



Appeal Decision

Site visit made on 1 February 2022

by G Robbie BA(Hons) BPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11 February 2022

Appeal Ref: APP/E2734/W/21/3285762

Healthwaite Hall, Green Lane, Weeton, Leeds LS17 0BQ

- 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 A Adcock against the decision of Harrogate Borough Council.
 - The application Ref 20/04222/FUL, dated 23 October 2020, was refused by notice dated 13 May 2021.
 - The development proposed is construction of agricultural storage building.
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Decision

1. The appeal is dismissed.

Applications for costs

2. An application for an award of costs was made by Mr and Mrs Adcock against Harrogate Borough Council. This application is the subject of a separate Decision.

Preliminary Matters

3. The appeal site is located within the Green Belt where paragraph 149 of the National Planning Policy Framework (the Framework) states that the construction of new buildings within the Green Belt should be regarded as inappropriate, unless they fall within the list of exceptions that follows at points (a) to (g). The refusal reason set out on the Decision Notice begins by stating that the proposal is inappropriate development in the Green Belt, but the Council have subsequently clarified¹ that the proposal benefits from the exception provided by paragraph 149(a) (buildings for agriculture) and that reference to such matters in the refusal reason was a 'genuine error' on the Council's behalf.
4. As such, it is clear that the Council no longer wish to pursue a case in respect of Green Belt matters. The provisions of the Framework and Harrogate District Local Plan (HDLP) policy GS4 in relation to Green Belt matters are not therefore material to my consideration of this proposal and I have determined the appeal accordingly

Main Issue

5. Having regard to the above, the main issue to be the effect of the proposed development upon the character and appearance of the surrounding area.

¹ Paragraphs 3.3 and 3.4 of 'Comments on Appellant's Statement'

Reasons

6. The proposed building is a typical, modern, steel-framed agricultural building and it, and others like it, are not uncommon in rural areas. Nor, taken in isolation, would the proposed building be particularly or excessively large for its intended use as a storage building for hay and machinery and equipment.
7. However, it would be located on an open, sloping aspect approximately midway up the valley side. Although there is a row of trees immediately to the east of the appeal site which would provide some screening and softening of the building from certain aspects, it would nevertheless be a highly visible and prominent structure in an equally visible and prominent location that would be clearly seen from a range of distances and from a wide field of view.
8. The existing deep scar of the adjacent tennis court retaining wall already draws the eye outwards from the complex of buildings at Healthwaite Hall. The proposed building would not be sited so close to the existing group of buildings at, and around, Healthwaite Hall as to be seen as a logical part of it, nor far enough away to stand apart as an isolated rural agricultural building and in this setting and context it would be a dominant and incongruous structure.
9. The combination of the proposed building's location and size would exacerbate the outward spread of buildings and structures, whilst the extent of works likely to be required to accommodate a building of these proportions on a level base on a sloping site would add to the extent of its visibility. The building itself may be designed in a manner set out in the Council's 'Farm Buildings Design Guide' (the Guide), but I am not persuaded from the evidence before me that it could be sited along contours and fit into the lie of the land in the manner claimed. Indeed, the Guide provides an example of the awkward siting of agricultural buildings on a sloping site resulting in extensive cut and fill with retaining walls and bare slopes. The submitted plan² does not assuage my concerns in this respect.
10. I accept that the proposed agricultural building could be said to assist in the promotion of traditional agricultural land uses in this predominantly agricultural landscape character area³. However, as the LCA also notes, the extensive views typical of this area mean that it has a limited capacity to acceptable built development without detriment to character. For the reasons I have set out, the proposed agricultural building would be an incongruously stark presence in an open and exposed mid-valley side location with extensive views towards it.
11. As such, the proposed development would fail to respect the spatial qualities of the area in terms of a combination of its scale and siting and its place within views and vistas on an open and exposed mid-valley side. The proposal is therefore in conflict with the aims and principles of HDLP policies HP3 and NE4.

Conclusion

12. For the reasons set out, and having considered all other matters raised, I conclude that the appeal should be dismissed.

G Robbie
INSPECTOR

² Drwg Ref No: HH2

³ Area 62: Wharfe Valley Side Farmland – Harrogate District Landscape Character Assessment (2004)