



Appeal Decision

Site visit made on 18 April 2023

by Mr M Brooker DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 22nd June 2023

Appeal Ref: APP/E2734/W/22/3311786

Land comprising field at 434461 456048, Cass Lane, Knaresborough, North Yorkshire HG5 8JZ

- 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 Hooton against the decision of Harrogate Borough Council.
 - The application Ref 22/00645/FUL, dated 15 February 2022, was refused by notice dated 27 May 2022.
 - The development proposed is erection of stables and provision of hardstanding.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. At the site visit I saw what appeared to be a residential building in the approximate location of the proposed stables and being of a similar size and scale to the proposed stable building, as shown on the submitted plans. Furthermore, there was an extensive area of hard standing that appeared to cover much of the appeal site, along with a substantial boundary treatment and some ancillary domestic residential paraphernalia.
3. It therefore appears that an altogether different development has been constructed at the appeal site from that proposed in this appeal. Consequently, I have based my decision on the proposed scheme as detailed on the submitted plans.

Main Issues

4. The main issues are:
 - I. Whether the proposal would be inappropriate development in the Green Belt having regard to the National Planning Policy Framework (the Framework) and any relevant development plan policies.
 - II. The effect of the proposal on the character and appearance of the area, including the Special Landscape Area.
 - III. If the proposal is inappropriate development, whether any harm by reason of inappropriateness, and any other harm, would be clearly outweighed by other considerations, so as to amount to the very special circumstances required to justify the proposal.

Reasons

Whether the development amounts to inappropriate development in the Green Belt and effects upon openness

5. Policy GS4 of the Harrogate District Local Plan (LP), relates to the Green Belt and states that proposals for development within it will be determined in accordance with relevant national policy. The Framework identifies that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open and that the essential characteristics of Green Belts are their openness and their permanence. It goes on to state that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.
6. The Framework further establishes that the construction of new buildings in the Green Belt should be regarded as inappropriate, subject to a number of exceptions as set out in paragraph 149 including: "b) the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it".
7. The stable block is shown on the submitted plans as a substantial standalone structure with a wide area of hardstanding. The Decision Notice details that the Council considers the stable to be excessive in scale, not of a layout that is reasonably practicable for use as a stable and linked to a business rather than outdoor sport or recreation.
8. The proposed stable block would accommodate 4 stables, in addition to hay and tack stores. The layout of the stable block is unusual, to access the stables it would be necessary to guide a horse through either the hay or tack store and along a narrow corridor. The area of hard standing is large, encompassing the remainder of the site. The appeal scheme would therefore appear as an unusual equestrian development of some scale, and I share the concerns of the Council that the layout does not appear practical for use as a stable.
9. Stables in general may be considered to be appropriate facilities for outdoor sport or recreation I have some reservations about whether that is the case in this instance given those design issues referred to above.
10. I saw at the site visit that the appeal site appears as a distinct extension to the existing development on Cass Lane, projecting into the otherwise undeveloped open countryside.
11. The proposal would therefore result in a significant footprint of permanent built development in an area of countryside that is otherwise open. Consequently, there would be a significant spatial loss of openness.
12. Notwithstanding that the building would be single storey and, as detailed by the appellant, timber clad there would be a significant visual impact as a result of its scale and the extensive footprint of the hardstanding, justified by the appellant as necessary to maintain animal welfare. Nonetheless, there would consequently be a harmful loss of openness of the Green Belt. While the loss would be small in the context of the Green Belt as a whole, the proposal would result in a moderate loss of openness in this locality. The Framework is clear that substantial weight should be given to any harm to the Green Belt.

13. I therefore find that, because of the particular design of the proposed stables in this instance, the proposal is not an appropriate facility for outdoor sport and recreation, the facility would nonetheless fail to preserve the openness of the greenbelt and would lead to encroachment into the countryside in conflict with the purposes of including land within it. The proposal would therefore be inappropriate development in the Green Belt and it would conflict with Policy G4 of the LP. It would also conflict with policies in the Framework that protect the Green Belt.

Character and appearance

14. Policy NE4 of the LP supports proposals that “protect, enhance or restore the landscape character of Harrogate district” and resists “development which would harm or be detrimental to the character”. Furthermore, Policy HP3 seeks high quality design that respects the qualities of the local area. I saw at the site visit that the countryside around the appeal site was pleasant grassland and the Officer’s report describes the appeal site as pastureland, prior to the development that I saw at the site visit, took place.
15. The proposal is set to the end of the existing development accessed off Cass Lane, a narrow lane that appears to serve a number of Gypsy Traveller sites and equestrian related enterprises.
16. Given the location of the appeal site at the end of the existing developed area, the appeal scheme projects into the open countryside, bound on three sides by open fields. Existing hedgerows and trees afford some limited screening, as does the natural undulation of the landscape. Nonetheless the appeal site is clearly visible from the nearby public right of way and other public viewpoints.
17. The appeal scheme is shown on the submitted plans as being of a substantial single storey building, the intended use of the building as a stable block is not immediately apparent from the proposed elevations. Furthermore, the area of hard standing shown on the submitted plans and as I saw at the site visit is substantial, both in itself and in proportion to the stable block.
18. The appellant details that the building would be timber clad and thus of a similar appearance to other such buildings in the area. The use of timber cladding would aid the assimilation of the proposed building into the area, but to a very limited degree only.
19. The appeal scheme would therefore introduce built development that would be visually prominent and of some scale into an otherwise undeveloped area, harming the character and appearance of the area.
20. I therefore find that, by virtue of its size, scale and siting, the proposed development would be harmful to the rural character and appearance of the area, including the Special Landscape Area and thus is contrary to Policy NE4 and HP3 of the LP.

Other Considerations

21. It is the appellant’s case that the provision of a stable “would facilitate supporting sporting and recreational activities traditionally carried out within the Romani community”. Furthermore, I appreciate that the appellant’s family are actively involved with their horses, and that the appeal site, in close proximity to their home would be particularly convenient for monitoring the

health of the animals when foaling. These are material considerations that weigh in favour of the appeal scheme, and I afford them some weight.

22. I accept that the stables would be for the personal use of the appellant's family and that the number of individual stalls has been justified, if only on the basis of the stated number of horses that the appellant wishes to keep on the site in the future and the absence of any substantive evidence before me that would lead me to conclude that the appellant intended to run the stables as a business.

The Green Belt Balance and Conclusion

23. I have concluded that the proposal would be inappropriate development in the Green Belt. It would result in a moderate loss of openness of the Green Belt. These matters attract substantial weight. The proposal would also result in harm to the character and appearance of the area. The proposal is contrary to the relevant policies of the development plan in those respects.
24. Other considerations before me, while afforded some weight, do not clearly outweigh the harm to the Green Belt by reason of inappropriateness and loss of openness and harm to the character and appearance of the area. Therefore, the very special circumstances as required by the Framework and necessary to justify the proposal do not exist and there are no material considerations to outweigh the presumption in favour of the development plan.
25. Therefore the appeal is dismissed.

Mr M Brooker

INSPECTOR