Yorkshire Dales National Park Authority

Committee: Planning

Date: 16 July 2024

Applicant: Upper Wharfedale Agricultural Society

Parish: Conistone with Kilnsey

Officer: Wendy Thompson

Application No: C/20/117

Site Address: Kilnsey Show Ground, Scar Barn, Kilnsey, Skipton, BD23 5PW

Proposal: Full planning permission for erection of storage building for Kilnsey Show



Update

1. At the meeting on 28 May 2024 Members resolved to defer consideration of this application to allow Officers and the Applicant to discuss alternative sites for the proposed building. An update will be provided in the Late Representations and verbally at the meeting.

Reason for Committee Consideration

2. This application is reported to Committee for the following reason: The Parish Council recommendation is contrary to the decision which the Head of Development Management proposes to take.

Application Site

3. The application site is part of a large, flat, grassed field that is used for Kilnsey Show, and is directly to the east of the B6160 to the north of Kilnsey village, almost opposite Kilnsey Crag. The site is 38m to the south of Scar Laithe Barn, a large traditional barn with a corrugated metal lean-to on the northern elevation. The site is bounded to the west with a dry-stone wall and there are two semi mature trees within the verge, close to the application site. The field is accessed through a wide farm gate shared with a public footpath and also used for show traffic.

4. The Kilnsey Show has been held since 1897 and is the principal agricultural show in the area. It is held over August Bank Holiday weekend and the event requires around three weeks to set up and take down,

5. This site is part of the show field which is understood to be grazed when not used for the show. The field is extremely flat, adjacent to the River Wharf and public footpath No 05.53/11 from Conistone Bridge to the B6160 passes close by. The application site is extremely prominent from many directions and can be seen clearly in views from the B6160, as one approaches Kilnsey Crag in either direction, but particularly from the south, from the Kettlewell to Conistone Road on the eastern side of the river and from several public footpaths in the area.

6. The Landscape Character Assessment (2020) locates the site within Wharfedale, its key characteristic being the river meandering across an open flood plain. There are pastures and hay meadows on valley floors and several focal points such as Kilnsey Crag. This part of Wharfedale is a relatively straight section of the dale, offering long distance views of a classic U-shaped valley with steep sides and a flat valley floor with distinctive walled fields and stone field barns. The striking limestone cliff of Kilnsey Crag is noted as being an area of outstanding classic limestone scenery.

Proposal

7. This application seeks full planning permission for the erection of a storage building for equipment used for the Kilnsey Show, submitted by the Upper Wharfdale Agricultural Society (UWAS), the show's organisers. It would be sited adjacent to the road boundary and a 3m wide solid track approx. 34m in length would be created from an existing field gate to the new building with an area of hardstanding created around two sides of the building.

8. The building would resemble a farm building, with a footprint of 23m x 9m, an asymmetric roof to a ridge height of 4.5m. It would have Vandyke brown plastic-coated metal sheet walls above pre-cast concrete panelled lower walls. Access is gained through four large timber clad sliding doors which each measuring 4.2 x 3.6m facing east across the field.

9. The building would be used by UWAS to store their existing show equipment and to accommodate new equipment yet to be purchased. At present, their equipment is stored in the lean-to on Scar Laithe Barn, but this is too small, unsuitable for modern tractors and is in a bad state of repair. The landowner is not willing to permit any alteration or repair of the lean-to to improve the existing storage facility. It has also been stated that there are health and safety issues with the storage building being close to one of the main access points to the show ground, in particular potential conflicts between cars and visitors arriving and access to the lean-to needed by large agricultural vehicles.

10. Scar Laithe Barn is not available to UWAS as it is leased to a local farmer. UWAS' lease for the land during the show is only temporary for around three weeks and UWAS does not have access to any other land on a permanent basis, other than the application site.

11. The organisers currently hire in much equipment, and it has been found that it would be more cost effective to purchase equipment rather than hire it. This equipment will also be available to other show organisers, for example the Kettlewell Scarecrow Festival.

Relevant Planning History

12. There are no relevant applications.

Consultations

13. The comments of statutory and non-statutory consultees are summarised below:

Wildlife Conservation Officer - The site proposed for the storage shed is about 13 metres from the boundary of the Craven Complex Special Area of Conservation (SAC) but is separated from the SAC by the B6160 road. So long as the shed is not used to shelter livestock it is not anticipated that there will be any run-off that might potentially affect the beck on the opposite side of the road which flows out of and away from the SAC. Assuming that livestock are not housed in the shed then there are no objections to this application.

Environment Agency – Not received

Natural England – No objection

Area Ranger - Proposed development does not affect the PROW

Police – Offers crime prevention advice in relation to door and roof lights, intruder alarms, and CCTV.

Conistone-with-Kilnsey PM - Kilnsey show established in 1897 needs appropriate storage space for the equipment needed to set up a show in the 21st century, the existing building adjacent to Scar Barn is too small to get modern equipment/ tractors in and we have to maintain a sustainable future for the next generation of the show.

Public Responses

Public responses received at the time of writing: 0

14. Advertised by site notice displayed 26th March 2024.

Assessment

Key Issues:

- Planning policy
- Visual and Landscape Impact
- Nature Recovery
- Parish Council comments
- Equality Act

Planning Policy

15. The National Planning Policy Framework 2023 (Framework) states that the purpose of the planning system is to "contribute to the achievement of sustainable development". (Para.7) and to this end, three overarching objectives have been identified and all proposed development needs to demonstrate these to achieve it. These are economic, social, and environmental objectives with their aims stated. In this case, the most pertinent are the social and environmental objectives (para 8).

16. Paragraph 131 of the Framework sees the creation of high-quality buildings and places as a fundamental part of the planning process. The Framework requires new buildings to be visually attractive as a result of good architecture, layout and appropriate and effective landscaping and to be sympathetic to local character and history, including the surrounding built environment and landscape setting. As will be discussed below, the proposed development does not include any appropriate or effective landscaping and is not sympathetic to its landscape setting, as required by this section of the Framework.

17. With specific reference to National Parks, the Framework states “Great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to these issues. The conservation and enhancement of wildlife and cultural heritage are also important considerations in these areas and should be given great weight in National Parks. The scale and extent of development within these designated areas should be limited” (para 182). This paragraph reiterates the statutory purposes of National Parks but emphasises the pre-eminence of the conservation and enhancement of the landscape and scenic beauty over that of the conservation and enhancement of wildlife and cultural heritage.

18. Policy SP1 of the Yorkshire Dales Local Plan (2015-2030) “Sustainable Development” presumes in favour of development that is sustainable and contains a set of 14 criteria that aim to achieve that. Most pertinent to this application are sections (c), and (d).

    Part (c) requires new development to “contribute positively to the built environment but having regard to the site context, and conforms to the National Park Design Guide;”

    Part (d) ensures that new development “conserves or enhances the landscape character of the National Park through the use of high-quality design, appropriate landscaping, and removal of unsightly development.”

    It is considered that the proposed development would not accord with these criteria as will be discussed in depth below.

19. Policy SP3 is the Authority’s “Spatial Strategy” which steers all new development to either within or adjacent to a list of designated settlements unless there are justifiable reasons why another location is more sustainable. If this is not possible, then the application will need to demonstrate that:
    a) The location is necessary for a land-based function.
    b) The location is necessary for the provision of public utilities or infrastructure
    c) The development is ancillary to an existing use at the site, or;
    d) The location is appropriate in relation to other Local Plan policies

    The proposal is to provide storage accommodation for the Kilnsey Show, located for three weeks a year at this location, the land-based function to justify the proposal in this location.

20. Policy SP4 refers to “Development Quality” and requires all proposals to conform with up to twenty design, transport, human safety and amenity and environmental safeguarding criteria. For this proposal, the most relevant sections are parts (a), (c), (e) and (u).

    Part (a) requires new development to be informed by and respond positively to the sit, its surrounding context and landscape setting so that the scale, height,

proportions form, materials and appearance of the buildings and structures are sympathetic and complementary.

Part (c) requires new design to be of high quality, have visual interest and reinforces local distinctiveness and

Part (e) refers to the maintenance or enhancement of the ecological, geological and geomorphological value of the site and;

Part (u) will not give rise to unacceptable, adverse impacts in terms of important public views.

This strategic policy underpins many of other local plan policies but as will be discussed below, the proposal does not accord with these criteria of the policy.

21. The proposed building is the storage of equipment for the Kilnsey Show, a rural land-based enterprise. Policy BE2 allows development in rural areas outside of more sustainable village settlements if it is necessary to serve the needs of the enterprise in that location and, that if it assists the viability and supports the beneficial aspects of land management and meets the criteria of Policy SP4.

22. The proposal is for a permanent storage building to serve the needs of the show, an event which takes place over a three-week period each year, the beneficial land management element being the smooth operation of the show. When the show is set up, the building would be seen within the context of the marquees, gazebos, show rings, car parks etc. and be part of that wider, temporary show field. Once the show is closed down however, the building will remain, a single building, unrelated to any other physical development in the area. Whilst it may comply with part of Policy BE2, owing to its landscape impact, its siting, it impacts on the geological value of the site due to its relationship with Kilnsey Crag and its unacceptable impact on an important public view, the proposal is wholly contrary to Policy BE2 as it does not comply with SP4.

Landscape and Visual Impact

23. The landscape in this part of Wharfedale is wide and flat with one of the most iconic, geological landmarks of the Dales, Kilnsey Crag close by. This is a popular site for walkers, climbers and visitors as the B6160 passes the site. The Crag is iconic and features on many cards, in pictures and in photographs and is an integral part of the identity of the National Park. This is a sparsely developed pastoral landscape, characterised with large fields, dry stone walls, fences, little development and close-knit settlements. The site is extremely open and visible from many local roads and footpaths. This is the classic Wharfedale landscape of a wide open, flat dale with the stunning Crag to the west. This important public view will be significantly harmed by the erection of this modern building.

24. The proposed building would have a significantly adverse visual impact on the landscape of this part of the National Park. The building and associated development would be unrelated to any other building, being 38m away from Scar Laithe, and would be visually detached from it. The are no other buildings in the area of a comparable scale, the properties in Kilnsey are primarily domestic and clustered together, sitting well within the landscape. The nearest modern agricultural buildings are 1/3 of a mile away at North Cote Farm. A new building in this location would be a significantly harmful visual intrusion in this highly sensitive landscape.

25. The siting of any building in this location will seriously harm the setting of Kilnsey Crag, an important geological feature and visible in many public views. It would introduce a large utilitarian building into a prominent location, visible from many public view points and would be wholly unsympathetic to the landscape in this part of Wharfedale. In many cases, where there is the potential for landscape harm, the impact can either be wholly or partially mitigated through the carefully sited planting of trees and hedgerows. In this case, no landscaping or screening is proposed, and the applicant has advised that it is not possible to plant any additional trees, owing to land ownership difficulties Whilst some planting may be agreed between the applicant, and the National Park, planting is not guaranteed even if all other aspects of the proposal were acceptable as the applicant states “Provided the application is acceptable in principle, UWAS would explore the option to do further works in this location. It may not be possible to extend this any further due to land ownership control constraints as highlighted above”. This indicates that it is unlikely that additional planting, of a scale to mitigate the impact of this development will be forthcoming. However much the applicant wishes to agree it, landscaping, biodiversity enhancement and nature recovery are simply outside of their control and a legal agreement cannot cover this arrangement. The proposed development therefore cannot comply with Policies SP1, SP2 and SP4 of the Local Plan.

26. The proposal would be wholly contrary to the first statutory purposes of the National Park as it would neither conserve nor enhance the landscape and natural beauty of the area and would be contrary to Policies SP1, SP2, SP3, SP4 and BE2 of the Local Plan.

Cultural Heritage

27. The National Park has been designated for its outstanding scenic beauty, its wildlife and cultural heritage which is both the buildings within the park, its distinctive, living and working environment and the local communities which create a strong cultural heritage.

28. The Kilnsey Show is an integral part of the life of Wharfedale, an important agricultural show and a demonstration of local crafts, product displays and competitions. As such, its value to the cultural life of the Park is significant and acknowledged. To this end, the applicant has been asked to consider alternatives to this proposal with a view to finding a solution to the problem faced by UWAS, such as a building on a nearby farm, elsewhere within the Kilnsey Estate landholdings, a unit within a designated business / industrial area, a site adjacent to an existing settlement or even a site outside the National Park. The applicant however, views this site as the most convenient and wishes to pursue this location. This is owing to the potential need to travel between the store and the show field, to minimise costs and to make it easier for the volunteers who set up the show.

29. It is recognised that the erection of such a building would ease some of the management and financial pressures faced by the Kilnsey Show which will go some way to ensure the viability of the show. Much weight is given to the conservation or enhancement of the cultural heritage of the National Park, it forms part of the first statutory purpose, however, as noted in para 17 above, pre-eminence is given to the conservation and enhancement of the landscape over wildlife and cultural heritage.

Nature Recovery

30. The proposed development does not provide any biodiversity enhancement opportunities on the building or within the application site. The issue of tree planting and landscaping has been discussed above and whilst some bird or bat boxes may be able to be attached to the building, it is unlikely that there will be a significant level of biodiversity net gain, as required by Policy W2.

Parish Council Comments

31. Kilnsey with Conistone Parish Meeting supports this application as noted above. These views are recognised, as the show is an important part of life in Wharfedale and the difficulties the UWAS face are acknowledged but the negative aspects of the proposal are significant and outweigh the benefits of convenience the building would create.

Equality Act

32. The Authority has a duty under s.149 of the Equality Act 2010 to have regard to the need to eliminate discrimination and advance equality of opportunity between persons who share a relevant characteristic and persons who do not share it. The relevant characteristics are age; disability; gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion or belief; sex and sexual orientation.

33. It is considered that there are no overt reasons why this proposal would affect anyone with the protected characteristics such that the application should be permitted or refused on equality grounds.

Conclusion

34. The value of a storage building for the UWAS is recognised, however this site is one of the most important and widely appreciated views in the National Park, comprising the imposing Kilnsey Crag, a traditional field barn and the wide-open flat U-shaped valley of Wharfedale. The siting of this building, whilst providing a useful storage facility is a permanent structure and for forty-nine weeks of the year, would be unrelated to its function as a building for the Kilnsey Show. Other options have been suggested but have been rejected but it is still hoped that there is a building within a nearby farm that could be used, or closer to existing development within the area. Whilst it may be less convenient, it would ensure that this highly sensitive landscape is protected.

35. It is considered that the scale, form and location of the proposed development would have a significant harmful impact on the landscape of this part of the National Park. The proposed development does not meet local plan sustainability criteria and the applicant is unlikely to be able to provide any meaningful level of biodiversity enhancement opportunities or landscape mitigation owing to the land ownership situation. As such it is considered that the proposal is contrary to the first Statutory Purpose of the National Park Section 5 (1) National Parks and Access to Countryside Act 1949, policies SP1, SP2, SP3, SP4, BE2 and W2 of the Yorkshire Dales National Park Local Plan 2015-2030 and the guidance contained in the National Planning Policy Framework (particularly para. 172).

Recommendation

It is recommended that permission be **Refused** based on the following:

1) In the opinion of the Local Planning Authority, the proposed development, through its siting, scale, form, massing and lack of proposed landscaping and biodiversity enhancement opportunities would have a significant and adverse impact on the distinctive landscape character and visual quality of this highly sensitive part of the National Park. The site is visually unrelated to any development within the landscape and the development would result in a degree of landscape harm that is inconsistent with the National Park's natural beauty and as such the proposal is contrary to the first Statutory Purpose of the National Park [Section 5 (1) National Parks and Access to Countryside Act 1949], policies SP1, SP2, SP3, SP4, BE2 and W2 of the Yorkshire Dales Local Plan (2015-2030) and the guidance in para. 182 of the National Planning Policy Framework 2023.