
Appeal Decision

Site visit made on 22 December 2015

by Mark Caine BSc (Hons) MTPL MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 6 February 2016

Appeal Ref: APP/Y2736/W/15/3133256

Thirkleby Wold Farm, Croome Road, Sledmere, East Riding of Yorkshire, YO25 3XZ

- 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 Harrison Farms (Kilham) Ltd against the decision of Ryedale District Council.
 - The application Ref 15/00577/FUL, dated 11 May 2015, was refused by notice dated 21 July 2015.
 - The development proposed is the erection of a livestock building.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue in this appeal is the effect of the proposal on the character and appearance of the landscape.

Reasons

3. The appeal site comprises part of an arable field that lies to the south west of the settlement of West Lutton and is located in the Yorkshire Wolds which is a designated Area of High Landscape Value (AHLV). It is situated immediately adjacent to a belt of existing mature woodland and approximately 200 metres to the north of Thirkelby Wold Farm. Public footpaths and bridleways run in close proximity to the north and eastern boundaries of the appeal site.
4. The appellant has referred me to the North Yorkshire County Council Landscape Character Assessment (NYCLCA) which identifies the site as being within the 'Chalk Wolds'. This describes the area as encompassing a large scale elevated chalk landscape of rounded, rolling hills that are dissected by occasional deep valleys. This was confirmed on my site visit where I saw that whilst other agricultural farmsteads are visible from the appeal site, they are compact and nucleated, and their sporadic siting does not alter the prevailing character of the area which is dominated by open fields, agricultural land and an expansive rolling landscape.
5. Indeed, the topography of the area is such that the appeal site sits in an elevated and relatively prominent isolated location, away from other buildings, in the open landscape. I appreciate that the areas of woodland would provide a backdrop for the proposal and screen some views of it from the south and

- western directions. It has also been put to me that being able to see existing agricultural buildings from a public right of way is not unusual. However the proposed building would be of a substantial size and scale, and despite the landform and intermittent roadside hedgerows I consider that its conspicuous isolated presence would be readily apparent from not only public footpaths and bridleways but a number of other vantage points, including along Malton Lane and Low Road.
6. The appellant states that the proposed building could not be relocated within the existing shelter belt due to ventilation issues; however there is little conclusive evidence before me to support this view. As such I consider that the overall impact of the proposal would significantly intrude and interrupt this sensitive undeveloped landscape and encroach into the open countryside.
 7. A number of economic, social and environmental benefits that have been put forward by the appellant in support of their case. These include the diversification of the business, which would provide an additional income stream and pig slurry as a valuable source of organic fertilizer to add to the sustainability of the existing arable cropping. This in turn, would result in cost savings, job retention and direct and indirect employment creation. The contribution that the proposal would make to the local economy during the construction of the building, and to associated services industries within the livestock sector and other rural businesses have also been put forward as favourable factors. I am also aware that the proposal would reduce the need for imported fertilizer and pig meat, lessen associated travel miles, and promote cheap and environmentally efficient home produced food.
 8. Paragraph 19 of the National Planning Policy Framework (the Framework) advises that significant weight should be placed on the need to support economic growth through the planning system. Paragraph 28 of the Framework is also supportive of a prosperous rural economy, the promotion of the development and diversification of agricultural and other land based rural business and growth in existing businesses.
 9. However in defining the environmental role of the planning system, paragraph 7 of the Framework emphasises the need to protect and enhance the natural and built environment. The core planning principles set out in paragraph 17 of the Framework also include the need to take account of different roles and character of different areas, recognising the intrinsic character and beauty of the countryside and to enhance the natural environment. Furthermore, paragraph 109 states that the planning system should conserve and enhance the natural environment and valued landscapes.
 10. I therefore do not consider that the benefits proposed would outweigh the substantial visual harm that I have identified. As such I conclude that the proposal would have a significantly harmful effect on the character and appearance of the landscape and that it would conflict with the aims of Policies SP13, SP16 and SP20 of the Ryedale Plan – Local Plan Strategy 2013 (Local Plan). Amongst other matters these require development proposals to respect the context and character of the immediate locality, and to protect the distinctive elements and scenic qualities of locally valued landscapes.
 11. In reaching my conclusions I have been mindful that the NYCLCA highlights the introduction of new visually intrusive large agricultural sheds as forces for change affecting landscapes. I have also taken account of the appellant's

reference to the presumption in favour of sustainable development. However the subject of "achieving sustainable development" in the Framework has 3 dimensions, which are economic, social and environmental roles that are expected to be delivered equally. Therefore, as the proposal would not satisfy the environmental dimension it does not constitute sustainable development.

12. I note that no objections have been received from neighbouring residents or statutory consultees; however, these are not determining factors in the consideration of an appeal and do not overcome or outweigh the significant harm that the proposal would cause.
13. For the reasons given above, the appeal is therefore dismissed.

Mark Caine

INSPECTOR