Yorkshire Dales National Park Authority

Committee: Planning

Date: 10 September 2024

Applicant: Fold Farm Shorthorns

Parish: Kettlewell with Starbotton

Officer: Andrew Tait

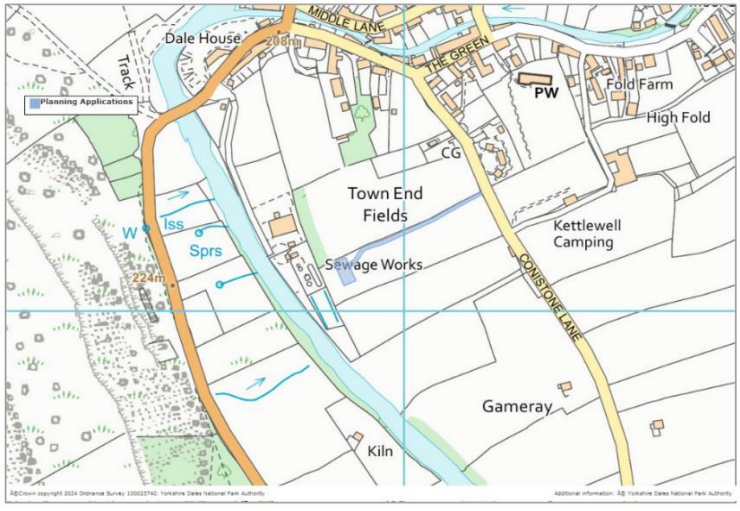
Application No: C/46/291

Site Address: Field west of Conistone Lane, Kettlewell, Skipton, (GR:396940,472042)

Proposal: Full planning permission for erection of an agricultural building and formation of access track from the existing (to be widened) field entrance

Purpose of Report

1. That Members REFUSE planning permission for the above development in accordance with the recommendations below.



Reason for Committee Consideration

2. This application is reported to Committee for the following reason: the application has been called to Committee by Mr. Foster and the public interest reason given is that the Parish Council recommendation isn't clear enough or their reasons aren't full enough and it should be best debated in the circumstances.

Application Site

3. The application site lies to the west of a long, narrow field to the west of Conistone Lane, Kettlewell. It lies approximately 53m from the banks of the River Wharfe, separated from the river by the Kettlewell water treatment works. There is a water main that passes through the field, 11m from the rear boundary of the field and there cannot be any development or planting within a 5m corridor of this. To the northwest, about 60m away is an industrial unit, established for many years but recently extended. There is a mature native tree screen including Scots Pines between the application site and the industrial unit. There is also a belt of mature trees that run along the riverbank.

4. The field is bounded by stone walls and is sometimes grazed by the applicant's shorthorn herd. They are also grazed on land to the south on land at Hungerhills Barn, over 1km from the application site. This barn has been found to be too small and unsuitable for the needs of storage and the applicant has found that they cannot expand their herd further.

5. The applicant has provided a detailed justification for the building, demonstrating its need, noting: the small, domestic size of many of the existing buildings based around Fold Farmhouse, the need to import hay on a biannual basis from Cheshire, and the need to modernise the agricultural machinery that is used.

6. The application submission includes a detailed assessment of each of the fields that the applicant owns and explains why they are not suitable. These reasons include accessibility, landscape impact and heritage impact.

Proposal

7. This application seeks full planning permission for the erection of an agricultural building and the formation of an access track from the existing (to be widened) field entrance. The new building will be 13.72m wide and 23m long. It would have a stepped roof to accommodate a slight change in land levels, and to provide some visual distinction in the building. It would face northeast, and this elevation would have a sliding door and a personnel door. It would have concrete panelled lower walls and Yorkshire boarded upper walls and a fibre cement roof with five roof lights on each roof slope. It is understood that the building will not require electricity.

8. Externally, a new twin wheeling track is proposed which would run adjacent to the northern field boundary. This would lead from the road through a widened, existing access which will access will comprise two side hung timber field gates 5.9m wide.

9. The building would be used to house hay bales, cattle feed, mechanical equipment, trailers etc. A detailed schedule of equipment has been submitted. It is understood that the building will not be used for livestock.

Relevant Planning History

10. The following applications are relevant:

C/46/242 – Full planning permission to replace the camp site off Conistone Road (OS Field 1413) with a camp site in OS Field 0005; and to convert and alter the existing agricultural building to provide facilities for the re-located camp site. Refused 11/11/2011.

C/46/242A/GPDO – Notification under part 6 of the Town and Country Planning (General Permitted Development Order) (England) 2015 for erection of agricultural storage building Withdrawn.

C/242B/LDC Lawful Development Certificate (for a proposed use or development) in respect of use of the land by members of the Duke of Edinburgh's Award Scheme for a maximum of 60 days in any 12 month period and for no more than 42 consecutive days for the purposes of recreation or instruction (including overnight camping) and the erection or placing of tents on the land for the purposes of the use. Issued 24 02 2022

C/46/242C – Full planning permission for replacement of agricultural building with mixed use building for agricultural purposes and ancillary campsite facilities to be used in connection with DOE campsite Refused 10th May 2022

C/46/242D - Full planning permission for conversion of existing building to provide basic campsite facilities (toilets, showers, biomass boiler) and provision of external pot-wash facilities on south-east elevation, to be used in association with lawful use of adjacent field as a DofE campsite Approved 15/06/2023.

Consultations

Consultees:

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

Highways - Not received.

Police – Not received.

Senior Farm Conservation Officer - Supports the application for the agricultural building as there is a genuine need. It is understood the planning officer has objections to the siting of the building however given the fact that the intended location is adjacent to the sewage works and other man-made structures it seems logical that this should be the preferred option rather than siting it away from the farm and village which would cause additional farm traffic travelling to and from the site at Hungerhills. Tree planting could mitigate the landscape issue especially given the trees already present that screen the sewage works. In addition, the intended siting would be a safer location to deter farm machinery thefts. Any isolated rural location is an easy target for thieves.

Kettlewell with Starbotton Parish Council - Support this application but suggest that an area of hardstanding will be required and should have been included in the application.

Public responses: Advertised by site notice displayed 16th April 2024. Four replies received.

Neighbour/interested parties' responses received: 4.

Four responses have been received in support of the proposal raising the following points:

- supports this application as it is in an ideal location for an agricultural barn.
- Better location than Hunger Hills as this would require more works and excavation of lynchets.
- Support the work that the applicant has done in relation to the Duke of Edinburgh awards for young people in terms of the campsite.

Assessment

Key Issues:

- Planning Policy
- Landscape Impact
- Nature recovery
- Parish Council comments
- Equality Act

Planning Policy

12. 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 is the environmental objective (para 8).

13. 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 is not sympathetic to its landscape setting, as required by this section of the Framework.

14. 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).

15. 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).

16. Part (c) requires new development to "contribute positively to the built environment by having regard to the site context, and conforms to the National Park Design Guide;"

17. 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."

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

19. 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), and (u).

20. Part (a) requires new development to be informed by and respond positively to the site, 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.

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

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

23. 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.

24. The proposed building is for the storage of hay, feed and equipment for Fold Farm, 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. It is considered that there is a justifiable need for the development and whilst it accords with parts of Policy BE2, is contrary to Policy SP4, the qualifying policy.

Landscape Impact

25. The landscape around Kettlewell is of extremely high quality and makes an important contribution to the setting of its Conservation Area. The National Park Authority's Landscape Character Appraisal (2020) (LCA) comments on the character of the landscape of Upper Wharfedale stating "The form of the dales, the colour contrast of the light limestone walls seen against the greens of the meadows and pastures, the unity created by the pattern of rock outcrops, dale side woodlands, settlements, drystone walls and barns, represent a classic example of Dales landscape." … It has "relatively straight, classic U-shaped glaciated dales over limestone, with steep, fairly wooded slides and a flat valley floor; Distinctive walled fields and stone field barns." The pattern of dry-stone walls and small fields are also historic and "Some drystone walls enclosing irregularly shaped fields near villages date from the 16th/early 17th century while straighter, more geometrically shaped field stone walls date from the late 18th and early 19th century."

26. The proposed building would have a significantly adverse visual impact on the landscape of this part of the National Park. The building would be highly prominent in views from the Conistone Road and, for much of the year, when the leaves are not on the trees, from B6160 and the many footpaths in the area. The additional planting may soften some of the views from the B6160, but this will not provide any screening from the views from the east. The trees will also take a long time, at least 15 years before they mature sufficiently well to offer any screening. The building would be sited to the front of the tree screen, a large and modern development in front of it and whilst some smaller developments can be assimilated against a tree screen that is behind them it is unlikely to occur in this case, owing to its size. Whilst there is an industrial building nearby, owing to the existing established tree screen, the two buildings would not be seen in close relation in visual terms as they are

approximately 60m apart. The waterworks are similarly unrelated as the structures associated with it are very low and discreet in comparison.

27. An alternative site at Hungerhills, 1 kilometre to the south has been suggested closer to the road below an existing building that is used to house cattle. However, the applicant has considered this site with a contractor and the extent of excavations for the building were considered significant, resulting in visual impacts on Conistone Lane and the Dales Way and potential heritage impact upon Lynchets in that field.

28. The proposed building would be a significantly harmful visual intrusion in this extremely sensitive landscape. The long views up Wharfdale, in particular from the south and from the Conistone Road are iconic Dales views of Wharfedale. The public view towards Kettlewell is extremely important and features in many images of the National Park and the building would give rise to an unacceptable adverse impact in terms of this important view. As noted above in the list of previous applications in a field adjacent to this site, there have been several refusals of planning permission and the harmful impact of the development on the landscape has always been the significant determining factor. 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.

Nature Recovery

29. The proposed development does not provide any biodiversity enhancement opportunities on the building or within the application site. The applicant has indicated that they are willing to include some bird or bat boxes on the building, or some other form of biodiversity enhancement included elsewhere within the application site in order to comply with Policy W2.

Parish Council Comments

30. Kettlewell Parish Council support this application and question the lack of a hardstanding area.

Equality Act

31. 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.

32. 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

33. It is recognised that there are difficulties faced by the applicant with regards the storage of agricultural equipment and feed but is considered that the scale, form and location of the proposed development would have a truly significantly harmful impact on the landscape of this part of the National Park. 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

34. It is recommended that permission be REFUSED based on the following:

In the opinion of the Local Planning Authority, the proposed development, through its siting, scale, form and massing 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 nearby 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 of the Yorkshire Dales Local Plan (2015-2030) and the guidance in para. 182 of the National Planning Policy Framework 2023.