
Appeal Decision

Site visit made on 17 March 2022

by T J Burnham BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 8th April 2022

Appeal Ref: APP/E2734 /W/22/3291166

Gill Farm, Risplith to Stephenson Bridge, Risplith HG4 3EP

- 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 Glyn Taylor (G and JN Taylor) against the decision of Harrogate Borough Council.
 - The application Ref 21/02870/FUL, dated 3 May 2021, was refused by notice dated 24 September 2021.
 - The development proposed is agricultural building for general purpose, fodder storage, implement storage and livestock housing.
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Decision

1. The appeal is allowed. Planning permission is granted for agricultural building for general purpose, fodder storage, implement storage and livestock housing at Gill Farm, Risplith to Stephenson Bridge, Risplith HG4 3EP in accordance with the terms of the application Ref 21/02870/FUL dated 3 May 2021 subject to the following condition:
 - 1) The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan, Drawing 01 REV. A.

Procedural Matter

2. The development appeared to have commenced at the time of my site visit. The building that has been partially constructed appeared to broadly accord with the details on the plan before me. For the avoidance of doubt, I have determined the appeal based on the submitted plans.

Main Issue

3. The main issue is the effect of the proposal on the character and appearance of the area, with particular regard to its effect on the Nidderdale Area of Outstanding Natural Beauty (AONB).

Reasons

4. The site relates to part of a field within the AONB to the north of Risplith and to the east of the B6265. The area is characterised by gently rolling pastoral agricultural fields, hedgerows, and tree belts which in places limit medium and long-distance views.
5. The area is interspersed with farmsteads with clustered buildings where the associated agricultural buildings are often, but not exclusively set within gentle folds within the landscape.

6. Public views of the agricultural building are most easily available from the B6265 to the west. However, given the set back from the road and the robust hedgerow on the eastern side of the road, the building is not prominent nor highly visible.
7. Although the site does not fall within one of the characteristic dips in the landscape, the building does not appear prominent on the skyline from the views that are available from the B6265 given the extensive planting on the banks of the River Skell and Gill Beck which effectively form a bowl around the fields.
8. Given that the main farm steading is located some distance to the south-west and accessed by a rather convoluted route, there does appear to be practical justification for the siting of the building in this particular instance away from Lee Mires Farm. Further, the design and scale of the building proposed is of a type that is common to the area and it does not form a feature within the landscape that one would not expect to encounter.
9. The proposal would subsequently comply with Policies HP3, GS6 and NE4 of the Harrogate Local Plan (2020) (HLP). Amongst other things Policy HP3 requires that development should incorporate high quality building and landscape design that protects, enhances or reinforces those characteristics, qualities and features that contribute to the local distinctiveness of the rural environment.
10. Policy GS6 requires that the natural beauty and special qualities of the Nidderdale Area of Outstanding Natural Beauty (AONB) will be conserved and enhanced. With regard to this Policy, the proposal before me would not detract from the natural beauty and special qualities of the AONB and its setting would contribute to the delivery of the Nidderdale AONB Management Plan¹ objectives (one of which is to support the farming industry) and would support the economic wellbeing of the area. The proposal would also protect the landscape character of the area in line with the requirements of Policy NE4.
11. I have not identified conflict with policies GS5 and HP4 of the HLP which relate to supporting the districts economy and protecting amenity respectively.
12. The building does not comply with every detailed facet of the Farm Buildings Design Guide² in particular with regard to its siting away from the main steading. However, on this particular occasion, I consider that the location is justified as detailed above and have afforded the particular requirements of the business greater weight than the guidance.
13. The proposal would not conflict with the requirements of the Framework³ which requires that great weight should be given to conserving and enhancing landscape and scenic beauty in Areas of Outstanding Natural Beauty.

Other Matters & Conditions

14. The evidence indicates that consideration should be afforded to a drainage strategy for the building. However, the evidence, backed up by the design of the building states that it is not intended for intensive livestock accommodation

¹ Nidderdale Area of Outstanding Natural Beauty Management Plan 2019-2024.

² Farm Buildings Design Guide 1986/2006 Harrogate Borough Council.

³ National Planning Policy Framework 2021.

but rather overwintering and lambing and as a store for unwrapped hay/fodder/equipment storage.

15. I therefore consider that a condition requiring a drainage strategy is unnecessary, based on the evidence and further, the Council have not themselves suggested such a condition. Neither has a condition relating to a landscaping plan been suggested. Whilst some additional planting may be beneficial and is indicated on the plan, it is not necessary and I have not therefore added a condition in this regard.
16. A condition is added requiring that the development be carried out in accordance with the approved plans for the avoidance of doubt and in the interests of certainty.
17. A further incomplete condition has been suggested by the Council, which appears to relate to a time limit for commencement. However, such a condition is not necessary given the development appears to have commenced.

Conclusion

18. I have identified no conflict with the development plan and there are no considerations which indicate that the appeal should be determined otherwise than in accordance with it. I therefore conclude that the appeal should be allowed.

T J Burnham

INSPECTOR