
Appeal Decision

Site visit made on 20 December 2021

by J Symmons BSc (Hons) CEng MICE

an Inspector appointed by the Secretary of State

Decision date: 7 January 2022

Appeal Ref: APP/E2734/W/21/3284640

Land Between Lodge Farm and Mistal House, Dacre To Darley Bridge, Dacre, Harrogate, North Yorkshire HG3 4ES

- 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 and Mrs M Rodrigues against the decision of Harrogate Borough Council.
 - The application Ref 21/02394/OUT, dated 1 June 2021, was refused by notice dated 5 August 2021.
 - The development proposed is renewal of unimplemented outline permission No. 6.65.45.L.OA for erection of 1 no. dwelling.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The proposal is described on the application form as above, albeit that the form is the standard full planning application form. Since the plan that accompanies the application merely details a red line around the site and nothing else, I am determining this appeal on the basis that all matters in this outline application are reserved for subsequent approval.

Main Issue

3. The main issue is whether the proposal would constitute an acceptable form of development outside the defined development limit of Dacre.

Reasons

4. The appeal site is an agricultural field between Lodge Farm and Mistal House and is located within the Nidderdale Area of Outstanding Natural Beauty (AONB). Access is off Mill Hurst (B6451).
5. The proposal has had outline planning permission granted in the past however, the Council have advised that this lapsed in May 2005.
6. Harrogate District Local Plan 2014-2035 (Local Plan) was adopted in 2020. Policy GS2 defines the home and jobs growth strategy and scale of development for settlements in the area. It defines four types of settlements (from Main Settlements to Smaller Villages), land outside of which is defined as countryside. Dacre is defined as a Service Village. Policy GS3 defines the development limits for these settlements. The appeal site lies outside Dacre's defined settlement boundary, as detailed in the Local Plan. The policy notes that such development outside of the settlement limits will only be permitted if

other policies, a neighbourhood plan or national policy apply. It also permits consideration of new housing development if the Council's five-year housing land supply is not being achieved.

7. The Council have confirmed that they can demonstrate a five-year housing land supply and that the proposal would not be supported by a neighbourhood plan or national planning policy. No evidence from the appellants to dispute these points has been provided.
8. It is noted that the proposal has been granted outline planning approval on five occasions however, these all significantly pre-date the current Local Plan. No supporting justification of how these meet the current Local Plan has been provided by the appellants and as such I give little weight to these approvals in my decision. No additional arguments as to why the proposed development should nevertheless be allowed have been raised by the appellants.
9. In conclusion the proposal does not accord with Policies GS2 and GS3 of the Local Plan which, amongst other matters, seek to control development and growth in the area.

Other Matters

10. I note the proposal would be in an AONB and that the Council have confirmed that they consider that it would not detract from the character and appearance of the area as set out in Policy GS6. However, no justification of any exceptional circumstances showing why the proposal must be in this area has been provided by the appellants.

Conclusion

11. There are no other considerations that indicate the application should be determined other than in accordance with the Local Plan. For the reasons given above, I conclude that the appeal should be dismissed.

J Symmons

INSPECTOR