



Appeal Decision

Site visit made on 22 March 2022

by G Robbie BA(Hons) BPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 6th May 2022

Appeal Ref: APP/E2734/W/21/3289670

Knabbs Ash, Skipton Road, Kettlesing HG3 2LT

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant approval required under Schedule 2, Part 6, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (the GPDO).
- The appeal is made by Mr Jason Clay against the decision of Harrogate Borough Council.
- The application Ref 21/02902/PNA, dated 15 June 2021, was refused by notice dated 9 August 2021.
- The development proposed is Prior notification for the erection of an agricultural storage building with associated hardstanding.

Decision

1. The appeal is allowed and prior approval is granted under the provisions of Article 3(1) and Schedule 2, Part 6, Class A, paragraph A.1. and A.2. of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) for the erection of an agricultural storage building with associated hardstanding at Knabbs Ash, Skipton Road, Kettlesing HG3 2LT in accordance with the application 21/02902/PNA made on 15 June 2021, and the details submitted with it, pursuant to Article 3(1) and Schedule 2, Part 6, Class A, paragraph A.2. of the GPDO and subject to the following condition:
 - 1) The approved plans to which this permission relates are as follows:
site location plan 1 to 2500; site plan_as proposed 1:500@A3; floor plan as proposed 1:200@A3; elevations_as proposed 1:200@A3 (south and west elevations); elevations_as proposed 1:200@A3 (north and east elevations).

Background and Main Issue

2. Part 6, Class A of the GPDO permits the carrying out on agricultural land comprised in an agricultural unit of 5 hectares or more in area, works for the erection of a building which is reasonably necessary for the purposes of agriculture within that unit. GPDO paragraph A.1. (a) to (k) sets out a range of limitations for which failure to meet restricts the permission granted at Class A.
3. Paragraphs A.2.(1) to (7) of Class A set out a range of conditions that the permission granted by Class A is subject to. Amongst these, paragraph A.2.(2) states that the developer is required to apply to the local planning authority for a determination as to whether the prior approval [of the decision maker] will be required as to the building's siting, design and appearance.
4. The Council considered the proposal against the provisions of paragraph A.1(a) to (k), concluding that it would not be contrary to, or fail to accord with, the provisions, limitations and conditions set out within that paragraph and its sub-

sections. I have not been presented with any further evidence that would lead me to reach a different conclusion.

5. Thus, under the provisions of GPDO paragraph A.2.(2)(i) I consider the main issue to be a determination of whether the prior approval for the siting, design and external appearance of the building should be given, with particular regard to the effect of the proposal on the character and appearance of the surrounding area.

Reasons

6. When viewed from the elevated position of the A59 Skipton Road, which runs along a ridge to the south of Knabbs Ash, the appeal site lies to the right-hand side, and in front of, the existing group of buildings. The appeal site lies within an open and expansive valley-side location within the Nidderdale Area of Outstanding Natural Beauty (AONB) where the existing group of buildings can be seen from some distance from the roadside, set behind gently falling open pasture. The Knabbs Ash group of buildings is one of a number of similarly located groups of buildings set down and back from, but still visible from, Skipton Road.
7. Whilst the Council are concerned that the proposed building would stand isolated from the existing group of buildings, it would only be offset by a short distance from the main group of buildings and, in particular, the focal point of the group being the farmstead's dwellings. From the roadside, it would clearly be seen as part of a singular group of buildings and, whilst closer to it would stand a short distance apart, that stand-off would not be so large or substantial as to render it isolated or detached.
8. The building would be single storey in scale and set down within a sunken levelled area of land, rendering it partially hidden by landform in views from Skipton Road. The building's partially sunken setting within the prevailing slope would further mitigate its visual impact whilst the appellant's efforts in land management of the surrounding fields and their vernacular enclosures would ensure that the building would be neither particularly prominent nor disruptive within the surrounding valley-side AONB landscape.
9. With a strong linear ridge line running east to west, it would reflect the prevailing roof pattern and orientation of the other buildings within the group. The building's L-shaped footprint and hipped roof on its southern projection would not materially undermine the building's fundamental linearity, nor mark it out conspicuously in relation to either this group or the prevailing pattern of other similarly sporadically sited groups of buildings nearby.
10. Furthermore, the building's siting and sufficiently close relationship to and with the existing group would avoid the coalescence of groups of buildings identified as a challenge to the area's landscape character by the Council's Landscape Character Assessment¹. Nor would it be so close to the Skipton Road that it would be the dominant and disruptive feature feared by the Council, particularly when taking account of the prevailing landform and partially sunken nature of the building and its proposed site.

¹ Harrogate District Landscape Character Assessment 2004: Area 24 – Lower Nidderdale Valley north west of Harrogate

11. As to the detailed design of the building, the use of the proposed materials in the manner set out in the submitted drawings would be consistent with the advice and guidance referred to by the Council in the 'Farm Buildings Design Guide'². Taken together with my conclusions regarding the matters above, the building's design and appearance would not cause harm to the character or appearance of the surrounding AONB landscape.
12. Whilst the Council do not dispute the requirement for an agricultural building for the holding, its size is questioned. However, the test set out within the GPDO in this respect is whether or not a building is 'reasonably necessary' for the purposes of agriculture within that unit. There is no dispute that the building and hardstanding would be within the limits set out within GPDO paragraph A.1. and the question of whether or not a smaller or simpler building would suffice is therefore a matter of being 'absolutely' rather than 'reasonably' necessary. I have not been presented with any compelling evidence to lead me to conclude that the building proposed would not be reasonably necessary for the purposes of agriculture within the unit.
13. Thus, for the reasons set out, I conclude that the building's siting, design and appearance would not cause harm to the character or appearance of the surrounding area or the Nidderdale Area of Outstanding Natural Beauty. The design and appearance of the building would broadly align with the relevant advice and guidance regarding farm buildings² and, insofar as they relate to the matters for determination in this instance, there would be no conflict with Harrogate District Local Plan policies HP3, HP5, GS6 or NE4.

Conditions

14. The GPDO provides that development must be carried out in accordance with the details submitted in relation to applications of the type subject to this appeal. However, in the interests of certainty and the avoidance of doubt I have attached a plans condition setting out the plans to which this decision relates.

Conclusion

15. For the reasons set out above, and having considered all other matters raised, I conclude that the appeal should be allowed and prior approval be granted.

G Robbie

INSPECTOR

² Harrogate Borough Council 1986 (re-typeset unchanged in 2006)