
Appeal Decision

Site visit made on 8 November 2022

by T J Burnham BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 28 November 2022

Appeal Ref: APP/E2734/W/22/3302936

Land off Maud Lane, Norwood LS21 2QY

- 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 Maud Lane Cottages Ltd against the decision of Harrogate Borough Council.
 - The application Ref 21/05083/FUL, dated 23 November 2021, was refused by notice dated 19 January 2022.
 - The development proposed is change of use of agricultural land and the erection of 3no. holiday lodges, access, parking, landscaping and arboricultural management.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The description of the proposal has altered from the application form to the Council decision notice. That on the application form adequately describes the proposal and I have considered the appeal on this basis.

Main Issues

3. The first main issue is the effect of the proposal on the character and appearance of the area having particular regard to the Nidderdale Area of Outstanding Natural Beauty (AONB). The second is the effect of the proposal on highway safety.

Reasons

4. The site is currently grassed and trees are set to many of its boundaries. It sits in an elevated position within the AONB, a short distance from the nearby hilltop which sweeps downwards in a north westerly direction towards Swinsty Reservoir. Levels on site slope downwards towards the north-west. Extensive and impressive views are available when looking in a north westerly direction. The site is also therefore visible in a range of viewpoints to the north-west as detailed by the Landscape Statement¹ (LS).

Character and appearance

5. The lodges would be formed from a connected range of buildings within the southern corner of the site which is one of its more elevated sections.

¹ Landscape Statement – Maud Lane Norwood – Alistair W Baldwin Associates - November 2021.

6. Regardless of the degree to which the range of buildings would be locally distinctive, close-range views would be very limited by reason of being set down from Maud Lane and as a result of the extensive existing tree screening.
7. Therefore, the most common public views of the site would be in middle distance and long-range views from the north-west. At those distances, it would be very difficult to pick out any particular design features of the buildings in any event.
8. The site is identified within the Landscape Character Assessment² (LCA) as falling within the Middle Washburn Valley. One of the aims is to preserve settlement pattern within the Valley.
9. The LCA advises that the many scattered farmsteads and houses within the area are a key characteristic. It advises that additional development which reduces spacing between existing should be resisted to prevent loss of scattered appearance of vernacular buildings in the countryside. The evidence indicates that the existing distribution of built development makes a positive contribution to the natural beauty and special qualities of the AONB.
10. The proposal would be read within the landscape as a distinct and separate development from other buildings as shown within the LS and from my own observations. Its prominence would only be amplified given that it would sit only a short distance down from the hilltop, whilst the size and range of the buildings which would host the 3no. lodges would not be insubstantial.
11. The proposal would therefore reduce spacing between existing development, consequently falling into conflict with the landscape objectives of the area. As a result, it would harm the natural beauty and special qualities of the AONB. The proposal would have a significant adverse impact on the character and appearance of the area.
12. The proposal would subsequently conflict with policies GS6, NE4, EC7 and HP3 of the Harrogate District Local Plan (2020) (HDLP) which require amongst other things that proposals do not detract from the natural beauty and special qualities of the AONB and protect landscape character.

Highways safety

13. The lanes that provide access to the site are often narrow, steep and contain sharp corners. However, whilst it is likely that guests would be in a large part reliant on a car to access services and facilities, there is nothing within the evidence to indicate that trip generation associated with the proposal would be so significant as to compromise highway safety.
14. The rural nature of the area would likely see the existing roads reasonably quiet at most times, and there are a number of routes by which the site could be accessed from the B6541 which would limit the potential for any one access route to become overly busy.
15. There is therefore nothing to indicate that the proposal would have any unacceptable adverse impact on highway safety. There would be no conflict with Policy EC7 of the HLP with regard to this particular matter where it requires that visitor accommodation should not generate levels of traffic that

² Harrogate District Landscape Character Assessment Feb 2004.

would have an adverse impact upon the operation of the highway network or on highway safety.

Other Matters

16. My attention has been drawn in particular to lodge developments at Norwood Farm and Dob Park Road in support of the appeal. However, unlike the proposal before me, despite intervening tree planting the lodges at Norwood Farm can clearly be read in association with the pre-existing development at that site, forming a well associated building grouping. The lodges at Dob Farm would be more limited in scale and would be set within existing woodland. Neither site has the landscape prominence of the appeal site. I therefore afford these examples limited weight.

Planning Balance and Conclusion

17. There would be some environmental benefits associated with plans to improve biodiversity at the site. There would also be economic benefits to the proposal which would support the tourism offer within the area and which would likely provide some support to local businesses along with economic benefits during construction. The lack of harm to the living conditions of those in the area would be a neutral matter.
18. However, these benefits need to be weighed against the harm identified above. The Framework³ requires that great weight should be given to conserving and enhancing landscape and scenic beauty in AONB's. The harm to the AONB would therefore outweigh the benefits.
19. To conclude, the proposal would conflict with the development plan and there are no material considerations to indicate that the appeal should be determined otherwise than in accordance with it. I therefore conclude that the appeal should be dismissed.

T J Burnham

INSPECTOR

³ National Planning Policy Framework 2021.