

**North Yorkshire Council**

**Community Development Services**

**Skipton and Ripon Area Constituency Committee**

**03 OCTOBER 2023**

**PROPOSED ADDITIONAL MOT AND SERVICE BUILDING TO SERVE EXISTING AUTO SERVICES BUSINESS INCLUDING REMOVAL OF EXISTING OVERFLOW CAR PARK AT GRAYSTON PLAIN FARM, GRAYSTON PLAIN LANE, FELLISCLIFFE, HG3 2LY**

**Report of the Corporate Director – Community Development Services**

**1.0 Purpose of the Report**

- 1.1 To determine a planning application for the erection of an additional MOT and Service Building to serve existing Auto Services Business including removal of existing overflow car park on land at Grayston Plain Farm, Grayston Plain Lane, Felliscliffe, HG3 2LY.
- 1.2 This application is brought to the Area Planning Committee as the Ward Member has made representations in writing to the Head of Planning (HoP) within the publicity period setting out material planning considerations in relation to Policy GS6 of the Local Plan.

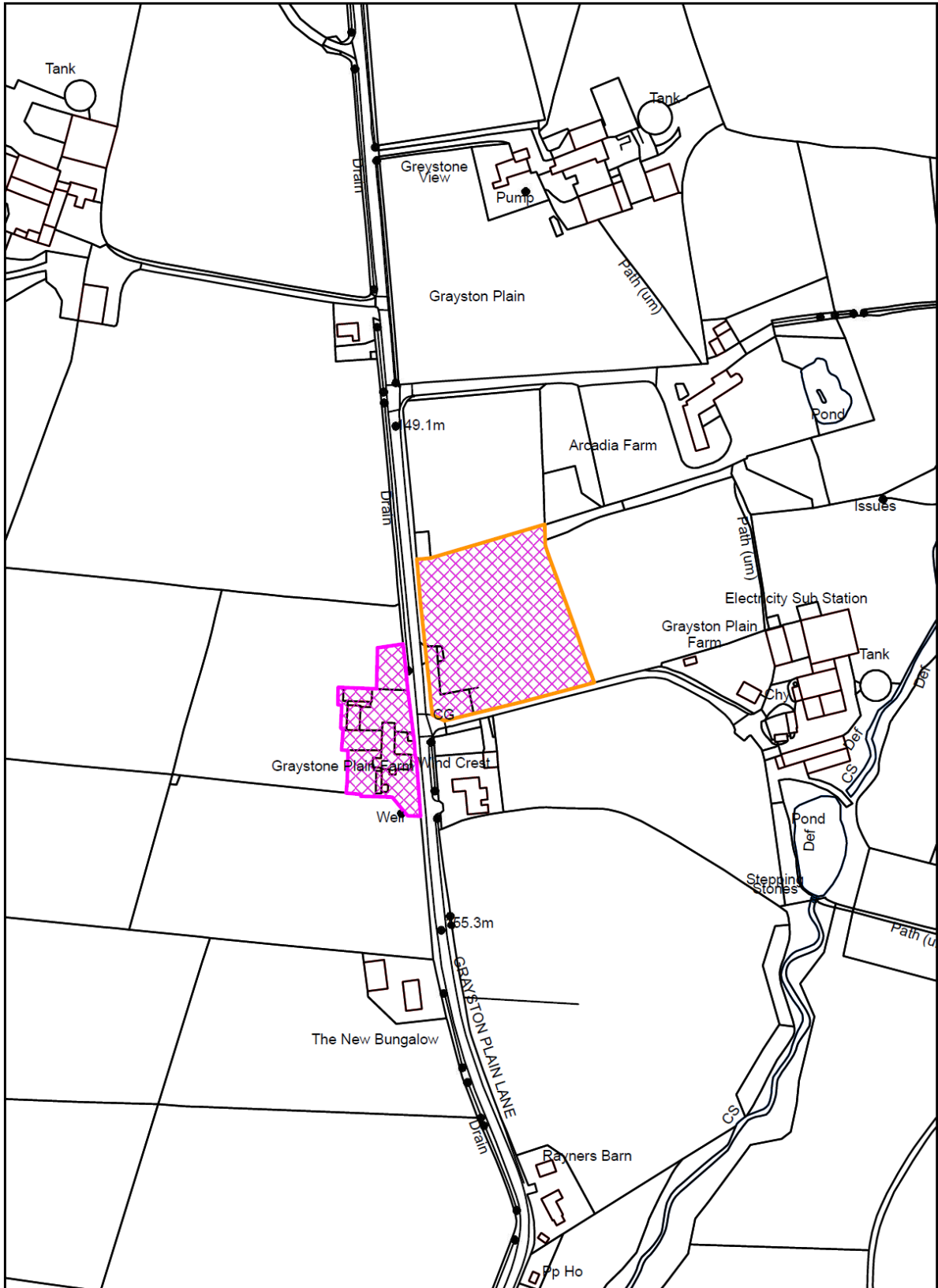
**2.0 EXECUTIVE SUMMARY**

**RECOMMENDATION: That planning permission be REFUSED**

- 2.1. This application seeks Full Planning Permission for the erection of an additional MOT and Service building, hardstanding and landscaping to be erected within an open field on the opposite side of the Graystone Plain Lane to the existing garage operation.
- 2.2. The site of existing operation is located within the Nidderdale AONB and an area of hardstanding within the site is proposed to be returned to grassland. The proposed site is located outside the AONB but immediately adjacent to it. Both sites are outside defined development limits.
- 2.3. The site is approximately 1.3 miles outside of Hampsthwaite (32 mins walk) and 3 miles (1 hr 10 min walk) from Harrogate. There is no public transport route that serves the site. A bus travels along the A59 but the nearest stop is approximately 32 mins walk away.
- 2.4. A previous scheme for the relocation of the entire operation to the application site was refused under 22/04501/FUL due to the fact that the *proposed development was considered to be unsustainably located, with no demonstrated need for a rural location, and therefore contrary to Policies EC3, GS2 and GS3 of the Local Plan. In addition by virtue of its scale and the introduction of built development into an open landscape the proposal was considered to create a significant level of landscape*

*harm to both the open countryside and the views into and out of the Nidderdale AONB and therefore be contrary to Local Plan Policies GS6, NE4 and EC3.*

- 2.5. The site is located outside defined development limits in 'open countryside', where the principle of new build development is not supported. It is considered that the proposal would have an economic benefit to the area however by virtue of the scale and level of landscape harm created to the open countryside and views in and out of the Nidderdale AONB, the proposal would be contrary to national government policy and Local Plan Policies GS2, GS3 and GS6 and would undermine the growth strategy for the District.



# Location Plan

Scale 1:2,500



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22/09/2023

### **3.0 Preliminary Matters**

- 3.1. Access to the case file on Public Access can be found [here](#).
- 3.2. Pre-application advice on the development of the site was provided under 21/02730/PREMIM. This raised an in principle objection and directed the applicant to relevant planning permissions in place for sites that may meet their needs.
- 3.3. There are 5 relevant planning applications for this application which are detailed below.

22/04501/FUL Proposed relocation of auto services business comprising new building with associated parking and landscaping together with demolition of existing MOT building and removal of car park. REF 26.01.2023.

10/04681/FUL Retrospective change of use from agricultural land and retention of hardstanding for use as staff parking area in association with motor vehicle maintenance business and at other times as a for livestock loading and unloading area. PER 22.10.2010.

03/03154/FUL Change of use of agricultural building to form motor vehicle workshop. PER 02.09.2003

00/03699/FUL Erection of building for use as motor vehicle service facility (Class B2). PER 11.01.2001

96/00699/COU Change of Use of agricultural storage building to vehicular maintenance building. PER 29.10.1997

### **4.0 Site and Surroundings**

- 4.1. The application site relates to the existing business premises situated at Graystone Plain Farm which provide auto servicing and repair facilities and a large open field situated to the north west of the site across the highway – Graystone Plain Lane. The application site is approximately 0.5 ha in size, the existing operation covers 0.14ha.
- 4.2. Both sites are situated outside defined development limits and are therefore considered to be located in open countryside. The existing business site occupies a number of sheds adjacent to the farmhouse some of which were previously agricultural buildings, and are located within the Nidderdale AONB.
- 4.3. The proposed site of the additional accommodation is located outside the Nidderdale AONB but adjoins the boundary with the designated landscape.
- 4.4. A small car park has been created within a small section of the open field, however there is no evidence that planning permission has been obtained for the change of use or the hardstanding.

- 4.5. A domestic property exists immediately opposite the existing site and to the south of the proposed site. A small access runs along the south of the open field to provide access to this property and the farm beyond.
- 4.6. A public footpath runs to the east of the site beyond the site boundary.
- 4.7. The site is approximately 1.3 miles outside of Hampsthwaite (32 mins walk) and 3 miles (1 hr 10 min walk) from Harrogate. There is no public transport route that serves the site. A bus travels along the A59 but the nearest stop is approximately 32 mins walk away.

## **5.0 Description of Proposal**

- 5.1. This application seeks Full Planning Permission for the erection of an additional MOT and Service building to be used in conjunction with the existing operation. The application site comprises of just over 0.5 ha and would include an upgraded access, parking for 13 no. cars plus additional hardstanding.
- 5.2. The building proposed is 565sqm in footprint with a volume of 4750m<sup>3</sup>. The building is 25.8m in length by 21.4m in width. The building stands 6.16m to the eaves and 10.72m to the ridge and provides 2 large MOT Bays plus 7 smaller bays at ground floor and a mezzanine teaching and observation area at first floor.
- 5.3. The proposal retains the existing enterprise on the original site and the customer reception. The proposal also includes the removal of an area of hardstanding presently used for overflow car parking on the existing site and return to grassland.
- 5.4. A landscaping scheme is also proposed for both sites.
- 5.5. The application is supported by a Landscape and Ecology Strategy; Landscape Visual Assessment; Transport Strategy, a planning statement and a statement from the applicant.
- 5.6. A previous scheme for the relocation of the entire operation was refused under 22/04501/FUL. This scheme differs from the previous refusal as the proposal was to move the entire operation which will now be split between the two sites. The building was slightly larger having a footprint of 753 sq m; the previous building was 32m in length but smaller in width at 20.8m. The proposal provided one more servicing bay but also included a reception and store area. The building height remains the same as that previously proposed and there is a small reduction of 3 no. spaces in terms of hardstanding.
- 5.7. This application was refused for the following reasons:
  1. *The application site is located within 'open countryside' in an area where development is only acceptable in line with Local Plan Policy GS3 where expressly permitted by either national or local policy. The proposed development is considered to be unsustainably located, with no demonstrated need for a rural*

*location, and thus is contrary to Policies EC3 and GS3 of the Local Plan and undermines the District's growth strategy as set out in Local Plan Policy GS2.*

2. *By virtue of its scale and the introduction of built development into an open landscape the proposal is considered to create a significant level of landscape harm to both the open countryside and the views into and out of the Nidderdale AONB and would therefore be contrary to Local Plan Policies GS6, NE4 and EC3.*

## **6.0 Planning Policy and Guidance**

- 6.1. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that all planning authorities must determine each application under the Planning Acts in accordance with Development Plan so far as material to the application unless material considerations indicate otherwise.

### Adopted Development Plan

- 6.2. The Adopted Development Plan for this site is:

- Harrogate District Local Plan 2014-2035, adopted 4th March 2020
- Minerals and Waste Joint Plan, adopted 2022

### Emerging Development Plan – Material Consideration

- 6.3. The North Yorkshire Local Plan is the emerging development plan for this site though no weight can be applied in respect of this document at the current time as it is at an early stage of preparation.

### Guidance - Material Considerations

- 6.4. Relevant guidance for this application is:

- National Planning Policy Framework 2021
- National Planning Practice Guidance
- National Design Guide 2021
- Landscape Character Assessment
- Nidderdale AONB Management Plan

## **7.0 Consultation Responses**

- 7.1. The following consultation responses have been received and have been summarised below.
- 7.2. **Parish Council:** Does not object or support the application that seeks safeguards that the work is carried out in accordance with the submitted details.
- 7.3. **Economic Development:** Support the proposal to allow a local business to continue to operate and confirm that there is a lack of suitable alternative locations close by to the site.
- 7.4. **Environment Agency** – No comments received

- 7.5. **Environmental Health:** Recommend conditions in relation to noise; waste storage and unforeseen land contamination.
- 7.6. **Highways:** Recommend that the existing car parking is not removed until the new development is completed as there are 12 spaces in this overflow area which would be lost. Recommend conditions in relation to visibility; access arrangements; parking and turning and provision of a construction management plan for the site.
- 7.7. **Landscape Officer:** Considers that the proposal would have harmful consequences in terms of its landscape impact and the impact on the Nidderdale AONB.
- 7.8. **Natural England:** Raise no objections but refer to the guidance with regards to protected landscapes – Nidderdale AONB.
- 7.9. **AONB JAC** – The AONB board recognise the balance of the needs of local businesses with the committee’s overriding purpose to conserve the AONB’s unique landscape. Although just outside the boundary of the designated area there will be a residual impact on the AONB. The landscaping scheme which would undermine the character of the AONB should be reviewed and amended in line with comments from the Council’s Landscape Officer, to see if any alternative scheme can be devised.
- 7.10. **Yorkshire Water:** The proposal is not in an area served by any public sewerage network. The application should be referred to the Environment Agency and Environmental Health.

#### Local Representations

- 7.11. 55 local representations have been received of which all are in support. A summary of the comments is provided below, however, please see website for full comments.
- 7.12. Support:
- Refusal would lead to a loss of an important community facility
  - New build should be an evolving part of the landscape of the AONB
  - Proposal provides employment opportunities
  - Losing this facility or its relocation further away would increase travel for customers which would be inconvenient and would increase congestion.
  - Support rural businesses
  - There should be a balanced approach between the need to conserve the landscape and economics
  - The proposal is a similar design to an agricultural building
  - Protecting the landscape of the AONB should not be at the sacrifice to local businesses
  - Proposal meets Council policy
  - Electric charging would be a community benefit
  - Proposal is not in the AONB and would have no significant impact

## **8.0 Environment Impact Assessment (EIA)**

- 8.1. The development proposed does not fall within Schedule 1 or 2 of the Environmental Impact Assessment Regulations 2017 (as amended). No Environment Statement is therefore required.

## **9.0 Main Issues**

- 9.1. The key considerations in the assessment of this application are:

- Principle of development
- Impact on Landscape Character and the Nidderdale AONB
- Highways
- Drainage
- Residential Amenity
- Ecology
- Other matters

## **10.0 ASSESSMENT**

### Principle of Development

- 10.1. The National Planning Policy Framework 2023 (NPPF) sets out the Government's planning policies for England and how these are expected to be applied. Planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The National Planning Policy Framework is a material consideration in planning decisions. There is a presumption in favour of sustainable development and the NPPF advises that there are three dimensions to sustainable development: economic; social and environmental.
- 10.2. Paragraph 84 of the NPPF sets out that planning decisions should support a prosperous rural economy through sustainable growth, sustainable rural tourism which respect the character of the countryside and farm diversification schemes.
- 10.3. The application site comprises of an existing auto servicing business involving the change of use of two agricultural buildings on the site in 1999 and again in 2003, along with an additional building approved in 2000. Further parking and hardstanding was approved retrospectively in 2010. The existing site provides 330 sq m of floorspace and 4 servicing bays. This section of the site is within the Nidderdale AONB.
- 10.4. The site for the proposed expansion is set across Grayston Plain Lane from the present operation in a large open field which is located outside the AONB but abuts the boundary of the protected landscape designation.
- 10.5. Both parts of the site are outside defined development limits as set out in Local Plan Policies GS2 and GS3. Outside development limits, proposal for new development will only be supported where expressly permitted by other policies of the plan, a neighbourhood plan or national plan
- 10.6. Local Plan Policy EC2 supports the expansion of existing businesses in open countryside where it meets certain criteria:



- A. There is a proven need for such development in terms of business opportunity or operational requirements;
  - B. The proposed development cannot physically and reasonably be accommodated within the curtilage of the existing site;
  - C. The scale of development is appropriate in the proposed location;
  - D. There is no unacceptable impact on the character of the countryside, the surrounding landscape, the form and character of the settlement or biodiversity;
  - E. There is no unacceptable impact on the operation of the highway network;
  - F. There are no significant adverse impacts on residential amenity.
- 10.7. The planning statements sets out the need for the development in terms of allowing the existing business to expand to meet new business needs for larger vehicles and electric and hybrid vehicles, and this is supported by the Council's Economic Development Team.
- 10.8. The applicant's statement sets out that the business has a customer base of over 5,500. The planning statement continues that the majority of customers are located within the HG3 postcode (2231), however this is less than half of the 5,500 customers set out in the applicant's statement. The planning statement shows that a further 1909 customers come from other Harrogate post codes. Evidence from the previously refused application 22/04501/FUL showed that some customers travel considerable distances from elsewhere in North and West Yorkshire to use the service.
- 10.9. The Council's Economic Development Team confirmed in their consultation response that there is a limited amount of suitable sites for the development in the local area, but it is not clear if sites in the wider North Yorkshire area have been considered.
- 10.10. Since this consultation response was provided the case officer is aware of new units being available within the HG3 postcode (Pannal) (approximately 8 miles from the site). The applicant has verbally commented that these are logistically unsuitable as they do not believe that the client base would travel to this location and for their staff to travel to work. This is backed up by the Economic Development Team.
- 10.11. The planning statement provides evidence of where the present staff are located which ranges from Summerbridge to Spofforth. Due to the fact that there is no public transport servicing the site then it is likely to expect that most staff already travel to work using a private vehicle.
- 10.12. Whilst it is accepted that there is an operational need for expansion, the need for the level of expansion proposed is queried. The existing site is 0.14ha and provides reception, offices and 4 no servicing bays. The proposal is to expand the site to include an additional 0.52 ha (more than 4 times the size of the existing site in total).
- 10.13. The proposed building will provide 5 bays plus 2 larger MOT bays. This is the same level of MOT and servicing accommodation bar one of the smaller bays as that within the previously refused application for the wholesale relocation of the enterprise despite the fact that they are retaining the 4 no. existing servicing bays on the existing site. Whilst it is understood that some further bays are required for the larger vehicles and the growing number of electric and hybrid vehicles, the existing customer base can

presumably predominately be dealt with using the existing accommodation and therefore it is unclear as to why the scale of the expansion is necessary when retaining the existing site.

- 10.14. On the basis of the above it is considered that whilst there is an operational need for expansion, there is no proven need for the scale of the development and therefore the proposal does not comply with Criterion A of Local Plan Policy EC2.
- 10.15. In relation to Criterion B it is clear from the evidence submitted with the application that the proposal cannot be accommodated within the existing site and thus Criterion B is met.
- 10.16. As set down further in this report it is also considered that Criterion E and F can be met, but it is considered that the proposal is unacceptable in scale and would have an unacceptable landscape impact and therefore does not meet Criterion C and D of Local Plan Policy EC2.
- 10.17. On the basis of the above, the proposal is considered to be contrary to Local Plan Policy EC2 Criteria A, C and D and thus there is no policy to support the development outside defined development limits and therefore the proposal is also contrary to Local Plan Policies GS2 and GS3 and thus unacceptable in principle.
- 10.18. The two sites are not tied together with the exception of the reception facilities and therefore could operate independently, and would require a condition to ensure that the two operations remained tied together, to ensure that a new enterprise is not created on the site.
- 10.19. *Economic and Social Benefits*
- 10.20. The NPPF states that there is a presumption in favour of sustainable development and advises that there are three dimensions to sustainable development: economic; social and environmental.
- 10.21. The proposal is for an expansion to an existing rural business which presently provides employment for 11 persons and would provide an additional 5 no. employment opportunities once the expansion was completed.
- 10.22. The existing business provides a service to those located locally which does not require them to travel into Harrogate or beyond, thereby improving convenience for the local community and reducing mileage for those who are coming from the immediate vicinity.
- 10.23. The business also provides an economic benefit from those customers who travel from outside the local area to use the services provided.
- 10.24. The inability to expand the business or find a suitable alternative location would have a significant impact upon the ability of the business to expand or survive as the automotive industry needs change into the future.

- 10.25. The proposal therefore provides an economic and social benefit to the local economy and community.

Impact on Landscape Character and the Nidderdale AONB

- 10.26. The existing site is situated within the Nidderdale AONB and the proposed site is located adjacent to the designated landscape. Both sites are in open countryside and therefore Policies GS6 and NE4 that seek to preserve the AONB and wider landscape character are considered to be relevant, along with policy HP3 which seeks to preserve local distinctiveness.
- 10.27. NPPF paragraphs 176 and 177 state that 'great weight should be given to conserving and enhancing landscape and scenic beauty' in the AONB and that 'permission should be refused for major development'.
- 10.28. The site is located within Landscape Character Area No 24 'Lower Nidderdale Valley north west of Harrogate'. The assessment states that the 'area's ability to accept change without harm to its character is limited, especially where development would be visible' and notes that 'the landscape contains many scattered buildings and has a limited capacity to accept additional built development without detriment to landscape character through coalescence' and notes that 'additional individual buildings between settlements will impact on rural character, as would the domestication of the few field barns remaining'.
- 10.29. The Landscape Officer states: *'The site to the east is a farm field in open countryside immediately adjacent to Nidderdale AONB to which Greyston Lane forms the boundary and is bounded by stone walls, hedgerows and fencing. It is relatively open in nature and slightly elevated from land to the north and east. The Landscape of Nidderdale Valley is characterised as having extensive views and an intimate and diverse landscape pattern with random fields typical of early enclosure. The site and it's immediate setting is characteristic of the described Landscape being a small field within a pattern of small fields with an eclectic mix of boundary treatments and associated hedgerow trees. Whilst there is an area of woodland to the north of the site the field is not planted and the immediate landscape of the site and the surroundings is not significantly characterised by woodland except where associated with Cockhill Beck nearby'.*
- 10.30. The proposal is to erect a two storey building on an area of open land with the provision of a large area of hardstanding to the frontage of the building to provide parking, turning and storage areas. An area of hardstanding on the existing site is proposed to be returned to grassland.
- 10.31. The scale of the building is significantly larger than any of the neighbouring buildings and will be introduced into an open landscape; and whilst it takes its design from that of agricultural buildings it would not be seen as an agricultural building due to the large areas of glazing; the large car parking area adjacent to the highway and the overall commercial appearance.

- 10.32. The submitted LVA notes that the visual impacts of the development without landscaping will be 'moderately adverse'. With landscaping this is reduced to 'minor adverse'.
- 10.33. The Landscape Officer has stated that she is in agreement with the 'moderately adverse' assessment of the proposal but continues *'I do not consider that the screen planting is an appropriate treatment and will in itself bring about harmful changes to the landscape character. The existing field pattern is an important and identifiable characteristic of this landscape and a proposal which aims to largely plant the existing field will incrementally dilute and reduce the distinctive qualities of this landscape pattern. In addition, it would appear that the planting is proposed to screen a building which is inherently unacceptable in scale and in its relationship to the landscape and the existing farm cluster'*.
- 10.34. It is considered that the building is completely out of scale with the existing farmsteads and adjacent domestic properties to the extent that it would have an adverse Landscape and Visual Impact and cause an unacceptable level of landscape harm. The level of type of planting mitigation proposed would be out of character with the local landscape and would take a considerable length of time to mature. Where a development requires such a high level of screening in order to provide mitigation, it is considered that the location is unacceptable for the proposal and would be contrary to Local Plan Policy NE4.
- 10.35. A public footpath runs to the east of the proposed site and the proposal would be visible from this position.
- 10.36. In addition whilst the proposed building is not situated within the AONB it is located on land immediately adjacent to the AONB. The NPPF states at paragraph 176 that 'great weight should be to conserving and enhancing landscape and scenic beauty in ...Areas of Outstanding Natural Beauty' and continues that 'development within their setting should be sensitively located and designed to avoid or minimise adverse impact on the designated areas'.
- 10.37. The level of landscape harm associated with the proposal would impact on the setting of the AONB and therefore would have the same harmful consequences as the building being located within the AONB and would be contrary to NPPF paragraph 176 and Local Plan Policy GS6.
- 10.38. The proposed removal of the area of hardstanding within the existing site would have a minor benefit within the AONB but it is not considered that this would offset the level of harm to the landscape caused by the proposed development.
- 10.39. The proposal is therefore considered to create a significant level of landscape harm to both the open countryside and the views into and from the Nidderdale AONB and would therefore be contrary to Local Plan Policies GS6, NE4 and EC2.

### Highways

- 10.40. Paragraphs 110 and 111 in the NPPF set out the requirement for safe and suitable access to be achieved for all users and that development should only be refused on highways grounds where there would be an unacceptable impact on highway safety.
- 10.41. A Transport Assessment has been submitted in support of the application that demonstrates that suitable visibility splays can be achieved, and that the site can provide adequate parking and turning without creating highway safety issues.
- 10.42. The Highways Officer has considered the plans and following the provision of additional information has confirmed that the proposal would not create issues in respect to Highway Safety subject to conditions.
- 10.43. The Highways Officer has requested that the existing overflow car parking area on the existing site be retained until the proposed extension is completed to ensure that there is sufficient car parking across both sites.

#### Drainage and Waste

- 10.44. The application form states that surface water will be dealt with via soakaway and that foul sewerage will be dealt with by mains sewer. Yorkshire Water have commented that there is no public sewer in the area so it is not clear how drainage will be dealt with on the site.
- 10.45. This matter was brought to the attention of the applicant in the previous refusal. In addition the application form states that there will be no disposal of trade effluents or trade waste. As this is a motor garage it is likely that there will be a requirement to deal with this and this would need to be clarified. The application provides insufficient information to ascertain that a suitable form of drainage can be provided for the site.
- 10.46. Cockhill Beck is located close to the site and as set out in the submitted Ecological Assessment 'is likely to comprise a key ecological linkage within the local area'
- 10.47. A clear drainage scheme would need to be provided as a condition of any consent.

#### Residential Amenity

- 10.48. Paragraph 130 of the NPPF sets out the requirement for a high standard of amenity to be provided for both existing and future occupiers.
- 10.49. Policy HP4 of the Local Plan states that 'development proposals should be designed to ensure that they will not result in significant adverse impacts on the amenity of occupiers and neighbours'.
- 10.50. The proposal seeks to construct a large commercial building in relation to auto servicing and repair, in close proximity to a residential property. In order to control the impact of the proposal it is recommended that conditions are attached to any approval to restrict the hours of activity on the site; control external noise levels and to restrict activities from taking place outside of the building.

- 10.51. Subject to conditions it is considered that the proposal would not adversely impact on the residential amenity of the neighbouring property.

#### Ecology

- 10.52. Paragraph 180 of the NPPF states that opportunities to improve biodiversity in and around development should be integrated as part of their design.
- 10.53. Local Plan Policy NE3 seeks to protect and enhance biodiversity.
- 10.54. An Ecological Impact Assessment has been submitted with the application which states that 'the scheme has potential to result in minor positive impact to nature conservation providing mitigation and enhancement measures detailed in this report are adopted'.
- 10.55. In order to ensure that a biodiversity net gain is delivered on the site, a more detailed landscaping scheme would be required providing a higher level of detail in terms of species and numbers of planting and also how a biodiversity net gain would be achieved. This would be required as a condition of any consent.
- 10.56. In addition any approval would be required to be undertaken in accordance with the mitigation measures set out in the submitted report.

#### Other Matters

##### Contaminated Land

- 10.57. There is no evidence to suggest that the site has been affected by pollution activities or waste disposal however the site has been in agricultural use and thus there is the potential for unexpected contamination to be found during development. A condition in relation to this is recommended.

##### Air Quality and Sustainable Transport

- 10.58. Paragraph 186 sees that planning decisions provide opportunities to improve or mitigate air quality. In line with this, it is considered that any planning approval in relation to the proposed development should include a condition requiring the provision of the scheme for electric vehicle charging, as shown on the submitted plans.

## **11.0 PLANNING BALANCE AND CONCLUSION**

- 11.1. The application site is located within 'open countryside' in an area where development is only acceptable in line with Local Plan Policy GS3 where expressly permitted by either national or local policy.
- 11.2. The proposal would provide a local economic benefit and an inability to expand the business or find a suitable alternative location would have an economic and social impact.
- 11.3. Whilst Local Plan Policy EC2 supports the expansion of businesses in these areas, this is subject to a number of criterion which need to be met. It is considered that the

proposal does not meet criterion A and B in terms of its scale, justification of scale and location; or Criterion D due to the unacceptable level of landscape harm.

- 11.4. On the basis of the above, the proposed development is considered to be unsustainably located, and contrary to Policies EC2 and GS3 of the Local Plan and undermines the District's growth strategy as set out in Local Plan Policy GS2.
- 11.5. The scale of the proposed development and the introduction of built development into an open landscape, alongside the inappropriate proposed planting scheme is considered to create a significant level of landscape harm to both the open countryside and the views into and from the Nidderdale AONB. This would be contrary to Local Plan Policies GS6, NE4 and EC2 and paragraph 175 of the NPPF.

## **12.0 RECOMMENDATION**

12.1 That planning permission be REFUSED for the following reasons:

- i. The application site is located within 'open countryside' in an area where development is only acceptable in line with Local Plan Policy GS3 where expressly permitted by either national or local policy. Whilst Local Plan Policy EC2 supports the expansion of businesses in these areas, this is subject to a number of criterion which need to be met. It is considered that the proposal does not meet criterion A and B in terms of its scale and location; or Criterion D due to the unacceptable level of landscape harm. On the basis of the above, the proposed development is considered to be unsustainably located, and contrary to Policies EC2 and GS3 of the Local Plan and undermines the District's growth strategy as set out in Local Plan Policy GS2.
- ii. By virtue of the scale of the proposed development, the introduction of built development into an open landscape, alongside the inappropriate proposed planting scheme it is considered that the proposal would create a significant level of landscape harm to both the open countryside and the views into and from the Nidderdale AONB. This would be contrary to Local Plan Policies GS6, NE4 and EC2 and paragraph 175 of the NPPF.

**Target Determination Date:** 10.10.2023

**Case Officer:** Emma Howson, [emma.howson@northyorks.gov.uk](mailto:emma.howson@northyorks.gov.uk)

**Appendix A – Proposed Layout Plan**

Appendix A – Proposed Layout Plan

