track which would link the site with the route of the former road.
8. Policy CP1 of the Hambleton Core Strategy (2007) ('the HCS') notes that proposals will be supported where they protect or enhance the character and quality of local landscapes and the wider countryside, whilst Policy DP30 of the Hambleton Development Policies (2008) ('the HDP') seeks to ensure the openness, intrinsic character and quality of the District's landscape is respected and where possible, enhanced.
9. The proposed location of the buildings, hardstanding and access, away from the margins of the field and remote from any other buildings would cause them to appear detached and somewhat isolated, being surrounded by an open field. Furthermore, the scale of the development, including a sizeable store building which, owing to its use of materials would have a somewhat industrial appearance, would represent a discordant, significant and imposing incursion into a location that was previously free from development. Stable blocks and remote buildings in general are uncommon in this landscape, which I found to be predominantly open in character. As a result, owing to the location and scale of the development, the proposal would adversely affect the openness of the landscape and would be at odds with its intrinsic character contrary to the aims of the aforementioned policies.
10. Whilst views of the buildings from the road are likely to be restricted by the hedge, I note that the upper sections of the buildings are still likely to be visible above it, with the main views likely to be travelling south on the B1264 towards the site. Furthermore, I note that hedges change over time and cannot be relied upon to provide the same screening in the future as they do now. In this regard, I note that were the hedge to be trimmed in line with neighbouring hedges in the future, which would not be unexpected, the prominence of the proposal would increase. Moreover, my site visit took place when the deciduous hedge was in leaf. The building's prominence would therefore be likely to

increase further in the winter months when it is more likely to be seen through the hedge.

11. Whilst I agree with the appellant that agricultural style buildings are, to some extent, an expected form of development within the countryside, on the basis of my reasoning above, I do not agree that there are many other examples in the area, particularly that are reflective of the appeal proposal. In this regard I note that I have not been provided with any such examples. Equally, just because a stable block is a familiar building, this does not mean that it can be accommodated within a countryside location without adversely affecting its character.
12. The scale of the proposal, at least in terms of the number of loose boxes would appear to broadly equate to the British Horse Society guidance based on the area of the field. However, this does not mean that this is an appropriate location with regard to the character and appearance of the area and does not outweigh the harm that I have found.
13. I have considered imposing conditions, for example, to require a landscaping scheme or retention of the hedge at a specific height. However, I cannot be sure that all of the hedges lie within the appeal site and nevertheless, such a condition would not overcome the harm I have identified above, given the location, siting, and scale of the development.
14. For the above reasons I conclude that the proposed development would have a harmful effect on the character and appearance of the surrounding area and would therefore conflict with Policy CP1 of the HCS and Policy DP30 of the HDP. There would also be conflict with paragraph 174 of The Framework which seeks to ensure planning decisions contribute to and enhance the natural and local environment by recognising the intrinsic character and beauty of the countryside.

Location

15. I agree with the Council and appellant that the proposed development, by its very nature is likely to require a countryside location. However, notwithstanding this, the Council is concerned that the proposal would increase traffic movements to the site, and result in an increased reliance on the private car. The appellant has advised that the proposal would be likely to generate two trips per day in winter with daily trips likely between late April and October. Taking into account the nature of the proposal and that it is for private use, in my view such movements would not be significant or have any appreciable effect on the wider sustainability aims of the development plan.
16. The appeal site would represent a suitable location for the proposed development specifically with regard to the potential number of vehicle movements that it is likely to generate. The proposal would therefore comply with Policy CP1 of the HCS in this regard which seeks to reduce the need to travel and the provisions of paragraph 105 of the Framework which seeks to focus significant development in locations that would minimise the need to travel whilst recognising that opportunities to maximise sustainable transport solutions will vary between urban and rural areas.

Other Matters

17. The appellant has referred to the site as 'partly brownfield'. Whilst I recognise that the route of the former road skirts two sides of the site, by far the most substantial part of the site and that where the main development is proposed is a field which has a natural appearance and, based on the evidence before me, and my site visit, is undeveloped in nature. However, irrespective of whether the site is previously developed land or not, on the basis of my above reasoning I have found that the proposal would result in harm to the character and appearance of the area.

Conclusion

18. For the reasons given, having considered the development plan as a whole, along with all other relevant material considerations, I conclude that the appeal should be dismissed.

Paul Martinson

INSPECTOR