



Appeal Decision

Site visit made on 27 June 2023

by M J Francis BA (Hons) MA MSc MCIfA

an Inspector appointed by the Secretary of State

Decision date: 26 July 2023

Appeal Ref: APP/C2708/W/23/3316728

**Lingah Hill, Upper Lingah Barn, Cononley Road, Glusburn, Keighley,
North Yorkshire BD20 8BD**

- 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 Steve Boland against the decision of Craven District Council.
 - The application Ref 2022/24266/FUL, dated 27 July 2022, was refused by notice dated 3 October 2022.
 - The development proposed is described as 'new house on land adjacent to Upper Lingah Barn.'
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The site has been considered in accordance with Regulation 14(1) of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (EIA Regulations). The proposal has been screened as the site is within a SSSI Impact Risk Zone being located approximately 3km to the north of the nearest boundary of the South Pennine Moors Special Area of Conservation (SAC) and Special Scientific Interest (SSSI) plus the South Pennine Moors Phase 2 Special Protection Area (SPA). Additionally, the site is also located approximately 4km to the north-east of the Stonehead Beck (Gill Beck) SSSI. All of these sites are designated sensitive areas as defined by the EIA Regulations. The proposal was found as not likely to result in significant effects on the environment and so is not EIA development. This matter does, therefore, not need to be considered further.
3. As the site is within 3km of the SAC and the SPA, Regulation 63(1) of the Conservation of Habitats and Species Regulations 2017 (as amended) requires a Habitats Regulations Assessment. However, as I am dismissing the appeal, it is not necessary to address this matter.

Main Issues

4. The main issue is whether the location of the proposal would be suitable for housing, and the effect on the character and appearance of the surrounding area.

Reasons

5. The proposed dwelling would be located to the side of Upper Lingah Barn on an area of hardstanding which is currently used for parking and has a wooden

shed on it, and on part of a small paddock adjoining the site. The paddock slopes downwards away from the site and is separated from the hardstanding by a wooden fence and hedge.

6. Glusburn, together with Cross Hills, is a Tier 3 settlement in the Craven District Local Plan 2012 to 2032, adopted 2019, (LP). Policy SP4 of the LP directs a proportionate level of growth to Tier 3 settlements subject to a number of criteria, listed in H and I, which requires that additional housing on non-allocated land will only be supported if they accord with all other relevant local plan and neighbourhood plan policies, or on non-allocated sites that adjoin the main built-up area. The main built-up area is defined as the settlements closely grouped and visually well related buildings and any associated spaces between these buildings and excludes: 1. Individual buildings or groups of dispersed buildings or ribbon developments which are clearly detached from the main built up area of the settlement, and ribbon developments attached to the main built up area but where the housing relates more to the surrounding countryside than to the main built-up area of the settlement; and 2. Gardens, paddocks and other undeveloped land within the curtilage of buildings on the edge of the settlement where land relates more to surrounding countryside than to the main built-up area of the settlement.
7. The site is on the northern edge of Glusburn and accessed from Baxter Wood, a residential road. Despite the conversion of the cluster of buildings, in which the site is located, to residential uses, they retain the characteristics of an original farmstead. This is reinforced when approaching the site from Baxter Wood where there is a clear change, both spatially and visually, when entering onto the unmetalled road to the Lingah Farm complex of buildings. Here the visual character changes from a suburban street to a rural setting, overlooking fields and expansive views over the valley of the River Aire and the surrounding countryside.
8. Whilst the new housing development of 20 houses at Ling Haw Hill¹ is changing the character of the area to the south, this was enclosed by existing development, which the Inspector considered was closely associated in visual terms with existing dwellings. This proposal, however, lies adjacent to a group of buildings which are detached from the main built-up area and relate more clearly to the surrounding countryside. The site is therefore in terms of Policy SP4 within the open countryside.
9. The site is also located in a Green Wedge, defined in Policy ENV13 of the LP. These are described as open areas around and between settlements, helping to maintain the distinction between countryside and built-up areas and to prevent separate settlements coalescing. Whilst it is contended that the proposal would be a very minor incursion into the Green Wedge, the appeal site would extend some considerable distance forward of the side elevation of Upper Lingah Barn that overlooks the paddock. This property sits low in the site adjacent to other modest sized buildings which have been sympathetically converted. The proposal would therefore result in a significant protrusion into the adjoining countryside.
10. The proposal would be built into the slope of the site, with the design based on a modern agricultural building. The south elevation would be two storeys in height and built in stone which would have a similar profile and material

¹ APP/C2708/W/17/3178551

treatment to the adjoining properties. The north elevation, which would be located within the adjoining paddock area, would be three storeys with significant areas of glazing and a balcony. The appellant contends that the house would be of 'exceptional quality' in terms of its high energy efficiency and sustainability. The supporting evidence does, however, suggest a number of options which does not provide any certainty over whether these elements would actually be built. The appellant has clarified that it was not trying to aspire to an 'exceptional' design in the open countryside as originally conceived in national policy, although the Council consider that the architecture of the building is acceptable.

11. I noted, when I viewed the site from Cononley Road, that the cluster of buildings at Lingah Farm, form a discrete group on the edge of the ridge, with roof lines merging together to a backdrop of trees in the distance. They therefore do not appear prominent. This proposal, by extending development into the adjoining paddock, beyond the existing edge of the settlement, would not visually integrate with the existing buildings. This clearly visible incursion would be prominent, as found by the Inspector in the appeal on the nearby site for two new dwellings.² The appellant has contended that their proposal would be innocuous compared with the effect of the new housing development at Ling Haw Hill³ and would be mainly seen from Cononley village. However, the siting, and the extensive glazing, particularly on the north elevation, would result in the building being obtrusive in this location.
12. Although the proposal is not in a conservation area or a designated landscape, it is in an attractive area of countryside. LP Policy ENV1 requires new development to respect and safeguard the landscape character of an area, whilst LP Policy ENV3 requires the design of development to respect the form of existing and surrounding buildings and to respond to the landscape. This proposal would instead dilute the high-quality of the adjoining buildings and appear incongruous in this location.
13. Consequently, the proposal sited in the open countryside would not provide a suitable location for housing and would cause significant harm to the character and appearance of the surrounding area.
14. Therefore, it would not accord with LP Policy SP4 K in terms of a house in the open countryside, and LP Policies ENV 1 and ENV 3 which requires the development to respect the landscape character of the area. Furthermore, whilst the proposal would not result in the coalescence of settlements, it would extend development into the adjoining countryside which would not preserve the character and identity of the settlement contrary to LP Policy ENV13 on Green Wedges.

Other Matters

15. The proposal includes a Biodiversity Statement and plan which includes significant planting and the construction of bird boxes. Whilst this would improve overall biodiversity of the site, this is a neutral matter which does not lead me to a different conclusion.

² APP/C2708/W/19/3233559

³ APP/C2708/W/17/3178551

Conclusion

16. The proposed development conflicts with the development plan when considered as a whole and there are no material considerations that outweigh the identified harm and associated development plan conflict.
17. For the reasons given above, I conclude that the appeal is dismissed.

M J Francis

INSPECTOR