
Appeal Decision

Site visit made on 20 October 2021

by T J Burnham BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 3 November 2021

Appeal Ref: APP/E2734/W/21/3280442

Land to the west of Rudding Lane, Easting: 433348 Northing: 453813

- 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 P Knowles against the decision of Harrogate Borough Council.
 - The application Ref 21/00468/OUT, dated 2 February 2021, was refused by notice dated 26 April 2021.
 - The development proposed is a single holiday lodge.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The application is in outline with all matters reserved other than access. However, PPG¹ states that information about the proposed use or uses, and the amount of development proposed for each use, is necessary to allow consideration of an application for outline planning permission.
3. To that effect, the evidence indicates that a single storey, one bedroom holiday lodge measuring approximately 12.5m x 3.5m would be provided.
4. The description of the proposal has altered from the application form to the decision notice. That on the application form adequately describes the proposal and along with the additional details above this forms the basis on which I have determined the appeal.

Main Issues

5. The main issues are:
 - i. whether the proposal would be inappropriate development in the Green Belt including the effect of the proposal on the openness of the Green Belt having regard to the Framework and any relevant development plan policies;
 - ii. the effect of the proposal on the character and appearance of the area;
 - iii. whether the site is suitable for the proposed development, having regard to access to local facilities; and
 - iv. if the proposal is inappropriate development, whether the harm by reason of inappropriateness and any other harm is clearly outweighed by other

¹ Planning Practice Guidance Paragraph: 034 Reference ID: 14-034-20140306

considerations so as to amount to the very special circumstances necessary to justify the development.

Reasons

6. The site sits within the countryside closely surrounding Harrogate, within a wooded area in a former quarry and is located within the Green Belt.

Whether inappropriate development & openness

7. The Framework² at paragraph 149 establishes that the construction of new buildings within the Green Belt should be regarded as inappropriate unless they are a type of building identified under a list of exceptions.
8. One such exception relates to the limited infilling or the partial or complete redevelopment of previously developed land which would not have a greater impact on the openness of the Green Belt than the existing development. Policy GS4 of the Harrogate District Local Plan 2020 (HDLP) advises that proposals for development in the Green Belt will be determined in accordance with relevant national policy (The Framework).
9. A fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. The essential characteristics of Green Belts are their openness and their permanence. The assessment of openness requires a consideration of both spatial and visual aspects.
10. The remains of a building of timber construction occupy the site. However, substantial sections of the building are in a state of complete collapse and are crumpled against the ground which has opened up views through the building.
11. The introduction to the site of a building such as that indicated would inevitably introduce additional bulk at the site through its built form. It is also likely that at least one car would park close to the building in association with the proposed use. These are aspects of the proposal which would harm the openness of the Green Belt in both spatial and visual terms. Given the secluded and set down location of the site and the limited public views towards it, the harm to openness would only be moderate.
12. Nonetheless, the proposal would have a greater impact on the openness of the Green Belt than the existing development. It would therefore comprise inappropriate development within the Green Belt.

Character and appearance

13. Given the secluded location of the site, set down from an access track, within woodland and set back from the more open ground to the north east, the holiday lodge would be unlikely to be prominent within the landscape.
14. It is likely that a structure of appropriate appearance could be devised. I noted that an apparently established timber building was located a short distance to the north east. Access tracks are also a commonly occurring feature within the area.
15. Within this context, it is unlikely that a proposal of this limited scale would have any significant urbanising effect on the site bearing in mind its context.
16. I therefore conclude on this matter that it is likely that a single holiday lodge could be accommodated that would not harm the character of the area. The proposal would subsequently accord with Policy NE4 of the HDLP which amongst other

² National Planning Policy Framework 2021.

things requires that development proposals protect and/or enhance the character, appearance and local distinctiveness of the landscape.

Access to local facilities

17. Although it would be located a short distance from Harrogate and its wide range of facilities, I accept that the holiday lodge would generate a range of trips by car to access these. This would be the case as it is not likely that all guests would wish to walk or cycle along the reasonably busy Rudding Lane, which does not have a footpath and which incorporates only narrow grass verges to either walk to nearby facilities or access the bus stops.
18. However, whilst there would be some reliance on car travel, the location of the site could not be described as rural. This is because of its very close proximity to Harrogate and the length of car trips to access facilities would likely be very limited given the wide range that are closely accessible. Further, a major supermarket is located nearby.
19. The supporting text to Policy EC7 of the HDLP notes that tourism is important to the Harrogate district and makes a significant contribution to the local economy, creating employment opportunities and assisting in attracting investment. It further suggests that the Council's approach is to encourage the expansion and improvement of the range and type of tourist facilities in a sustainable manner.
20. Given the limited scale of the development and the close proximity to the wide range of facilities that are available within Harrogate, I therefore conclude that no significant harm would arise as a result of the location of the site having regard to access to local facilities. I do not therefore find conflict with Policy EC7 of the HDLP which seeks to ensure that tourism, including the provision of visitor accommodation within the borough, is sustainable.

Other considerations

21. I accept that the proposal would make a valued contribution to the local economy as visitors would be likely to spend in local shops and visit local tourist attractions and leisure facilities. Nonetheless, these benefits would be limited by reason of the limited scale of the proposal.

Conclusion

22. I have found that the development is inappropriate development within the Green Belt and while the harm to openness would only be moderate the proposal would nonetheless be harmful to the openness of the Green Belt.
23. The proposal should not be approved except in very special circumstances. I must attach substantial weight to any harm to the Green Belt and as such, the harm I have identified is clearly not outweighed by the other considerations. Consequently, the very special circumstances necessary to justify the development do not exist.
24. For the reasons set out above, and having regard to all other matters, the appeal should be dismissed.

T J Burnham

INSPECTOR