
Appeal Decision

Site visit made on 8 October 2025

by **Paul Martinson BA (Hons) MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 27th November 2025

Appeal Ref: APP/U2750/W/25/3368638

Brackenthwaite Farm, Back Road, High Birstwith, North Yorkshire HG3 2JH

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Stuart Skelton against the decision of North Yorkshire Council.
 - The application Ref is ZC24/03703/FUL
 - The development proposed is: 'Alterations to the fabric of the existing storage and distribution building; erection of 1 no. storage and distribution building'.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. I have taken the description of the development from the Council's decision notice as it more accurately describes the appeal scheme.
3. The Council has raised no objections to the alterations to the existing storage building. I have therefore focussed my assessment on the matters that are in dispute, namely the construction of the new storage and distribution building.

Main Issue

4. The main issue is whether the location of the proposal is acceptable, having regard to the development plan policies and the effect on the landscape and scenic beauty of the Nidderdale National Landscape (NNL).

Reasons

5. Brackenthwaite Farm comprises of a group of adjoining buildings that are occupied by a horticultural business. The site is outside of the development limits of any settlement and within the open countryside as defined by the Harrogate District Local Plan (2020) (the LP). It is located within a high-quality landscape comprising of an undulating grassland plateau with extensive open views. The built form here comprises of a few scattered farmsteads with a mixture of old, traditional farmhouses and modern farm buildings.
6. The buildings at the appeal site are set back from the road edge behind a grassed area, fronted by trees and a hedgerow. These buildings are large industrial style sheds faced with grey industrial corrugated metal cladding, with fibre cement sheet roofs. A large hardsurfaced yard lies to the rear (north) which is used for storage and parking of vehicles. The area in which the site sits lies at a reasonably high point in this local landscape and as such the existing buildings at the site are

visible for considerable distance on the approach from the east, particularly along Back Road and from the public right of way linking Back Road to Cinder Hills.

7. My above assessment is reinforced by the content of the Harrogate District Landscape Character Assessment (2004) which sets out that this area, defined as Area 22, is *'an elevated exposed transitional landscape that is highly visible and as a result is sensitive to change through the expansion of existing development and new development'*.
8. The appeal site itself consists of the grassed area that lies between the roadside boundary and the operational part of the site. This is bounded by a high hedge, over which the main buildings are visible. The appeal site is predominantly open, although there are several young trees growing alongside the access road. The site is separated from the field to the east by a drystone wall along which there is a small row of trees planted at regular intervals. Owing in part to its green and undeveloped nature, the appeal site helps to limit the shorter range views of the industrial buildings from Back Road, including along its access.
9. The appeal proposal is for the construction of a three-bay building that would be faced with vertical timber boarding and roofed with light green roofing sheets. The proposed building would have a similar form and height to the existing buildings at the site and as such would be highly visible in the aforementioned views on the approach from the east. Its north-south orientation would exacerbate the visual impact of the building in these views.
10. Furthermore, the existing line of trees and drystone wall boundary would offer little screening, and this screening would decrease further when the trees were not in leaf. The loss of the green space through its development would reduce the visual separation from Back Road and the proposed building would be clearly visible at short distances along the access and from Back Road.
11. The effect of the introduction of the building would be the expansion of the site into its undeveloped surroundings and to significantly increase its prominence within the landscape as a whole. When seen in the context of the other buildings and the site in general, I do not share the appellants view that the proposal would appear as a farm building. Rather, the site would appear as an expanded group of industrial buildings in an elevated and prominent setting within the open countryside. The encroachment of the proposed building into its undeveloped surroundings would therefore appear incongruous within this remote rural setting, adversely affecting the landscape and diminishing the scenic quality of the NNL.
12. I am mindful that there are large modern agricultural buildings within the locality, however, whilst I do not have details of these approvals, they were likely granted on the basis of an agricultural need for a countryside location. The appellant's justification for a new building in the countryside is to provide a safe and secure area for charging of vehicles. However, it is unclear why the charging of vehicles must take place separately from the main operations and I am not directed to any fire safety requirements that would preclude electric vehicles being stored away from petrol or diesel vehicles. Based on the evidence before me, this is not a compelling argument for a new building and this does not constitute a proven need as required by part A) of Policy EC2 of the LP.
13. Whilst there may have been discussions as part of pre-application advice between the parties as to the appropriate location for the building, my role is to assess the

effect of the proposed building in the location shown. Nonetheless, for the reasons set out above, it has not been adequately demonstrated that the building could not physically or reasonably be accommodated within the curtilage at the existing site as required by Part B) of LP Policy EC2.

14. For the above reasons I therefore conclude that the location of the proposal would not be acceptable, having regard to the development plan policies and the effect on the landscape and scenic beauty of the NNL. The proposal would therefore conflict with Policies GS2, GS3 and HP3 of the LP which together seek to ensure new development within the open countryside meets a defined need, and preserves local distinctiveness. The proposal would also conflict with Policy NE4 which seeks to ensure new developments preserve the landscape character, including of the NNL. For the same reasons conflict would also occur with Policy EC2, described above.

Conclusion

15. For the reasons given above, having considered the approach in the Framework and all other relevant material considerations, I conclude that the appeal should be dismissed.

Paul Martinson

INSPECTOR