
Appeal Decision

Site visit made on 6 February 2024

by T Burnham BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 29 February 2024

Appeal Ref: APP/U2750/W/23/3332244

Cralveck House, Hungate, Bishop Monkton HG3 3QL

- 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 Mrs C Payne against the decision of North Yorkshire Council.
 - The application Ref ZC23/01565/FUL, dated 21 April 2023, was refused by notice dated 6 June 2023.
 - The development proposed is construction of timber field store for equipment to maintain the agricultural land to the rear of the domestic curtilage.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are whether the proposal accords with the development strategy for the area and the effect of the proposal on the character and appearance of the area.

Reasons

Development Strategy

3. The evidence indicates that the timber field store would be situated on land that is outside of the Bishop Monkton Development Limit. It would be within the smaller field to the north of Cralveck House, which sits to the south of a larger field. Both of those fields and Cralveck House are in single ownership.
4. The use of development limits appears to be a fundamental part of the approach to managing development within the district. The supporting text to Policy GS3 of the Harrogate District Local Plan (2020) (LP) advises that any land outside the defined limit will generally be considered countryside where there is a stricter control over development.
5. The Policy itself states that outside of development limits, proposals for new development will only be supported where expressly permitted by other policies of the plan or a neighbourhood plan or national planning policy.
6. There is limited evidence of any agricultural use of either field as it stands. The evidence states that there are plans to use some of the field as an orchard, however any planting in association with such a proposal did not seem to have occurred when I visited the site. I cannot therefore conclude that the proposal draws any support from Policy GS5 of the HLP which amongst other things seeks to support proposals that contribute towards supporting the rural and agricultural economy and its diversification.

7. No other policy has been drawn to my attention which supports such a proposal in such a location regardless of any compliance with Policy HP3 of the LP. The proposal subsequently conflicts with the development strategy for the area and there is therefore conflict with Policy GS3 of the LP.

Character and Appearance

8. The undeveloped nature of many of the parcels of land to the north of Hungate contribute positively towards the setting of Bishop Monkton as an attractive rural village set within the Countryside. Therefore, even though the field store would be carefully sited at the southern end of the smaller field close to a two storey building annex and a tall hedge, there would be an incursion into that open land which contributes positively to the character and appearance of the area. Whilst I accept that the building line on the northern side of Bishop Monkton is not uniform, the proposal would therefore harm the character and appearance of the area.
9. It is the case that individual schemes should be considered on their own merits. However, given the presence of similar pieces of undeveloped land within the immediate area, there is the potential that permitting such a proposal would set a precedent for other similar development within the area which would further harm the character and appearance of the area through creep of development into currently undeveloped areas on the northern side of Bishop Monkton.
10. There would therefore be conflict with Policy NE4 of the LP. Amongst other things this seeks the protection of the landscape character which will be achieved by resisting development which would harm or be detrimental to the character of the setting of a settlement.

Other Matters

11. The field appeared well kept and tidy at the time of my visit and is therefore likely to be subject to some form of existing management. There is no firm evidence of any intention to sever the ownership link between Cralveck House and the two fields.
12. Very limited details have been submitted regarding the extension that has been granted planning permission at Cralveck House and its implications for the storage of the sit down grass mower to maintain the land. The plans also appear to indicate a double garage to Cralveck House. I afford this matter limited weight.
13. Further, with regard to the suggested condition there is no compelling evidence that the field store is necessary for the maintenance of the smaller or larger field. There is also no current requirement relating to any storage for agricultural use given the field does not currently appear to be in that use. It would not therefore be reasonable to include such a condition.

Planning Balance and Conclusion

14. There is nothing to indicate that the decision should be made otherwise than in accordance with the development plan. I therefore conclude that the appeal should be dismissed.

T Burnham

INSPECTOR