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## Appeal Decision

Site visit made on 4 March 2024

**by Philip Lewis BA (Hons) MA MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 25 March 2024**

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**Appeal Ref: APP/U2750/W/24/3336285**

**Land adjoining Hall House Farm, Breckenbrough YO7 4EL**

- 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 White Horse Leisure Ltd against the decision of North Yorkshire Council.
  - The application Ref ZB23/01023/FUL, dated 9 May 2023, was refused by notice dated 4 July 2023.
  - The development proposed is described as 'full planning application for the demolition of existing structures and proposed tourism development comprising use of land as holiday park together with associated facilities, access, landscaping and biodiversity enhancements'.
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### Decision

1. The appeal is dismissed.

### Main Issues

2. The main issues for the appeal are:
  - Whether the proposed development would be located in an accessible location in regard to facilities, shops and services; and
  - The effect of the proposed development on the character and appearance of the area

### Reasons

#### Accessibility

3. The proposed scheme is for a holiday park including 26 static caravan pitches, along with 23 touring caravan pitches, 7 'glamping pod' pitches and an area for camping. There would be an amenity block and a reception block with an ancillary shop to address essential needs.
4. There is no dispute between the parties that the appeal site is in terms of the Hambleton Local Plan 2022 (HLP), in a countryside location as it is not located within or adjacent to the built form of an identified settlement in the settlement hierarchy. The main parties state that the nearest village, Sandhutton is around 600 to 700 metres away, accessed via the A167. I saw at my site visit that the A167 from the appeal site to Sandhutton is subject to the national speed limit, is not lit and does not have a footway. Despite the grass verges along the A167 being in places relatively wide, I saw that the surface is uneven, and given the speed of passing traffic, it does not provide an attractive

- walking route to Sandhutton, nor to public footpaths in the vicinity, even for a countryside holiday park as suggested in the appellants transport statement.
5. The appellant's transport statement identifies that the nearest bus stop is 700 metres away for services to Northallerton, whilst a further bus service to Thirsk can be accessed at St Laurence's Church in Carlton Miniott. Neither of these bus services would be accessed easily by pedestrians from the appeal site and no details have been provided as to their frequency. The same can be said for rail services at Thirsk railway station which the appellant states is around 4 km away.
  6. Whilst there are no dedicated cycle routes immediately accessible from the appeal site, it would be feasible for journeys to be made by cycle to access facilities say at Thirsk, such journeys involving travel in part along the A167 before 'country lanes' are reached. However, due to the national speed limit on the A167, cycling options may not be attractive to all cyclists.
  7. The appellant has listed local facilities within 2 km of the appeal site and I also take into account that there would be an onsite shop to address essential needs. However, having considered the evidence, it has not been demonstrated that there is a range of local services and facilities for residents of the proposed holiday park necessary to meet every day needs realistically accessible by means other than the private car.
  8. The appellant has submitted a travel plan, the overall aim of which is to achieve a reduction in the number of single occupancy vehicle journeys to/from the site and promote sustainable modes of transport including walking and cycling. However, the proposed measures, including use of the Susgo Travel Tool and provision of cycle hire and secure parking do not address the fundamental access issues for non-car users which I have outlined above.
  9. HLP Policy EG8 amongst other things, sets out that new visitor accommodation proposals will only be supported where a countryside location is proposed, the development cannot be located within or adjacent to the built form of an identified settlement in the settlement hierarchy, and it will be accessible by sustainable travel options. The appellant sets out that a countryside location is necessary for this development and that no alternative site was available within 2 km of the centre of Thirsk. However, evidence of potential alternative sites considered is very limited. Consequently, I have not been convinced that there are not suitable and available alternative sites for such a development in countryside adjacent to a defined settlement, accessible by sustainable travel options. In this regard the proposed development conflicts with HLP Policy EG8.
  10. As per paragraph 109 of the National Planning Policy Framework (NPPF) I take into account that opportunities to maximise sustainable transport solutions will vary between urban and rural areas. However, I find that the appeal scheme would not be located in an accessible location in regard to facilities, shops and services and is therefore not consistent with development plan policy for the location of new tourism accommodation. The appeal proposal conflicts with HLP Policy S1 which sets out sustainable development principles, Policy EG8, and Policy IC2 which is concerned with transport and accessibility, including amongst other things that a proposal minimises the need to travel and maximises walking, cycling, the use of public transport and other sustainable transport options.

## Character and appearance

11. The appeal site consists of a field with a number of agricultural structures in varying states of decay. At the time of my site visit, a dog daycare centre was operating from part of the site. I saw that the site is bounded by the buildings at the neighbouring Hall House Farm, the A167 road, and agricultural land, with predominately a mix of mature hedges and post and wire fencing to the site boundaries.
12. The appeal site sits within a farmed landscape with scattered farmsteads and agricultural buildings, as described in the landscape classifications referred to in the appellant's landscape and visual assessment (LVIA). Although there are other caravan sites within the locality, including at Woodland Lakes Lodges, Lakeside Caravan Park / Carlton Miniott Park and Otterington Park, having regard to the LVIA and from what I saw during my site visit, I do not consider them to be a characteristic feature of the area.
13. I concur with the appellant's LVIA in that whilst the landscape is reasonably attractive, it is not unusual or outstanding. I also take into account that the North Yorkshire and York Landscape Characterisation Project assesses 'landscape and cultural sensitivity' to be 'moderate'. I agree that the site does not make a positive contribution to the scenic quality of the landscape in its present condition. That said, it nevertheless has some value as countryside in its own right.
14. Whilst the LVIA states that permanent site buildings would be lower in height than the existing farm building and that the overall building footprint and mass of buildings would be less than the existing structures to be removed (excluding touring caravans and tents), given the amount of development proposed, the overall extent of site coverage of buildings and pitches would be more extensive than at present.
15. I have had regard to the modelled Zone of Theoretical Visibility which indicates that the site would only be seen in relatively localised views. Although the hedge to the A167 boundary limits views into the site from the road, the proposed site entrance would enable the site to be visible to passing motorists. Having taken into account the demolition of the existing agricultural structures at the site as a benefit of the proposal and the proposed landscape planting, these would not overcome the effect of the provision of new buildings, static and touring caravan pitches, 'glamping' and camping areas with their attendant access in this countryside location. Therefore, I find that the proposal would introduce a moderate degree of visual harm, which once the landscaping became established, would in my view reduce to be minor.
16. To conclude on this matter, the appeal proposal would introduce a form of development which would not be characteristic of the area, and one which would give rise to some minor visual harm once the proposed landscaping became established. The proposal would therefore harm the character and appearance of the countryside, contrary to HLP Policy S5 which is concerned with development in the countryside and HLP Policy E7 which is concerned with protecting Hambleton's landscapes. It also conflicts with HLP Policy EG8 which includes that proposals for new tourism development will only be supported where it is demonstrated that the scale, form, layout and design is appropriate to its location and would not unacceptably harm the character, appearance or amenity of the surrounding area or wider countryside.

## **Other matters**

17. I take into account that the appellant states that the scheme has the potential to generate £1 million of capital investment, 5 full time equivalent operational jobs and 10 direct full time equivalent construction jobs over the build period. I also take into account the range of sustainability measures proposed and the proposed biodiversity net gain, wildflower meadow, hedgerow and tree planting and the evidence before me about the value of tourism to the national economy, including health benefits. I have regard to the various development plan policies and those of the NPPF referred to me by the appellant.
18. The appellant has provided details of the planning history of the appeal site, which includes approved plans for a scheme for a museum date stamped February 1989. I am not clear however what the planning context was for the approval of the museum scheme, and given the passage of time, that approval is not a matter which leads me to a different conclusion. The appellant's proposals to minimise the effects of external lighting are a neutral effect in my consideration of the appeal given they would be mitigation measures.
19. The Council through its appeal submissions has raised concerns about surface water drainage following receipt of a consultation response from the Lead Flood Authority after it had determined the planning application. From the evidence before me which has been updated in this appeal, I am satisfied that I could have dealt with this matter by way of a planning condition had I been so minded to allow the appeal.
20. Since the planning application was determined, planning permission has been granted for holiday accommodation on the neighbouring Hall House Farm<sup>1</sup>. I am however dismissing the appeal for other reasons and this matter would not change the outcome of the appeal.

## **Conclusion**

21. The appeal scheme conflicts with the development plan and having had regard to the other matters raised, there are no material considerations which outweigh the conflict identified. The appeal is dismissed.

*Philip Lewis*

INSPECTOR

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<sup>1</sup> ZB23/01553/FUL dated 6 October 2023