



Appeal Decision

Site visit made on 23 February 2022

by Mr R Walker BA HONS DIPTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15th March 2022

Appeal Ref: APP/E2734/W/21/3285710

Marston Moor Farm, Atterwith Lane, Long Marston YO26 8JW

- 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 Mark Godliman against the decision of Harrogate Borough Council.
 - The application Ref 21/00797/FUL, dated 20 February 2021, was refused by notice dated 10 August 2021.
 - The development proposed is demolition of existing agricultural unit and construction of new detached single dwelling.
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Decision

1. The appeal is dismissed.

Applications for costs

2. An application for costs was made by Mr Mark Godliman against Harrogate Borough Council. This application is the subject of a separate Decision.

Main Issue

3. The main issue is whether the proposal would be an acceptable form of development in this location having regard to relevant local and national policies for development in the countryside and any stated fallback position.

Reasons

4. Policy GS2 of the Council's Local Plan (LP) (2020) sets down its housing strategy which includes, amongst other things, directing new housing toward the most appropriate locations. This is principally in respect of services and facilities and infrastructure but is also influenced by other considerations, such as the character of the settlement.
5. The appeal site and adjacent building group are within open countryside. Here, Policy GS3 of the LP seek to control development to limited and specific opportunities as provided for in other policies of the plan, a neighbourhood plan or in national policy. In this regard, there are no policies advanced by the appellant that would support the proposal. Moreover, the proposal would not accord with any of the situations where isolated homes may be acceptable as specified in paragraph 80 of the National Planning Policy Framework (the Framework).
6. The site benefits from an approval, under permitted development rights, that allows the existing agricultural building to be converted to 4 dwellings. As the consent is in place and conversion works have commenced on an adjacent building, I consider it highly likely that this alternative scheme would be

implemented, if the current appeal is dismissed. As such, I have given this substantial weight in my assessment.

7. Both scenarios would result in a residential use of the site and the appellant has advanced several suggested benefits from the appeal proposal over the fallback scheme. In this regard, I accept that due to its rural location and distance to services and facilities, a reduction in vehicle movements from the fallback scheme would have environmental benefits.
8. I have no firm details of the extent of any reduction in hardstanding or the potential for increased planting. Moreover, there is no substantive evidence before me that the proposal would result in an energy reduction or increased energy efficiency in comparison with the fallback scheme. The absence of specific details in relation to these aspects limits the weight I afford them.
9. The proposed design would resemble a converted barn. However, its reduced footprint, distinct form in comparison with the existing building and entirely new structure and materials would distinguish it from a conversion. Although it would not appear incongruous in this rural location, neither would converting the existing building. Moreover, given the appeal building's position within the group a reduction in parked vehicles would not improve the landscape character as, in either scenario, vehicles would not encroach into the surrounding countryside. As such, whilst having some similarities, I do not consider the proposed design to be a benefit.
10. Against these benefits and similarities, the fallback scheme would provide an opportunity for sustainable development by repurposing an existing structure, thus minimising waste from existing resources, in contrast with the new build scheme before me.
11. Moreover, by reducing the amount of housing from the fallback scheme, the proposal before me would not make an effective use of the land and would make a smaller contribution to the Government's objective of significantly boosting the supply of homes. As such, I cannot accept that the fallback scheme would have similar or worse effects than the appeal proposal.
12. I therefore conclude that the proposal would not be an acceptable form of development in this location having regard to relevant local and national policies for development in the countryside and any stated fallback position. The proposal would therefore conflict with the requirements of Policies GS2 and GS3 of the LP and the provisions of the Framework when read as a whole.
13. I have been referred to several appeal decisions which include, amongst other things, discussions on fallback schemes. Whilst I have had regard to these decisions, each scheme has its own characteristics in terms of the proposal and the relationship to any fallback. As such, I have reached my own findings based on the specific circumstances of this appeal.
14. For the reasons given above, the proposal would conflict with the development plan and there are no material considerations, including the fallback scheme, that would outweigh that conflict. Therefore, the appeal is dismissed.

Mr R Walker

INSPECTOR