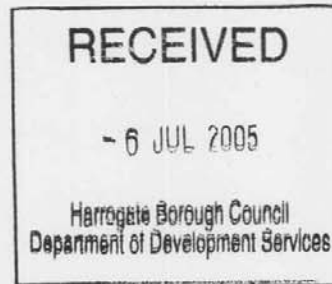


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APPENDIX 1



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Dear Mr Williams

PROPOSED HOLIDAY ACCOMMODATION AT DUCKS NEST FARM, RUDDING PARK, HARROGATE

Introduction

I refer to our recent meeting on site when I was able to brief you on this project and Rudding Park generally. You are aware that we act for Rudding Park. You will also be aware that a significant part of the successful diversification of Rudding Park has been the income generated by the various types of holiday accommodation.

An opportunity has arisen at Ducks Nest Farm, Rudding to provide additional holiday accommodation on the Park. We have been instructed to prepare and submit a planning application to obtain permission for this opportunity.

The Planning Application

We therefore enclose a full planning application for the conversion and rebuilding of agricultural buildings at Ducks Nest Farm to six holiday units and spa room. We enclose the completed planning application forms and certificates together with location plans, full detailed plans and elevations of the proposals and a structural appraisal.

The application is explained in this covering letter, which also sets out planning considerations.

Planning Application Fee

The planning application fee calculation comprises two elements:

1. Change of use of existing buildings = £265.
2. New build floor space of 647m² = 9 x £265 = £2,385.

The higher fee applies. We enclose our client's cheque for £2,385.

The Proposal

This proposal is for the creation of six holiday units for short-term holiday letting (that is for short-term lets that are no more than 28 days or one calendar month at a time during the summer and for up to 4 months during the winter). The application is a hybrid planning application which seeks to convert the traditional buildings at Ducks Nest Farm, Rudding to three short-term letting units and the demolition of the more modern steel framed beef fattening unit and its replacement with three holiday units designed to echo the traditional architecture found on site and elsewhere on the Park.

The application is accompanied by a structural appraisal, which demonstrates that the conversion elements are capable of being carried out without substantial rebuilding.

Access will be via the existing Rudding Lane access serving other holiday accommodation at Ducks Nest Farm and the rest of the farmstead. Infrastructure already exists to service the site. Water supply is via the mains water supply, surface water disposal is via a sustainable drainage system to soakaways and foul drainage will be to a new package treatment plant to serve the site, which is to be piped to the nearby land drainage system since there is no public mains service within a reasonable distance.

Spa Room

Within the farm complex it is proposed to construct a two-storey "Spa Room" which will comprise a jacuzzi, sauna facilities and fitness machines specifically for the use of those using the Ducks Nest Farm accommodation only. This is a key element package to the holiday concept being promoted.

Planning Issues

Overview: the application site lies within the West Yorkshire Green Belt and within an area identified as a Special Landscape Area. The proposal is a mixture of conversion of existing buildings and replacement of a large unsightly agricultural building with more traditional and conventional accommodation. The primary objective is to strengthen the Estate's range of tourism/holiday accommodation at the same time as making sensible use of existing assets. The Estate has long been at the forefront of provision of quality accommodation to service the tourism, holiday and conference markets, which are the backbone of the local economy.

The Development Plan

Within that context it is expected that the Local Planning Authority will consider this proposal against the development plan for the area. This currently consists of the North Yorkshire County Structure Plan and the Harrogate District Local Plan (together with some selective alterations). The main development plan documents are now of some age and are less up-to-date in some respects than new National Planning Policy and to that extent have less weight and are superseded by more recent policy. These matters are commented on as appropriate.

The principle Planning Policies within the Department Plan, which will be material to the determination of this application are mainly those contained within the HDLP relating to development within the green belt countryside for tourism purposes.

Green Belt

Policy GB2 "the Control of Development in the Green Belt" confirms that in principle the re-use of buildings within the Green Belt is not "inappropriate" development within the Green Belt, provided proposals do not have a materially greater impact than the existing use to the openness of the Green Belt or the purposes of including land within it.

This application is a mix of conversion, to be considered under policies C16 later in this document and replacement of existing agricultural building. It is our view that the replacement of buildings in rural areas (see also PPS7) and particularly within the Green Belt, is not inappropriate in accordance with policy PPG2(c) provided the use of the land for tourism in this way would preserve the openness of the Green Belt and is considered compatible with the purposes of including land within the Green Belt.

Moreover, **Policy GB4** "Requirements of Development in a Green Belt" confirms that for appropriate uses within the Green Belt, the scale location and design of the proposal should not detract from the open character of visual amenity of the Green Belt or prejudice Green Belt purposes.

The objectives of including land within the Green Belt are set out in PPG2. These are discussed later in this document. It is our view however that the proposals provide access to open countryside for the urban population through holiday/tourism linked to the recreational activities already established on the Estate, including the Rudding Park golf course. Furthermore, the proposals help to consolidate and promote the use of sporting and recreational activities on the Estate and to retain and improve the landscape setting to Harrogate town. We are able to therefore conclude that the proposals are appropriate development within the Green Belt and therefore accord with **Policy GB2 & GB4**.

Special Landscape Area

Within the HDLP a number of countryside policies refer to the landscape character setting of Harrogate town wherein this proposal lies. The application site is within an area designated as a "Special Landscape Area" under **Policy C9(d)**. This is referred to as the "Crimple Valley" and the policy expects proposals to have no adverse impact on the character of the landscape in these areas and for development to be of a high standard of design. The SLA area C9(d) is a very extensive swathe of land covering the Southern fringe of Harrogate from Beckwithshaw to beyond Follifoot.

The existing Ducks Nest Farm lies within this landscape. In itself it is not particularly prominent but does comprise a range of traditional farmstead buildings, together with a more modern agricultural building, which could conceivably be used in its existing form for many other activities but would undoubtedly be better if it were removed and replaced with a smaller more traditional range of buildings. Within that context the proposals have a positive impact on the character of the landscape through improvement.

Policy C2 "Landscape Character" identifies the application site as lying within an area where the Local Planning Authority wish to encourage repair of the landscape pattern. The policy encourages development to protect an existing landscape character and to take the opportunity to repair and restore landscape that is so identified through new development opportunities as appropriate.

We are therefore satisfied that the proposal in principle and in detail positively enhances the SLA in regard to the landscape character.

Conversion and Replacement

Policy C16 "the Re-use and Adaptation of Rural Buildings" provides for the reuse of rural buildings for a variety of uses. There is a preference for proposals that encourage economic regeneration of the rural areas. This proposal for short-term holiday lets adds to and enhances the Estate's existing role in the letting market for holidays, tourism and the conference trade where high quality short-term letting is required. The proposals therefore dovetail directly into the established business.

Policy C16 sets out a number of criteria to be satisfied.

Criteria A

It is important to ensure that the proposals have no adverse effect on the character/appearance of the countryside or the buildings. The buildings are not listed. However, the traditional farmstead buildings will positively enhance the countryside as explained earlier and indeed ensure the buildings have a long a fruitful future.

Moreover, as explained within this document, the replacement of the more modern agricultural building with a range of traditional smaller buildings will have a positive enhancement to the character and appearance of the countryside and to the setting of the existing traditional buildings. We are therefore satisfied that Criteria A is met in full.

The proposals are not for residential use. They are for business re-use. We therefore turn to the four additional criteria.

Criteria F

The structural appraisal accompanying this application demonstrates that the traditional buildings to be converted are of a permanent and substantial construction. The building to be replaced is also of permanent and substantial construction although it will be replaced in accordance with PPS7. We are satisfied that Criteria F is met.

Criteria G

The alterations and rebuilding required to facilitate this proposal are the minimum required to achieve an excellent result and are essential to the operational requirements of these buildings as holiday accommodation. Criteria G is therefore met.

Criteria H

The six holiday units proposed are well placed in relation to the existing Estate activities and the surrounding recreational facilities on the Estate and in the wider locality. The scale of the proposal is appropriate to this rural area and would not prejudice either the nearby towns of Harrogate or Knaresborough or the village vitality of Follifoot. Criteria H is therefore satisfied.

Criteria I

The proposals would have no adverse effect on residential amenity. Criteria I is therefore satisfied.

It may therefore be concluded that in all respects proposals satisfy **Policy C16**.

Policy C14 "Farm Diversification" is relevant to this application. The Estate has always been at the forefront of diversification proposals over the last 25 years and is demonstrably excellent at this, which it has achieved without harming important listed buildings and the landscape setting to Harrogate town. As part of an Estate diversification, the conversion and re-building proposed to create six holiday units and associated service building satisfies **Policy C14** in principle and detail since the proposals make sensible re-use of an existing farmstead without any effect on the character and amenity of the area or any other residential property in the area. The level of traffic generated is acceptable. **Policy C14** is satisfied.

In preparing the proposals, our clients' architects have been diligent in ensuring that the proposals satisfy the normal criteria for conversions and rebuilding. These may be summarised within **Policy HD20** "Design of New Development and Re-Development". The design principles are those followed by the Architects and it is demonstrable through their long involvement with the Estate that this proposal is well designed and makes a positive contribution in all respects.

Tourism

The HDLP seeks to ensure that the Council promote tourism facilities to meet the needs of visitors to the area, which are acceptable in environmental and amenity terms and support both the rural and wider economy.

Policy TR1 "Visitor Accommodation" supports the creation and improvement of existing serviced accommodation. The short term letting accommodation proposed will be part of the serviced accommodation already established at Ridding Park. The policy sets out five criteria, which are met and **Policy TR1** is satisfied.

National Planning Policy and Guidance

A number of guidance and policy documents published to set up National Planning Policy will be taken into account and given considerable weight where they are more up to date than the policies within the Development Plan for the area.

PPG21 "Tourism" (November 1992) and PPG2 "Green Belts" (January 1995) are both relevant. The substance of this guidance is incorporated within the HDLP. More recent PPS7 "Sustainable Development in Rural Areas" published in August 2004 sets out the Government's more recent requirements, particularly in relation to the reuse of buildings in the countryside, the replacement of buildings in the countryside and the role of tourism and leisure and provision of tourist accommodation. In so far as this is more recent National Planning Policy, it supersedes Development Plan policies relating to the provision of accommodation within rural areas, including the Green Belts.

PPG2 has already been mentioned in relation to Green Belt Policy and the HDLP. We have set out the arguments for concluding that the proposals are "appropriate development" since the use of Ducks Nest Farm as holiday accommodation is a use which will preserve the openness of the Green Belt and does not conflict with the purposes of including land within the West Yorkshire Green Belt. The reuse of buildings within the Green Belts in this instance would not prejudice the openness of the Green Belt since the buildings are already there. Furthermore, the replacement of the large modern agricultural building will improve the openness of the Green Belt and will contribute to the improvement of the visual amenity of the Green Belt.

Paragraph 3.8 of PPG2 confirms that the reuse of buildings inside the Green Belt is not inappropriate provided a) the proposals do not have a materially greater impact than the present use on the openness as expounded in this document, b) that strict control is exercised over the extension of reused buildings. The proposals have been carefully conceived to ensure that there is in fact no extension of the buildings but a diminution through a reduction in floor area and size and massing generally, c) the traditional buildings are clearly of permanent and substantial construction and are capable of conversion without major or complete reconstruction. The enclosed structural appraisal demonstrates this. In regard to the replacement building PPG2 clearly has to be seen within the more recent context of PPS7 and our commentary on this concurs within the context of current national policy. The replacement of the more modern agricultural building is in accordance with Green Belt policy because it seeks to have a lesser impact for the proposal on the wider Green Belt and d) the proposals in relation to their form, bulk and general design are in keeping with their surroundings.

It is therefore clear that this proposal can be considered as appropriate development within the Green Belt and therefore "very special circumstances" do not need to be demonstrated.

PPG21 "Tourism" focuses attention on the economic significance of tourism and indeed the HDLP policies seek to set out active encouragement by the Local Planning Authority for this kind of rural tourism facility. It does not preclude such facilities within the Green Belt or in areas of special landscape. Indeed such facilities can often, as in this case, be entirely appropriate to meet the needs of visitors central to both the local and national economy, which have responded sensitively to the local environmental conditions and demonstrate distinctly high standards of design and appropriateness in both scale and location.

In PPS7 the Government's objectives for the future of rural areas are expounded in some detail. This document supersedes the Development Plan and being more recent has considerable weight.

The reuse of existing buildings within the rural areas including the Green Belt is fundamentally sustainable making a more sensible and better use of existing assets and resources.

It is clear that this proposal is fully sustainable. It lies on an existing Estate, which has already developed and contributes towards accommodation designed specifically to local tourism, holiday and conference requirements. The proposal is an extension of this diverse economic income for the Estate.

PPS7 clearly makes a preference for activities that contribute to the rural economy and promote recreation and enjoyment of the countryside as in this instance.

There is a stated preference for the reuse of buildings within the countryside for economic development purposes. Holiday accommodation of this type falls clearly within this category, which provides for an improved impact of Ducks Nest Farm on the countryside landscape and wildlife, whilst providing a welcome boost to the local economy. The scale is small and will have no impact on settlement plans yet has excellent accessibility to existing facilities on the Estate and within the immediately adjacent major towns of Harrogate and Knaresborough.

Paragraph 18 requires the Local Planning Authority to be particularly supportive of the reuse of existing buildings adjacent or closely related to existing towns and villages for economic purposes.

In addition to sensible reuse of existing resources, PPS7 introduces, for the first time, Government support of the replacement of suitably located existing buildings of permanent design and construction in the countryside for economic development purposes. The second element of this application relies on paragraph 19 of PPS7, which states

"the replacement of buildings should be favoured where this would result in a more acceptable and sustainable development than might be achieved through conversion, for example, where the replacement buildings would bring about an environmental improvement in terms of the impact of the development on its surroundings and the landscape".

Such is the case in this instance. The replacement of a large modern steel framed agricultural building originally built as a beef fattening unit as part of the farm at Rudding will be replaced with three holiday units and a service building, including fitness machines and spa of an overall smaller mass and size. It will be built in traditional materials being complimentary to the character and appearance of the countryside, bringing overall significant improvements and of course enabling both the diversification of Estate income and the provision of accommodation to provide for established and important holiday/tourism and conference economies.

Access Arrangements

There is an existing access from the public highway that serves Ducks Nest Farm. This is adequate to service the proposal. The farm access joins the public highway at Rudding Dower on Rudding Lane. This access is acceptable and adequate with safe visibility displays. No further alterations are required.

The expected level of traffic to the development at Ducks Nest Farm will be low. The six holiday units and the Spa Room facility will not generate a significant level of traffic. Furthermore, the existing use of the buildings at Ducks Nest Farm will cease. The buildings are currently used for Estate facilities and service arrangements and generate a not insignificant number of vehicle movements, including tractors and trailers on a daily basis. It is estimated that the proposal will be "neutral" in terms of changes in traffic. The access will be resurfaced as necessary and traffic calming will ensure speeds are low.

Drainage Arrangements

Waste water from the site can be adequately disposed of. Service water from roofs will be drained to existing and proposed soakaways, which will be constructed in accordance with sustainable drainage principles.

The overall level of service water to dispose of from the proposal will be similar to that from the existing site. No problems are experienced at the present time and none are anticipated.

Waste water requiring treatment will be cleaned in a new package treatment plant to serve the six holiday units and the spa. The clean effluent from the package treatment plant will be piped to the nearest field drain, which drains directly to the River Crimple about 200 metres to the North East of the site.

The disposal of waste water will be non-polluting and in accordance with guidance from the Environment Agency.

Conclusion

This proposal makes a sensible and pragmatic use of the existing buildings at Ducks Nest Farm on Rudding Park. The Park already has a flourishing and well-established reputation for the provision of many types of accommodation for people visiting the Harrogate area for holidays, tourism and for the conference trade. The Estate understandably wishes to make sensible use of their assets to improve the diverse income that this produces, both for themselves and the wider economy.

The proposal achieves this by the provision of six holiday units and associated service block through the conversion of traditional buildings and the replacement of the more modern agricultural building with a well conceived range of buildings designed to be complimentary to and positively enhance both the farmstead and the wider landscape.

Accordingly, we consider the proposal is appropriate development both within the Green Belt and the Special Landscape Area and requires no "very special circumstances" to be proven in order for the Local Planning Authority to accept and approve the application.

Furthermore, it is our view that testing the proposals against the principle policies within the Development Plan and National Planning Policy and Guidance, the proposal satisfies the policies in all respects and should be supported and approved by the Local Planning Authority.

