

CHAPTER 3

COUNTRYSIDE

BACKGROUND

- 3.1 The countryside in Harrogate District is of exceptional quality and is valued highly by residents and visitors alike. Agriculture and forestry are the main activities in the countryside and have significantly influenced, and continue to influence, its character and appearance. The countryside also provides habitats for wildlife, facilitates recreational pursuits and is important for tourism. It is under continued pressure for development and the enforced contraction of agriculture has necessitated increased emphasis being given to the diversification of the rural economy.
- 3.2 The District, which covers some 1308 sq.km, has a varied landscape character, which broadly reflects underlying geology. It extends in the west, from the elevated, eastward tilting plateau of the Pennine Moors, down through the fringing hills and valleys, to the gently undulating farmland of the lowland ridge and the flat valley landscape of the Vale of York to the east. The Nidderdale area of the District, (covering some 600 sq.km) is designated an Area of Outstanding Natural Beauty (AONB) and as such its landscape is of national importance. The District contains a number of parks and gardens of special historic interest. Studley Royal, near Ripon and Hackfall, near Grewelthorpe are particularly noteworthy as Grade I sites on the English Heritage Register.
- 3.3 The landscape of the District has been assessed in three studies:
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|---|-------------------|
| Landscape Conservation: Harrogate and Knaresborough | March 1987 |
| Ripon Landscape Appraisal | March 1990 |
| Landscape Appraisal of Harrogate District | March 1993 |
- 3.4 Amongst other things, these studies have provided a basis for the formulation of policies and proposals to conserve and enhance the landscape character of the District and the landscape setting of settlements.
- 3.5 The type of farming in the District generally reflects the quality of agricultural land. Intensive arable farming dominates the eastern third of the District on the best quality land (often Grade 2) in the Vale of York. Mixed arable crops and grazing land is common throughout the central part of the District and some western valley bottoms where moderate agricultural land quality exists. The proportion of pasture land increases with elevation to the west until it becomes the dominant land use within the grassland plateau areas at between 200-300 metres above sea level. Unimproved open moorland is found above this level, commonly with heather managed to maintain grouse moors. The reservoirs in the Nidderdale area are often associated with woodlands. Some of these are deciduous but the majority are mixed or coniferous plantations.

POLICY CONTEXT

- 3.6 The Planning and Compensation Act 1991 requires that all development plans should include policies for the conservation of the natural beauty and amenity of the land. The Government's main aims in respect of countryside policy as set out in its White Paper, 'This Common Inheritance', are to encourage economic activity in rural areas, to conserve and improve the landscape and encourage opportunities for recreation, and to conserve the diversity of our wildlife, particularly by protecting and enhancing wildlife habitats. These objectives form the basis for the planning policy guidance given in PPG7 (The Countryside - Environmental Quality and Economic and Social Development) which has been an important consideration in the preparation of policies in this chapter of the Local Plan.

- 3.7 In October 1995, the Government published the White Paper 'Rural England - A Nation Committed to a Living Countryside'. This represents a comprehensive review of rural policy with much of its content lying beyond the remit of the formal planning system. From a planning point of view, it identifies a number of ways to build upon the principles set out in PPG7. For example, the Government intend to seek views on a new Rural Business Use Class, greater discrimination in favour of the re-use of rural buildings for business use rather than residential purposes and a more regionally and locally based approach to design. The DoE subsequently published in December 1995 a good practice guide entitled 'Planning for Rural Diversification' which also builds upon the principles set out in PPG7. In November 2000 the DETR and MAFF issued a new White Paper 'Our Countryside: the future: a fair deal for rural England' which promotes a living, working, protected and vibrant countryside.
- 3.8 The North Yorkshire County Structure Plan seeks to protect the high quality landscapes of national importance within the county from inappropriate development (Policy E1). It also seeks to control development relating to agriculture and forestry by protecting high quality agricultural land and preventing unnecessary severance and sub-division of farms (Policies A1 - A6). In addition the County Structure Plan includes Policy E2 which seeks to protect the countryside generally from inappropriate development.
- 3.9 The Council has published a Countryside Strategy which seeks to protect and enhance the landscape and wildlife of the District and has set down priorities and programmes for the Council's Countryside Service to implement. The Council has also adopted the Friends of the Earth Environmental Charter for Local Government as a basis for its Environmental Strategy. The above strategies have formed an important context for the formulation of policies for the countryside.

OBJECTIVES

- 3.10 This Local Plan aims to protect and enhance the special character of the countryside in Harrogate District whilst at the same time enabling development which contributes to the rural economy. The Council's main objectives for policies controlling development in the countryside are as follows:

- 1) **TO PROTECT THE CHARACTER AND INTEGRITY OF THE COUNTRYSIDE.**
- 2) **TO PROTECT AND RESTORE THE LANDSCAPE CHARACTER OF THE DISTRICT.**
- 3) **TO PROTECT AND ENHANCE THE LANDSCAPE SETTING OF SETTLEMENTS.**
- 4) **TO BALANCE THE REQUIREMENTS OF DEVELOPMENT IN THE RURAL AREAS WITH THE NEED TO PROTECT THE CHARACTER OF THE COUNTRYSIDE AND THE VILLAGES.**
- 5) **TO SAFEGUARD THE BEST AND MOST VERSATILE AGRICULTURAL LAND AND ENCOURAGE APPROPRIATE FORMS OF FARM AND RURAL DIVERSIFICATION.**

ENVIRONMENTAL CONSIDERATIONS

- 3.11 Those aspects of the environment on which land use plans can have an impact were identified during preparation of the Local Plan (Environment Issues Report, May 1993). Following this, policies were formulated to protect and, where appropriate, enhance such aspects. These are contained within the Environment section of the Local Plan. The policies of this chapter seek to protect the District's countryside and relate to local environmental quality and natural resource conservation. This will assist in the implementation of the Friends of the Earth Environmental Charter for Local Government which has been adopted by the Council. In accordance with PPG7, the policies also seek to encourage, where appropriate, the diversification of the rural economy which itself should assist in the conservation of the countryside.

POLICIES AND PROPOSALS

LANDSCAPE

CONSERVATION OF THE NIDDERDALE AREA OF OUTSTANDING NATURAL BEAUTY (AONB)

POLICY C1

WITHIN THE NIDDERDALE AREA OF OUTSTANDING NATURAL BEAUTY, AS SHOWN ON THE PROPOSALS MAP, PRIORITY WILL BE GIVEN TO THE CONSERVATION OF THE NATURAL BEAUTY OF THE LANDSCAPE.

WITHIN THIS AREA:

- A) DEVELOPMENT WHICH WOULD HAVE A SIGNIFICANT ADVERSE IMPACT ON THE LANDSCAPE WILL NOT BE PERMITTED.
- B) DEVELOPMENT SHOULD, WHEREVER POSSIBLE, BE LOCATED IN OR ADJACENT TO EXISTING SETTLEMENTS.
- C) DEVELOPMENT IN THE OPEN COUNTRYSIDE WILL BE PERMITTED WHERE IT COMPLIES WITH CRITERIA A) AND B) OF THIS POLICY AND
 - i) CONTRIBUTES TO THE RURAL ECONOMY; OR
 - ii) SATISFIES A NEED FOR LOCAL COMMUNITY FACILITIES; OR
 - iii) IS FOR THE PURPOSES OF RECREATION.
- D) PROPOSALS FOR LARGE SCALE DEVELOPMENTS IN THE OPEN COUNTRYSIDE WILL NOT BE PERMITTED UNLESS:
 - i) PROVEN TO BE IN THE NATIONAL INTEREST, AND
 - ii) INCAPABLE OF BEING LOCATED OUTSIDE THE AONB, AND
 - iii) THE ENVIRONMENTAL IMPACT HAS BEEN FULLY ASSESSED AND IF ACCEPTABLE ANY ADVERSE EFFECTS MINIMISED.
- E) WHERE DEVELOPMENT IS PERMITTED, THE HIGHEST STANDARDS OF DESIGN WILL BE REQUIRED WHICH SHOULD REFLECT THE LOCAL DISTINCTIVENESS OF THE AREA.

Justification

3.12 *Nidderdale was designated as an Area of Outstanding Natural Beauty by the Government on 14 February 1994. This designation formally recognises the national importance of the landscape of the area. PPG7 states that the primary objective of designation is conservation of the natural beauty of the landscape. This is reflected here by a policy which gives priority to the area's natural beauty. The natural beauty of the landscape is derived from its geology, physiography, flora, fauna and historical and cultural components.*

3.13 *Nonetheless PPG7 indicates that policies should have regard to the economic and social well-being of the area as well as facilitate the demand for recreation as far as is consistent with this primary objective and the needs of the area e.g. agriculture and forestry. In allocating land for development purposes in the AONB and allowing appropriate infill within some settlements in the AONB, the Local Plan has had regard to the economic and social well-being of the area. Criteria B, C and D set out the policy for the scale and location of development in the area. From a visual and sustainable development point of view, new development should wherever possible be located within or adjacent to existing settlements. This should encourage the use of public transport and help reduce travel by car. Criteria C and D take account of the need to consider development outside existing settlements. Large scale developments in the open countryside such as major industrial and commercial development and large housing estates are unlikely to be acceptable and would normally be inconsistent with the aims of the designation of the AONB.*

- 3.14 *The long history of settlement has created a wealth of architectural interest in the Nidderdale area. Characteristic gritstone buildings of many different types occur everywhere, adding greatly to the Pennine character of the landscape. PPG1 (General Policy and Principles) states that the scale of new development and use of appropriate building materials will often be particularly important within AONBs. The highest standards of design includes landscaping and external works, e.g. fences/walls/surfacing/kerbs, etc. Paragraph 18 of PPG1 (General Policy and Principles) states that particular weight should be given to the impact of development on existing buildings and the character of areas recognised for their landscape value such as Areas of Outstanding Natural Beauty. Supplementary design guidance relating to the landscape and building design in the AONB is being prepared by the Council.*
- 3.15 *The environmental effects of new proposals will be a major consideration in the determination of planning applications. Where a proposal is likely to have significant effects on the special character of the Nidderdale area, the Council will require an environmental statement in accordance with the Town and Country Planning (Environmental Impact Assessment)(England and Wales) Regulations 1999. (See also justification to Policy A1).*
- 3.16 *Afforestation proposals are outside planning control, but are subject to the Forestry Acts and can have a significant impact on the natural beauty of the landscape. The Council is consulted by the Forestry Authority on any proposals affecting amenity. The Council acknowledges the economic importance of coniferous forestry to the management of forest estates and the economy of rural areas. In responding to consultations from the Forestry Authority however, proposals to replant coniferous woodlands and to establish new conifer plantations will only be recommended for approval where it can be demonstrated that coniferous planting does not conflict with landscape conservation objectives or adversely affect the ecology of the area. The Council will encourage sympathetic management of existing broadleaved woodlands and will give favourable consideration to the establishment of new woodlands (particularly in intensively farmed lowland areas) which reflect the local landscape character and meet nature conservation objectives. In most cases preferred planting will comprise hardwood species; although coniferous species may be appropriate as 'nurse' planting. Where conifer plantations are acceptable the Council will encourage the introduction of native broadleaved species at the boundary edge of proposed plantations. The Council will encourage the highest standards of forest/woodland design in replanting or new woodland schemes. Forestry planting should avoid important archaeological remains (see Policy HD4 of this Local Plan).*
- 3.17 *The AONB Management Plan provides more detailed guidance on the Council's approach towards woodland and forestry within the AONB. This will be complemented by the Landscape Guidance to be published by the Council.*

LANDSCAPE CHARACTER

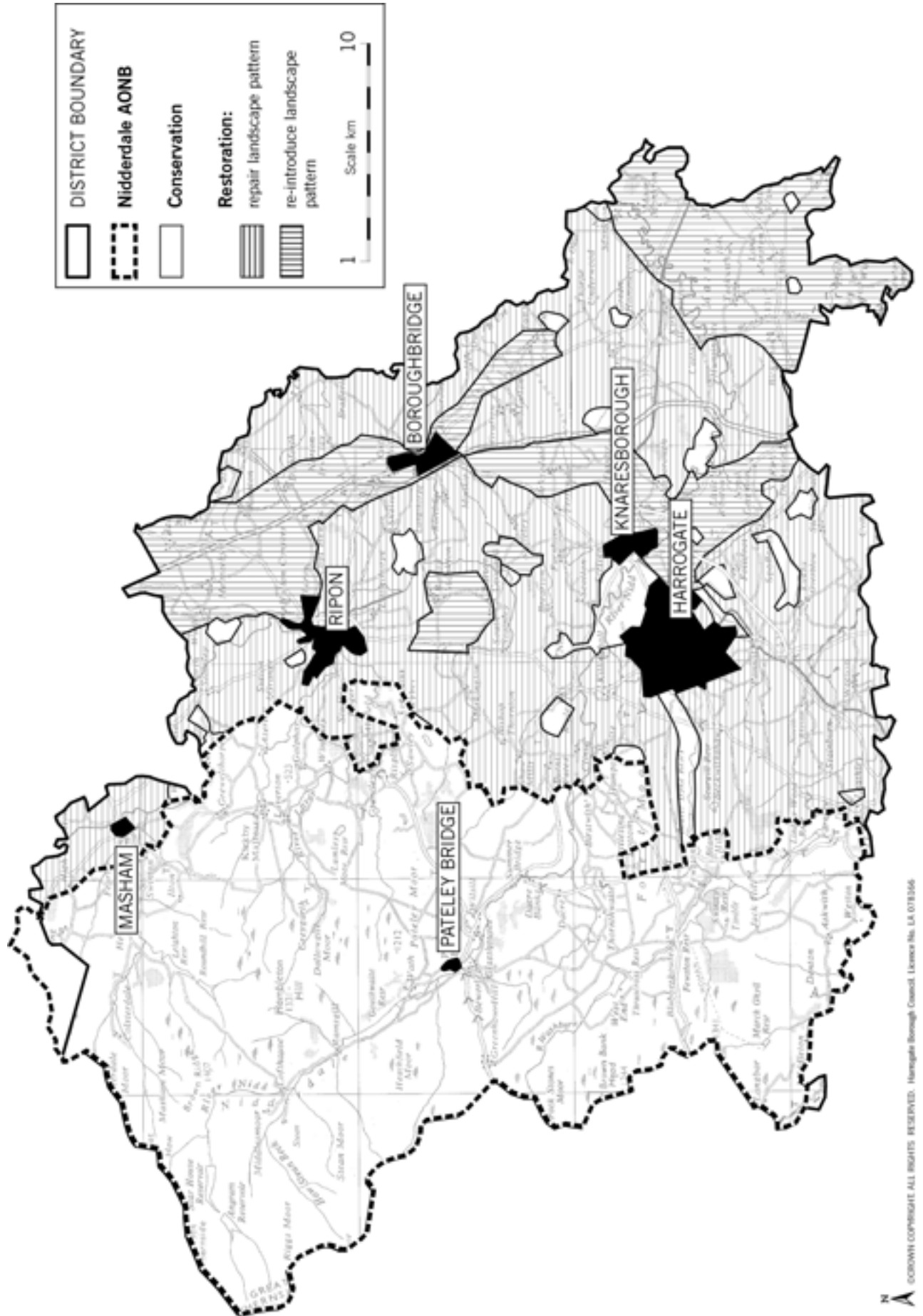
POLICY C2

DEVELOPMENT SHOULD PROTECT EXISTING LANDSCAPE CHARACTER. IN LOCATIONS WHERE RESTORATION OF THE LANDSCAPE IS NECESSARY OR DESIRABLE, OPPORTUNITIES SHOULD BE TAKEN FOR THE DESIGN AND LANDSCAPING OF DEVELOPMENT PROPOSALS TO REPAIR OR REINTRODUCE LANDSCAPE FEATURES, TO THE EXTENT THAT THIS IS JUSTIFIED BY THE EFFECTS OF THE PROPOSAL.

Justification

- 3.18 *A landscape appraisal of the Harrogate District was undertaken in 1993. The Council considered that an assessment of landscape character would assist in the preparation of the Local Plan (as indicated in PPG7). This appraisal assessed landscape character and put forward a landscape strategy for the District. The landscape character of the District comprises a wide range of physical and man-made elements which contribute to countryside character including land form and vegetation; drainage, including the pattern of watercourses, drains and associated features; natural landmarks; archaeological and historic features; buildings, settlements and their landscape settings; and the inter-relationship of these elements which produce characteristics such as significant views or settings. The Landscape Appraisal recommended a **conservation***

FIG 2. LANDSCAPE STRATEGY FOR THE HARROGATE DISTRICT



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strategy for the Nidderdale AONB, some river valleys and the District's parks and gardens. Policy C1 addresses the high priority given to protection of the high landscape quality of the Nidderdale AONB. Policy C3 addresses protection for specific river and stream corridors. Parkland is a distinct landscape type that adds variety to the landscape and makes a significant contribution to local distinctiveness and to the character of the District. The landscape and visual interest of all parks and gardens including aspects such as designed vistas and boundary treatment is addressed by this policy (C2), whilst Policy HD7A addresses the historic interest of those specific parks and gardens of national importance which are included in the English Heritage Register of Parks and Gardens of Special Historic Interest. In the remainder of the District a landscape **restoration** strategy was recommended. Within this area the landscape character is still reasonably strong and generally worthy of conservation, but the overall structure and individual features are in decline.

- 3.19 Fig. 2 indicates the landscape strategy for the District and the extent of the landscape restoration areas. Landscape restoration is divided into two categories:
- by repair:** where the existing landscape structure is quite strong and more or less intact, requiring minimal intervention to improve its quality and elevate it to conservation status.
- by reintroduction:** where the former landscape pattern and structure is significantly fragmented and moderate/major intervention is required to reintroduce structure and character to the landscape.
- 3.20 The Harrogate District Landscape Appraisal (1993) identifies the character of these areas and refers to landscape guidelines to protect and improve their character. These guidelines include the re-creation of distinctive features such as trees, hedges, copses, woodlands and ponds. The Landscape Appraisal is used by the Council as supplementary planning guidance for the determination of planning applications. This is to be complemented by District Landscape Guidance Notes. Since the publication of the Harrogate District Landscape Appraisal, the Countryside Commission (now Countryside Agency) and English Nature have issued a map and statements identifying the unique character of different areas of the countryside throughout England. This map identifies the Harrogate District as forming part of several regional character areas. The majority of the District lies within the three areas of the Yorkshire Dales, Pennine Dales fringe and Southern Magnesian Limestone. This provides a useful regional countryside context to the finer grain information contained in the Harrogate District Landscape Appraisal.
- 3.21 Where appropriate, proposals will be expected to make a positive contribution to the restoration of the landscape in accordance with Circular 1/97 and commensurate with any loss of amenity resulting from the development itself (see also Policy IMP3 of the Local Plan). Generally with proposals such as the conversion of rural buildings and erection of individual buildings, the scope for landscape restoration will be limited to small scale improvements usually within the immediate vicinity of the development. e.g. stone wall/hedgerow reinstatement and tree planting. For other proposals, such as golf courses, roads, exceptional industrial/commercial development, landscape restoration could involve more extensive woodland/hedgerow planting and the creation of ponds/wetland features. Such development proposals will be expected to contain a landscape appraisal of the character of the area to accompany the planning application.
- 3.22 This policy only applies to development proposals which are subject to planning control. However, the Council will also work with landowners, parish councils, the Countryside Agency, English Nature and other organisations to seek to restore the character of the landscape through the implementation of the Countryside Strategy and the Landscape Strategy of the Harrogate District Landscape Appraisal. An example of this work is the Ainsty Barn Owl Landscape Restoration Scheme. (The Council's approach to woodland and forestry is indicated in the justification to Policies C1 and C5 of the Local Plan). There are a number of sources of grant aid which support landscape enhancement:

Countryside Stewardship	(MAFF)
Woodland Grant Scheme	(FA)
Farm Woodland Premium Scheme	(MAFF)

MAFF: Ministry of Agriculture, Fisheries and Food FA: Forestry Authority

RIVER AND STREAM CORRIDORS**POLICY C3**

DEVELOPMENT WILL NOT BE PERMITTED WHERE IT IS LIKELY TO HAVE A SIGNIFICANT ADVERSE EFFECT ON THE LANDSCAPE CHARACTER AND AMENITY OF RIVER AND STREAM CORRIDORS.

Justification

- 3.23 *The river and stream valleys and corridors of the District form an important element of the landscape of the area. The valley landscapes of the upper and middle courses of the rivers Nidd, Wharfe, Washburn, Laver and Burn, and the Crimble Beck are distinctive. These valleys often form a well defined visual and physical corridor up to the break of the valley slope either side of the river. The lower courses of the District's main rivers (Nidd, Ure, Ouse and Wharfe) are less distinct, with the extent of the lowland river corridors much more difficult to define. In general they relate primarily to land within which vegetation provides a contrast and variation to the surrounding intensively cultivated farmland. The rivers Skell, Ure and Nidd also form an important landscape feature through the settlements of Ripon, Boroughbridge, Pateley Bridge and Knaresborough. This Policy applies to the following rivers and their tributaries: Burn, Crimble, Laver, Nidd, Oak Beck, Ouse, Skell, Swale, Tutt, Ure, Washburn and Wharfe (see Fig. 3). A tributary is defined as a watercourse draining into a river.*
- 3.24 *The Council will work with landowners, parish councils, the Environment Agency, British Waterways, the Countryside Agency, English Nature and other organisations to seek to conserve and enhance the environmental, amenity and recreational value of these corridors through its development control decisions, the implementation of its Countryside Strategy and the Area of Outstanding Natural Beauty Management Strategy. (The Council's policy on woodland and forestry and natural habitats associated with river and stream corridors is indicated in Policies C5 and NC4 of the Local Plan.) The National Rivers Authority (now replaced by the Environment Agency) has published Catchment Management Plans for the rivers Nidd, Wharfe, Swale, Ure and Ouse. These form an important basis for the protection and management of the ecology, recreation, amenity, water quality etc. of the river environment.*

POLICY C4 deleted (See Policy HD7A)**WOODLAND AND FORESTRY****POLICY C5**

DEVELOPMENT WILL NOT BE PERMITTED WHERE IT WOULD HARM THE LANDSCAPE, SCREENING OR WILDLIFE VALUE OF WOODLAND. STRICTEST PROTECTION WILL BE AFFORDED TO ANCIENT SEMI-NATURAL WOODLAND.

Justification

- 3.25 *Woodlands in the District generally contribute a valuable wildlife resource and are an integral component of the landscape. Yet woodland represents only a small proportion of the land use in the District. Unless necessary for felling connected with commercial forestry, their loss or damage will be resisted. Some of the woodland is classified as ancient semi-natural by English Nature. Conservation of this type of woodland will be given the highest priority.*
- 3.26 *In dealing with Forestry Authority consultations, determining landscape enhancement grants and through discussions with landowners and other relevant groups the Council will seek to promote woodland management which enhance the landscape and ecological value of woodlands and retain and enhance public access. The Council will welcome proposals for the establishment of new hardwood plantations of locally appropriate species and the management of existing broadleaved woodlands. Whilst the importance of commercial coniferous forestry is accepted, coniferous re-planting schemes and the establishment of new blocks of conifers will be supported only where such proposals do not conflict with landscape conservation objectives and local ecology. The Council will seek to ensure that the scale, location and character of new woodlands should generally reflect the character of the local landscape, be appropriate to the landscape strategy (Harrogate District Landscape Appraisal 1993) and be of the highest standards of forestry/woodland design. The Forestry Authority is producing a Regional Forestry Strategy.*

HEDGEROWS**POLICY C5A****DEVELOPMENT WHICH WOULD REQUIRE THE REMOVAL OF IMPORTANT HEDGES WILL NOT BE PERMITTED, UNLESS JUSTIFIED IN THE WIDER PUBLIC INTEREST.****Justification**

- 3.27 *Hedgerows are distinctive countryside features, contributing to the character and quality of the landscape and often of considerable historic interest. They are important for nature conservation as wildlife 'corridors', and often contain a great diversity of plant and wildlife species. Within Harrogate District, the field patterns and agricultural processes influence and are influenced by the presence and arrangement of hedges, providing a diversity of landscape types that range from small irregular mosaics with tall hedges to regular rectilinear fields with clipped hedges and individual hedgerow trees.*
- 3.28 *Loss of hedgerows by direct removal or through neglect has been a continuing cause for concern. The rate of hedgerow removal has reduced recently, and more new hedges are being planted than removed, but there are certain important hedgerows at risk of removal for which no amount of replanting can substitute. Removal includes not only the grubbing up, but also other acts which result in the destruction of a hedgerow.*
- 3.29 *The Hedgerow Regulations 1997 were made under section 97 of the Environment Act 1995 and came into operation on 1 June 1997. They introduce new arrangements for local planning authorities to protect important hedgerows in the countryside, by controlling their removal through a system of notification.*
- 3.30 *The Regulations set out criteria that must be used by the local planning authority in determining which hedgerows are important, from an archaeological, historic and wildlife point of view. The essential feature of a hedgerow is a row of bushes, although trees and hedgebank are included. The Regulations apply to countryside hedgerows⁽¹⁾ that are at least 30 years old and either 20 metres or more long, or less than 20 metres long if they are connected at each end to another hedgerow. The Regulations do not apply to garden hedges.*
- 3.31 *The Council will assess applications to remove hedgerows on the basis of the criteria set out in the Regulations, determining whether the individual hedgerow is subject to the Regulations, whether the hedgerow is considered 'important', and whether the proposed works constitute 'removal' or are exempt. The Regulations state that there is a presumption in favour of retention but that determination should take into account views of Parish Councils and others as well as the reasons given on the notice for removal. The removal of these important hedgerows will only be permitted where it is justified in the wider public interest.*
- 3.32 *In addition, the Council will encourage the retention or replanting of hedgerows which, whilst not meeting the historical or botanical criteria, make a significant contribution to landscape character. Landscape character areas where hedgerow patterns are particularly important are identified in the District Landscape Appraisal and in the Landscape Guidance to be published by the Council.*
- 3.33 *Grants for management of existing hedgerows and new hedge planting are available through the Countryside Stewardship Scheme, administered by the Ministry of Agriculture Fisheries and Food. Information on the Hedgerow Regulations and on hedge management and planting is to be provided as part of the Council's Landscape Guidance.*

(1) Countryside hedgerows are defined as those on or adjoining, common land, village greens, Sites of Special Scientific Interest (which include National Nature Reserves, Special Protection Areas and the Birds Directive and Special Areas of Conservation under the Habitats Directive), Local Nature Reserves, or land used for agriculture, forestry or the breeding or keeping of horses, ponies or donkeys.

~~POLICIES C6, C7 and C8 deleted~~

SPECIAL LANDSCAPE AREAS**POLICY C9**

THE BOROUGH COUNCIL WILL GIVE LONG TERM PROTECTION TO THE HIGH QUALITY LANDSCAPE OF THE FOLLOWING SPECIAL LANDSCAPE AREAS, WHICH ARE SHOWN ON THE PROPOSALS MAP:

HARROGATE AND KNARESBOROUGH

- a WARREN TOP - KNOX HILL, OAK BECK VALLEY TO THE NORTH WEST OF HARROGATE
- b NIDD GORGE
- c SCRIVEN PARK AND CONEY GARTH
- d CRIMPLE VALLEY
- e RUDDING PARK
- f PINE WOODS AND VALLEY GARDENS
- g OAK BECK VALLEY TO THE WEST OF HARROGATE INCLUDING BIRK CRAG AND CARDALE WOOD

RIPON

- h URE VALLEY
- i SKELL AND LAVER VALLEYS

WITHIN THESE AREAS:

- i) NEW DEVELOPMENT, OR MAJOR EXTENSIONS TO EXISTING DEVELOPMENT, WHICH WOULD HAVE AN ADVERSE IMPACT ON THE CHARACTER OF THE LANDSCAPE OR THE LANDSCAPE SETTING OF HARROGATE, KNARESBOROUGH OR RIPON WILL NOT BE PERMITTED; AND
- ii) WHERE DEVELOPMENT IS PERMITTED, HIGH STANDARDS OF DESIGN (INCLUDING LANDSCAPE DESIGN) AND, WHERE APPROPRIATE, MEASURES TO MITIGATE THE IMPACT OF DEVELOPMENT WILL BE REQUIRED.

Justification

- 3.34 *The above areas have been identified as being of importance for the landscape setting of Harrogate, Knaresborough and Ripon in the comprehensive appraisal carried out as part of the preparatory work for the Harrogate and Knaresborough and Ripon Local Plans. The landscape within these areas has been identified as both important to the landscape setting of the settlement and of high quality in its own right. As such, their long-term protection is considered to be essential for maintenance of the special character of these settlements. (There will be countryside outside the Special Landscape Areas which whilst not necessarily of high landscape quality will be of importance to the landscape setting of these settlements. Policy C2 will apply to such countryside).*
- 3.35 *In Special Landscape Areas, this policy will apply in addition to Policy C15 or around Harrogate and Knaresborough the Green Belt policies of this Local Plan.*

HARROGATE AND KNARESBOROUGH

- a **WARREN TOP - KNOX HILL, OAK BECK VALLEY TO THE NORTH WEST OF HARROGATE.**
 - *The landscape of this part of the town fringe has a distinctive landform centred upon the Oak Beck Valley and related bluffs and spurs, and the broad ridge to the south west. In addition, trees and woodlands are a prominent feature of the area with important woodlands associated with Grange Quarry and the course of the Oak Beck Valley.*

- *The village of Knox is contained by the surrounding landscape and nearby Knox Hill and its associated woodland cover is an important feature in terms of its high landscape quality, the contribution it makes to the approaches to the town and its prominence over a wide area of the town fringe.*
 - *A particularly important function of this area of open landscape is that of separating Harrogate from the village of Killinghall to the north. The Knox Hill area also has an important amenity role with footpaths recently improved and waymarked as part of the Nidd Gorge project and there are various features of historic interest.*
- b THE NIDD GORGE FROM VIADUCT WOOD IN THE WEST TO THE B6164 KNARESBOROUGH - WETHERBY ROAD TO THE SOUTH EAST OF KNARESBOROUGH.**
- *This area includes Old Bilton, Bilton Beck and Birkham Wood. The main feature which contributes to the high quality of the landscape in this area is the Nidd Gorge and the extensive areas of woodland associated with it, together with the landscape of small fields, hedgerows and hedgerow trees to the south of the Gorge. Birkham Wood in particular constitutes a prominent and important landscape feature in relation to a wide area of the southern fringes of Knaresborough and its approaches.*
 - *The area as a whole plays an important role in the separation of the town of Harrogate and Knaresborough, and also in the landscape setting of Knaresborough.*
- c SCRIVEN PARK AND CONEY GARTH**
- *The character of this area derives in part from the undulating landform especially to the north and east and from the substantial woodland cover, especially that associated with Scriven Park. Coney Garth and its associated woodlands are a prominent and distinctive landscape feature which contribute substantially to the setting of the village of Old Scriven and to its separate identity, despite its juxtaposition to the main body of the built-up area of Knaresborough.*
- d THE CRIMPLE VALLEY FROM THE FOLLIFOOT TO KNARESBOROUGH ROAD IN THE EAST AND TO BECKWITHSHAW IN THE WEST.**
- *The Special Landscape Area covers a large section of the southern fringes of Harrogate. In the west around Beckwithshaw the area comprises a richly textured and attractive rural landscape with excellent wide-ranging views over large areas of open countryside to the west and south of the town.*
 - *The northern slopes of the Crimple Valley provide a natural and definitive edge to this area of Harrogate. This valley with its woodland, rights of way network and golf courses provides for a variety of recreation activities. There is a close relationship between the edge of the built-up area and landform, this is particularly evident in the role of the Clark Beck and Stone Rings Beck tributary valleys in defining and containing the urban edge. This area of landscape is especially important because it serves to separate Harrogate from Pannal and Spacey Houses.*
- e RUDDING PARK**
- *This area is a unique part of the urban fringe landscape and as such represents a particularly important component of Harrogate's landscape setting. The elevated nature of this area, together with the presence of the surrounding Crimple Valley, and extensive deciduous and mixed woodlands associated with the fringes of the park contribute to its attractiveness. The park is visually prominent when viewed from the south eastern fringes of the town. The estate combines the historic parkland landscape with its more recent function as a tourist and recreation centre.*
- f PINE WOODS AND VALLEY GARDENS**
- *The heavily wooded character of the Harlow Moor area is fundamental to the high landscape quality of this area. This character is emphasized by virtue of the elevated nature of the Harlow Hill woodlands. The area, which includes Harlow Carr Gardens, Pine Woods and Valley Gardens, is particularly important because it extends from open countryside into the heart of the town. The Valley Gardens is an historic park and garden, the character of*

which varies from formal gardens and recreational amenities in the east to the woodland planting in the west. Harlow Carr Gardens is a large botanical garden on the western fringe of Harrogate comprising an extensive range of plants and woodland. The gardens contain several national collections of garden plants and are used by the public for education and recreation purposes.

g OAK BECK VALLEY TO THE SOUTH WEST OF HARROGATE INCLUDING BIRK CRAG AND CARDALE WOOD.

- The Birk Crag escarpment with its dense woodland is a significant feature in this Special Landscape Area. Together with area (f) it forms an important open link extending from the town centre to the countryside beyond.
- The existing edge of the town between Harlow Carr Gardens and Otley Road is closely associated with a subtle break of slope. The wooded character of the town fringe coinciding with the horizon forms a distinctive edge which at the same time effectively prevents intrusion of the built-up area into open countryside.

RIPON

h URE VALLEY

- This is an area centred on the valley of the River Ure between Little Studley and Ure Bank in the north and the B6265 Boroughbridge Road in the south and extending approximately from the line of the disused railway in the west to the summit of the ridge south-west of Sharow in the east. The main landform feature of this area is the Ure Valley itself and the low ridge to the east. The area has important belts and groups of trees throughout, particularly along the river bank. It includes attractive and important views of the Cathedral and the city from the Thirsk and Boroughbridge Road approaches.

i SKELL AND LAVER VALLEYS

- This is an area centred on the valleys of the River Skell and Laver. The Laver valley section starts from the general vicinity of Clotherholme (immediately north of the former Doublegates Quarry), and finishes at the confluence of the Skell. The Skell valley section commences in the south-west at Hell Wath Cottage and finishes in the east at Borrage Green, including the adjacent wedge of open land. The landscape of this area has a number of varied features including disused quarries, playing fields, woodland and agricultural land. It provides some good views of the city and cathedral and a 'wedge' of countryside penetrating the built-up area.

GREEN WEDGES IN HARROGATE

POLICY C10

LONG TERM PROTECTION WILL BE GIVEN TO THE FOLLOWING "GREEN WEDGES" IN HARROGATE AS SHOWN ON THE PROPOSALS MAP:

- a OAKDALE VALLEY**
- b PINE WOODS AND VALLEY GARDENS**
- c BILTON TRIANGLE**
- d HOOKSTONE VALLEY**

WITHIN THESE AREAS:

- i) DEVELOPMENT WILL NOT BE PERMITTED WHERE IT WOULD ADVERSELY AFFECT THE CHARACTER OF A "GREEN WEDGE"; AND**
- ii) ACCESS TO THE OPEN LAND WILL BE MAINTAINED AND ENHANCED TO PROVIDE INFORMAL RECREATION.**

Justification

- 3.36 A number of areas of open land have been identified as contributing to the character of Harrogate. They are important in:
- Preventing the urban area becoming one undifferentiated built-up area within its overall boundaries;
 - Safeguarding the character of the town as manifest in the system of open spaces which link the town centre with the open countryside; and
 - Affording public access, and the potential for public access, to extensive open spaces and ultimately the countryside beyond.
- 3.37 Although linked to the system of green wedges, the Harrogate Stray is not itself a Green Wedge. The Stray is protected by Act of Parliament and is designated an amenity open space to be protected in the Local Plan (See Policy HD12).

LANDSCAPING OF DEVELOPMENT SITES**POLICY C11****~~PROPOSALS FOR DEVELOPMENT SHALL HAVE REGARD TO:~~**

- ~~THE RETENTION OF EXISTING LANDSCAPE FEATURES OF AMENITY VALUE AS AN INTEGRAL PART OF THE DESIGN AND LAYOUT.~~
- ~~THE PROVISION OF NEW LANDSCAPING INCLUDING THE REINSTATEMENT OF LANDSCAPE FEATURES TO ENHANCE THE ENVIRONMENT WHICH, AS APPROPRIATE, SHOULD BE IN ACCORDANCE WITH POLICIES C2 AND IMP3 OF THIS LOCAL PLAN.~~
- ~~THE RELATIONSHIP OF THE SITE TO SURROUNDING LANDSCAPE FEATURES AND CHARACTER.~~
- ~~THE NEED TO PROTECT AND ENHANCE IMPORTANT VISUAL AND PHYSICAL LINKS BETWEEN THE BUILT FORM, OPEN SPACES AND OPEN COUNTRYSIDE.~~
- ~~THE NEED TO PROVIDE EXTENSIVE SCREEN PLANTING OF SUFFICIENT SCALE AND APPROPRIATE CHARACTER ON SITES WITHIN OPEN COUNTRYSIDE OR ON SITES WHICH ARE EXPECTED TO FORM THE LONG-TERM EDGE OF A SETTLEMENT.~~
- ~~IN RELATION TO LARGE SCALE OR OTHER SENSITIVE DEVELOPMENT THE NEED TO INCLUDE DETAILS OF LANDSCAPE DESIGN AS AN INTEGRAL ELEMENT OF THE PLANNING APPLICATION.~~

~~SCREEN PLANTING WILL BE REQUIRED ON, OR IN ASSOCIATION WITH, SITES ALLOCATED FOR DEVELOPMENT WHERE INDICATED ON THE PROPOSALS MAP.~~

Justification

- 3.38 ~~Harrogate District owes much of its character and attractiveness to its landscape features and design. PPG1 (General Policy and Principles) recognises that landscape design in new developments is important and should be subject to specific consideration. It is therefore important that existing trees, hedges and other landscape features be retained wherever possible and that comprehensive landscape schemes be submitted and implemented as part of many new development proposals. On larger scale housing and employment sites and other key development sites detailed soft and hard landscape design proposals will be expected to form part of the planning application. Of particular importance are sites within open countryside or on the edge of settlements. Such proposals that are objectionable for other reasons will not become acceptable simply because substantial landscaping is proposed. Where the impact of such development might be seen over a wide area, or where the development is seen to have reached a natural limit to the settlement's expansion, these developments could require~~

extensive planting both within and beyond the built form of the development. Various sites allocated for housing and employment purposes (Proposals H4 and E4) require such planting and these are marked on the Proposals Map. Legal agreements may be necessary to secure planting. Landscape proposals for development sites should provide a framework for new development that relates to the wider landscape context to reflect variations in landscape character (Policy C2), protect features of historic and natural interest, and be in accordance with Policy IMP3 of the Local Plan. In order to assist applicants, the Council has published a Landscape Policy which advises on the principles and procedures for the preparation of landscape schemes. This is currently under review and new Landscape Design Guidance will be published soon.

3.39 *The Council will, where appropriate, impose conditions on planning permissions to secure the retention of existing trees and other landscape features (during and after construction) and, as far as possible, within the advice contained in Circular 11/95 (The Use of Conditions in Planning Permissions) secure the long-term future and satisfactory appearance of landscaping. Where appropriate tree preservation orders will be made.*

3.40 *Some of the District's older industrial estates lack landscaping of a standard which is expected in today's industrial development. The Council wishes to see an improvement in the appearance of these estates and intends to discuss with businesses and the highway authority the introduction of a comprehensive environmental improvement strategy for these areas.*

3.41 *There are a number of sources of grant aid which support landscape enhancement.*

<i>Countryside Stewardship</i>	<i>(MAFF)</i>
<i>Woodland Grant Scheme</i>	<i>(FA)</i>
<i>Farm Woodland Premium Scheme</i>	<i>(MAFF)</i>

MAFF: Ministry of Agriculture, Fisheries and Food — FA: Forestry Authority

AGRICULTURE

AGRICULTURAL LAND

POLICY C12

NON-AGRICULTURAL DEVELOPMENT WHICH CAUSES HARM TO THE BEST AND MOST VERSATILE AGRICULTURAL LAND WILL NOT BE PERMITTED UNLESS:

- A) THE NEED FOR DEVELOPMENT OVERRIDES AGRICULTURAL CONSIDERATIONS; AND**
- B) DEVELOPMENT COULD NOT REASONABLY TAKE PLACE ON NON-AGRICULTURAL LAND OR LAND OF A LOWER AGRICULTURAL QUALITY; OR UNLESS**
- C) THE NON-AGRICULTURAL USE IS FOR A DEFINED SHORT TERM PERIOD ONLY, AND THE LAND WILL BE RESTORED TO ITS FULL PREVIOUS AGRICULTURAL QUALITY, OR TO A HIGHER LEVEL.**

WHERE THE AGRICULTURAL USE OF LOWER GRADE LAND CONTRIBUTES SIGNIFICANTLY TO THE HIGH QUALITY OF THE ENVIRONMENT OR TO THE RURAL ECONOMY ITS LOSS WILL NOT BE PERMITTED.

Justification

3.42 *Grades 1, 2 and 3a is the best and most versatile agricultural land and is a national resource for the future. In seeking to protect this high quality agricultural land from permanent loss to development, this policy reflects the guidance contained in PPG7 and the North Yorkshire County Structure Plan Policies A1 and A3. PPG7 also indicates that little weight, in agricultural terms, should be given to the loss of lower quality agricultural land except in areas such as hills*

and uplands where particular agricultural practices themselves contribute in some special way to the quality of environment or the local economy. In Harrogate District the farming of the hills and uplands within and adjoining the Nidderdale Area of Outstanding Natural Beauty is an integral part of land management practice e.g. extensive grazing of upland pasture that makes a significant contribution to the quality of the landscape. This in turn provides an attractive environment which helps to sustain the local tourist industry. It is this part of the District which is covered by the protection afforded in the last paragraph of this policy.

- 3.43 *The Council will have due regard to Policy A2 of the County Structure Plan and Annex B of PPG7 in dealing with development affecting agricultural land. The Council is required to consult the Ministry of Agriculture, Fisheries and Food about any non-agricultural development that does not accord with the development plan and which involves, or is likely to lead to, the loss of 20 hectares or more of agricultural land of Grades 1, 2 or 3a.*

AGRICULTURAL AND FORESTRY DEVELOPMENT

POLICY C13

DEVELOPMENT FOR AGRICULTURE AND FORESTRY REQUIRING PLANNING PERMISSION WILL BE EXPECTED TO CONFORM TO THE FOLLOWING CRITERIA:

- A) THERE SHOULD BE AN ADEQUATE BUFFER DISTANCE BETWEEN THE PROPOSED DEVELOPMENT AND EXISTING NON-AGRICULTURAL DEVELOPMENT, PARTICULARLY DWELLINGS.**
- B) THERE SHOULD BE NO POLLUTION OF EXISTING OR POTENTIAL WATER OR FISHING RESOURCES.**
- C) THE PROPOSED DEVELOPMENT SHOULD BE SITED AND DESIGNED SO AS TO MINIMISE ANY HARMFUL IMPACT ON THE RURAL LANDSCAPE AND BUILT HERITAGE.**
- D) THE PROPOSED DEVELOPMENT SHOULD ACCORD WITH POLICY T1 AND OTHER RELEVANT POLICIES OF THIS LOCAL PLAN.**

WHERE A DETERMINATION HAS BEEN MADE THAT PRIOR APPROVAL OF THE SITING AND APPEARANCE OF BUILDINGS IS REQUIRED THE DEVELOPMENT WILL BE EXPECTED TO CONFORM WITH CRITERIA A) AND C) OF THIS POLICY.

Justification

- 3.44 *A wide range of development associated with agriculture and forestry has deemed planning permission under the Town & Country Planning (General Permitted Development) Order 1995. Where development requires a specific planning permission, the Council wishes to ensure that proposals do not adversely affect residential amenity, other uses in the countryside, water resources, the landscape or the local highway network. It is not possible to stipulate specific buffer distances between agricultural development and non-agricultural development – local circumstances, including topography, vegetation etc. and the type of development will determine the adequacy of distances to maintain amenity. The Town and Country Planning (General Permitted Development) Order 1995 brings within planning control agricultural buildings for livestock or storage of slurry that are located within 400 metres of the curtilage of a protected building (residential, school etc.). Any proposals for intensive livestock units or storage of slurry within this distance will be given particularly careful consideration in order to maintain amenity. Such proposals should ensure that sufficient suitable land is available for storage and spreading of waste material and take account of the Ministry of Agriculture Fisheries and Food's Code of Good Agricultural Practice. The Council will consider the necessity for a legal agreement to control the method of operation and continued availability of land for spreading waste. Additional practical advice is provided in the Council's 'Farm Buildings Design Guide'.*

- 3.45 *Under Parts 6/7 of the Town and Country Planning (General Permitted Development) Order 1995 the Council can decide whether to approve the siting and appearance of agricultural buildings*

which have deemed planning permission. In considering the acceptability of these proposals the Council will expect them to conform with criteria (A) and (C) of this policy.

FARM DIVERSIFICATION

POLICY C14

PROPOSALS FOR FARM DIVERSIFICATION WILL BE PERMITTED PROVIDED THEY MEET ALL THE FOLLOWING CRITERIA:

- A) THE PROPOSAL SHOULD WHEREVER POSSIBLE RE-USE EXISTING FARM BUILDINGS. (IN THE EVENT OF EXISTING BUILDINGS BEING INCAPABLE OF CONVERSION ANY NEW BUILDING SHOULD CONFORM WITH POLICY C13 ON AGRICULTURAL AND FORESTRY DEVELOPMENT):**
- B) THE PROPOSAL WILL NOT HAVE AN ADVERSE EFFECT ON RESIDENTIAL AMENITY OR THE CHARACTER AND AMENITY OF THE AREA:**
- C) THAT THE LIKELY LEVEL OF TRAFFIC GENERATION IS ACCEPTABLE, TAKING ACCOUNT OF THE EXISTING ACCESS AND APPROACH ROADS.**

Justification

- 3.46 *This policy seeks to encourage appropriate forms of farm diversification. The increasing efficiency of agricultural production along with changes in agricultural practices means that retaining as much land as possible in agriculture no longer has the priority it had in previous years. PPG7 states that the priority in agriculture now is to promote diversification of the rural economy so as to provide wide and varied employment opportunities for rural people including those formerly employed in agriculture and related sectors. This and the decline of farm incomes through the impact of the Common Agricultural Policy indicates that farmers may need to find a proportion of their income from activities other than food production.*
- 3.47 *Examples of proposals which may be acceptable include tourist accommodation (bed & breakfast/camping barns), farm shops, farm based visitor centres and equestrian centres. The DoE has published a good practice guide entitled 'Planning for Rural Diversification' (December 1995) which builds upon the principles set out in PPG7. Further advice is provided in 'A Planning Guide to Farm Diversification in North Yorkshire' (November 2000) produced by a partnership of the County and District Councils, the National Park Authorities, the Country Landowners Association and the National Farmers Union.*
- 3.48 *In determining planning applications for diversification, proposals will need to be compatible with other policies in the Local Plan and particular emphasis will be placed on ensuring that proposals do not have an adverse effect on the character of the landscape, the general amenity of the countryside, and the amenity enjoyed by nearby residents.*

DEVELOPMENT IN THE COUNTRYSIDE

CONSERVATION OF RURAL AREAS NOT INCLUDED IN THE GREEN BELT



POLICY C15

~~OUTSIDE DEVELOPMENT LIMITS (AS DEFINED ON THE PROPOSALS MAP), THE BUILT UP CONFINES OF THOSE SETTLEMENTS LISTED IN POLICY H6, AND SITES ALLOCATED FOR SPECIFIC USES IN THIS LOCAL PLAN, EXISTING LAND USES ARE EXPECTED TO REMAIN FOR THE MOST PART UNDISTURBED.~~

~~DEVELOPMENT IN THESE RURAL AREAS WILL ONLY BE PERMITTED WHERE:~~

- ~~A) IT IS APPROPRIATE TO A RURAL AREA; OR~~
- ~~B) IT CONTRIBUTES TO THE RURAL ECONOMY AND COMPLIES WITH POLICIES E8, S4, TR2, TR3, TR4, OR TR6 OF THIS LOCAL PLAN; OR~~
- ~~C) THERE IS A LOCAL NEED WHICH CANNOT BE MET ELSEWHERE AND IT COMPLIES WITH POLICIES H7, H8 OR CF9 OF THIS LOCAL PLAN; OR~~
- ~~D) IT IS APPROPRIATE INFILL DEVELOPMENT WITHIN CATEGORY C SETTLEMENTS OF POLICY H6 OF THIS LOCAL PLAN; OR~~
- ~~E) IT COMPLIES WITH POLICY C17 OF THIS LOCAL PLAN.~~

Justification

- ~~3.49 In accordance with the North Yorkshire County Structure Plan, provision for the development needs of Harrogate District has been concentrated in and around the main urban areas, main towns and small towns. A number of villages have been identified as appropriate for small scale growth or infill development. This policy is intended to protect the countryside and open character of rural areas, including the protection of open countryside and undeveloped land between separate settlements; to prevent sporadic unplanned development or coalescence of settlements and to steer development to allocated sites. Notwithstanding these objectives, the Government's policies for the countryside are set out in the White Paper 'Rural England: A Nation Committed to a Living Countryside'. These policies are based on ensuring both rural prosperity and the protection and enhancement of the character of the countryside. Furthermore the Government seeks to meet the social needs of people who live and work in rural areas and is promoting living communities which have a reasonable mix of age, income and occupation and which offer a suitable scale of employment, affordable and market housing, community facilities and other opportunities. This policy, combined with those referred to within it, and Policy E2 of the County Structure Plan, seek to achieve the Government's objectives for the countryside within Harrogate District.~~
- ~~3.50 Development limits have been defined around the District's main settlements and larger villages to assist in guiding and controlling new development. In general they have been drawn tightly to limit the extent of new development within them to infill and occasionally some small scale rounding off and to protect the surrounding countryside from further encroachment. These development limits are proposed for use during the plan period up to the year 2006. They will have to be reviewed when the plan is rolled forward beyond 2006.~~
- ~~3.51 Para. 3.21 of PPG7 states that "An isolated new house in the countryside may also exceptionally be justified if it is clearly of the highest quality, is truly outstanding in terms of its architecture and landscape design, and would significantly enhance its immediate setting and wider surroundings." Such proposals would need to be very carefully considered as an exception to this policy.~~

THE RE-USE AND ADAPTATION OF RURAL BUILDINGS

See Selective Alteration to HDLP (2004) for a revision of this policy

POLICY C16

~~OUTSIDE DEVELOPMENT LIMITS (AS DEFINED ON THE PROPOSALS MAP) AND THE BUILT-UP CONFINES OF SETTLEMENTS REFERRED TO IN POLICY H6, ALL PROPOSALS FOR THE RE-USE AND ADAPTATION OF RURAL BUILDINGS SHOULD HAVE REGARD TO THE FOLLOWING CRITERIA:~~

~~A) THE PROPOSAL, BY VIRTUE OF ANY PHYSICAL CHANGES, ACCESS AND SERVICING ARRANGEMENTS, AND THE LEVEL OF ACTIVITY ASSOCIATED WITH THE PROPOSED USE, SHOULD NOT HARM THE CHARACTER OR APPEARANCE OF THE COUNTRYSIDE OR OF THE BUILDING ITSELF.~~

~~ANY PROPOSAL FOR RESIDENTIAL USE WILL NOT BE PERMITTED WHERE:~~

~~B) THE BUILDING IS NOT OF A PERMANENT AND SUBSTANTIAL CONSTRUCTION, AND IS NOT OF A TYPE CAPABLE OF CONVERSION TO THE NEW USE WITHOUT REQUIRING EXTENSIVE ALTERATION, EXTENSION, DEMOLITION AND/OR REBUILDING WORKS; OR~~

~~C) AN ASSOCIATED RESIDENTIAL CURTILAGE WOULD HARM THE CHARACTER OR APPEARANCE OF THE COUNTRYSIDE; OR~~

~~D) THE PREMISES ARE SUITABLE FOR BUSINESS USE AND THERE IS AN IDENTIFIED LOCAL NEED FOR BUSINESS PREMISES; OR~~

~~E) THERE IS A LOCAL NEED FOR AFFORDABLE HOUSING, THE BUILDING IS SUITABLE FOR SUCH PURPOSES AND THE PROPOSAL IS NOT AN AFFORDABLE HOUSING SCHEME.~~

~~PROPOSALS FOR BUSINESS USE, IN ADDITION TO HAVING REGARD TO CRITERION A, WILL BE PERMITTED WHERE:~~

~~F) THE BUILDING IS OF A PERMANENT AND SUBSTANTIAL CONSTRUCTION; AND~~

~~G) ANY ALTERATIONS, EXTENSIONS OR REBUILDING ARE MINIMISED AND ARE ESSENTIAL TO THE OPERATIONAL REQUIREMENTS OF AN IDENTIFIED USER; AND~~

~~H) IT WOULD NOT LEAD TO DISPERSAL OF ACTIVITY ON SUCH A SCALE AS TO PREJUDICE NEARBY TOWN AND VILLAGE VITALITY; AND~~

~~I) THERE IS NO ADVERSE EFFECT ON RESIDENTIAL AMENITY.~~

Justification

3.52 *PPG7 emphasises that the re-use and adaptation of existing rural buildings has an important role in meeting the needs of rural areas for commercial and industrial development, as well as for tourism, sport and recreation (paragraph 3.14). The PPG indicates that it may be appropriate to include policies in development plans which discriminate in favour of business use. It also indicates that such conversions may have a part to play in meeting identified needs for new market or affordable housing. However it states that local planning authorities should examine applications for residential use of rural buildings with particular care, and sets down some guidelines for consideration of all reuse proposals.*

3.53 *The first part of this policy applies to all reuse proposals. Thereafter the policy deals firstly with the criteria against which residential proposals should be assessed and secondly those criteria against which business use should be assessed.*

3.54 *Circumstances in Harrogate District warrant some discrimination in favour of business reuse. A large area of the District is recognised as having problems of declining agricultural employment and rural deprivation. Most recently the European Commission has confirmed upon the western part of the District 'Objective 2 Status' and the north western part of the District lies within the North Yorkshire Rural Development Area. The Management Strategy for the Nidderdale Area of Outstanding Natural Beauty seeks to reduce dependence on the declining agricultural sector and broaden the economic base of the area. Monitoring of planning applications for rural reuse in the District show that proposals overwhelmingly involve residential*

development. It has been difficult to find suitable land for employment purposes in the preparation of this Local Plan, and although small scale proposals for employment may come forward during the Plan period, these may have to be rejected where their impact on the countryside is harmful. It is for all these reasons, that residential proposals may have to be refused in favour of the opportunity to allow business use of suitable rural buildings. Similarly, the local need for affordable housing could warrant, where appropriate the rejection of proposals for the reuse of rural buildings for open market residential use.

Criterion A) A long-standing aim of national and local planning policies is to channel development in rural areas to existing settlements and to safeguard the character and appearance of the countryside (PPG7 and County Structure Plan Policies H5 and E2). Proposals for conversion of rural buildings within the built confines of villages will not normally affect the landscape significantly. However, in the countryside, proposals will be much more sensitive and impact on the character and appearance of the landscape will normally be the key issue in determining an application.

Large parts of Harrogate District have been identified as being of national and local landscape importance. Nidderdale is designated as an Area of Outstanding Natural Beauty. Special Landscape Areas are designated around Harrogate, Knaresborough and Ripon.

It is important that, in any conversion works, as much as possible of the character and setting of the building are retained. This requires skilful and sensitive design in order to maintain essential features of the original building to reflect local building styles and materials and to avoid so many changes to the building that its existing character would be lost. The Council's 'Re-use and Adaptation of Rural Buildings' Design Guide provides detailed advice to assist in this process. A lack of sensitive design can destroy the character of a building and suburbanise its appearance, so that it becomes a jarring element in the rural scene and is similar in visual impact to construction of a new dwelling.

The need to retain the character and appearance of a building assumes particular importance in the case of listed buildings. Care will be needed on the internal as well as external treatment of listed buildings. English Heritage provides detailed advice in its leaflet 'The Conversion of Historic Farm Buildings'.

Buildings proposed for conversion will need to have suitable vehicular access and provision of basic services such as water, electricity and foul drainage. As well as meeting necessary technical standards (e.g. highway visibility splays), care must be taken to avoid harm to the character and appearance of the surrounding area. The provision of new surfaced access tracks across farmland, provision of overhead power lines and removal of existing roadside walls to provide adequate visibility, are examples of the adverse secondary impact which can arise.

PPG7 states that proposals for conversion of existing buildings to residential use require most careful consideration. They have a minimal impact on the local economy and when situated outside villages, often have a harmful effect on the character and appearance of the countryside.

Criterion B) Proposals should involve re-use and adaptation of buildings to facilitate the new use, rather than extensive alteration, extension, demolition or rebuilding works. Such works could be tantamount to construction of a new building in the countryside and so contrary to established national and local planning policies. Buildings which have become so derelict as to require complete or substantial reconstruction to bring them back into use will normally fail this test.

Most traditional rural buildings are simple and unassuming. An important aim of this policy is to retain as much of their character as possible. Extensions to buildings or alterations to their roof line change the shape and form of the building. Indeed, the visual impact of large scale extensions may be similar to a new building in the countryside. This is to be avoided and extensions should be small in size in relation to the existing building and be designed so as to maintain the character of the building.

The Council will require comprehensive information on the current structural condition of the building and the method by which it is proposed to convert it to the new use. These information requirements are fully detailed in the Design Guide.

(NB: A planning permission for conversion does not confer a right to demolish and rebuild. If the latter takes place, a fresh application will normally be required and it cannot be assumed that permission will be forthcoming.)

Criterion C)

One of the most important characteristics of many traditional rural buildings is that the fields sweep directly up to them. Therefore establishment of a suitable curtilage for a building is often a particular difficulty. The creation of new residential curtilages can adversely affect the character of the countryside by suburbanising the agricultural landscape.

The impact of new curtilages will usually need to be minimised by strictly limiting their extent and, if appropriate, by the use of existing foldyards, walls and hedges.

Criterion D) & E)

Notwithstanding the advice given in paragraph 3.5 of PPG7, the Council does not intend, as a matter of procedure, to require every application for residential reuse of rural buildings to demonstrate that every reasonable attempt to secure a suitable business reuse has been tried and failed. It is considered that this would involve a complex process, causing long delays and often abortive expenditure for the applicant with little, if any, more benefit to the rural economy than that which can be achieved through the adoption of these criteria.

Nevertheless, there will be occasions where the Council has identified a need for business use in the area, and subject to the suitability of the building concerned a proposal for residential use would be rejected as contrary to this criterion. Similarly, a locally identified need for affordable housing combined with a suitable building/location would also result in the refusal of planning permission for open market residential use. Affordable housing in terms of criterion E includes justified agricultural workers dwellings. The Council will issue Supplementary Planning Guidance on the details of this approach.

PPG7 states that there should be no reason for preventing the conversion of rural buildings (including modern buildings) for business reuse provided a number of criteria are met. This policy and relevant criteria seek to encourage business reuse whilst setting out certain safeguards similar to PPG7. For the purpose of this policy business use is regarded as A2, B1, B2 and B8 in the Town and Country Planning (Use Classes) Order 1987 as amended.

Criteria F) & G)

The justification text of Criterion B above also relates to these criteria. However, the Council is prepared to adopt a more flexible approach to alterations, extensions and rebuilding works for a specific business user. To secure the latter, approvals for business reuse may be conditioned, or the subject of a Section 106 legal agreement, so as to restrict its implementation to a particular end user.

- Criteria H) & I) PPG7 seeks to maintain and improve the viability of existing villages and market towns and reverse the general decline in rural services. Whilst generally encouraging business reuse it is important that proposals should not be of such a scale and location as to prejudice the vitality of nearby towns and villages. It is also important to ensure business use has no adverse effect on the residential amenity currently enjoyed by local residents.*
- 3.55 *The Council is concerned that the conversion of traditional rural buildings should not result in the need to replace them with modern farm buildings. As indicated in PPG7 (Annex G), in circumstances where the Council has reasonable cause to believe that an applicant has attempted to abuse the system by constructing a new farm building with the benefit of permitted development rights, with the intention of early conversion to another use, it will investigate the history of the building to establish whether it was ever used for the purpose for which it was claimed to have been built.*
- 3.56 *If there are sound planning reasons for controlling the replacement of old farm buildings by new ones, the Council may consider a condition withdrawing permitted development rights for new farm buildings in respect of that particular agricultural unit or holding.*
- 3.57 *To guard against the possibility of adverse effects on the character and appearance of converted buildings as a result of 'permitted development rights', the Council will normally withdraw these rights by imposition of a condition attached to the grant of planning permission.*
- 3.58 *In appropriate cases, dependent upon the structural condition of the building, the Council will seek, by imposition of a condition attached to the grant of planning permission, the implementation of proposals within two years of the date permission is granted.*
- 3.59 *It is essential that proposals are accompanied by the full range of information as specified in the Council's 'Re-use and Adaptation of Rural Buildings' Design Guide.*

INFILLING OR REDEVELOPMENT OF EXISTING "MAJOR DEVELOPED SITES" IN THE COUNTRYSIDE

POLICY C17

THE INFILLING OR REDEVELOPMENT OF EXISTING "MAJOR DEVELOPED SITES" IN THE OPEN COUNTRYSIDE WILL BE PERMITTED SUBJECT TO THE FOLLOWING CRITERIA:

- A) THE PROPOSALS SHOULD HAVE NO GREATER IMPACT ON THE CHARACTER AND APPEARANCE OF THE COUNTRYSIDE THAN THE EXISTING DEVELOPMENT.**
- B) ANY REDEVELOPMENT SHOULD RESULT IN SIGNIFICANT ENVIRONMENTAL IMPROVEMENTS.**
- C) ANY NEW BUILDINGS PROVIDED AS PART OF A REDEVELOPMENT SCHEME SHOULD NOT OCCUPY A LARGER AREA OF THE SITE NOR EXCEED THE HEIGHT OF THE ORIGINAL BUILDINGS.**
- D) WHEREVER POSSIBLE, EXISTING BUILDINGS OF ARCHITECTURAL OR HISTORIC INTEREST SHOULD BE RETAINED AND RE-USED.**
- E) THE PROPOSAL SHOULD NOT INCREASE THE NEED TO TRAVEL, PARTICULARLY BY CAR.**
- F) THE TRAFFIC GENERATED BY THE PROPOSAL CAN BE ACCOMMODATED WITHIN THE HIGHWAY NETWORK SAFELY AND WITHOUT HARM TO THE FREE FLOW OF TRAFFIC.**
- G) PROPOSALS FOR USES, LIKE HOUSING, WHICH DO NOT PROVIDE SIGNIFICANT LONG TERM EMPLOYMENT WILL BE PERMITTED ON SITES OF EXISTING OR FORMER EMPLOYMENT USES ONLY IF RE-USE OR REDEVELOPMENT FOR EMPLOYMENT PURPOSES IS NOT FEASIBLE.**

Justification

- 3.60 *The countryside contains some major developed sites such as factories, water and sewage treatment works, military establishments, hospitals and education establishments. The Harrogate North and Harrogate South Sewage Treatment Works are two such sites. The infilling or redevelopment of such existing major developed sites will normally be permitted, subject to the criteria stated in this policy. This policy is similar to that of GB7 which relates to major developed sites in the Green Belt.*
- 3.61 *To avoid the need for new building and the development of 'greenfield' sites, the Council wishes to retain, in employment use, those major developed sites which are, or have previously been, used for industrial and business purposes. Therefore, if proposals on these sites are for non-employment uses then it should be demonstrated that re-use or redevelopment for employment purposes is not feasible. This will depend on a number of factors including the physical characteristics of the buildings, demand for employment and satisfactory marketing of the site for employment.*

EXTENSION OF CURTILAGES INTO THE COUNTRYSIDE**POLICY C18**

THE EXTENSION OF RESIDENTIAL OR OTHER CURTILAGES INTO THE COUNTRYSIDE WILL ONLY BE PERMITTED WHERE THERE WOULD NOT BE AN ADVERSE IMPACT ON THE CHARACTER AND APPEARANCE OF THE COUNTRYSIDE OR THE SETTING OF A SETTLEMENT.

Justification

- 3.62 *The extension of gardens and other open uses can have a significant impact on the countryside and the setting of settlements. This will not be permitted when there is likely to be an adverse impact on the character of the countryside or settlement. When acceptable the Council will normally require appropriate hedge and tree planting and impose conditions removing permitted development rights to prevent the erection of buildings within gardens.*