
Appeal Decision

Site visit made on 23 November 2016

by Gareth Wildgoose BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 12th December 2016

Appeal Ref: APP/Z2830/W/16/3157823

Slapton Manor Farm, Chapel Lane, Slapton, Northamptonshire NN12 8PF

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr & Mrs Robert Smith against the decision of South Northamptonshire Council.
 - The application Ref S/2015/2980/FUL, dated 9 December 2015, was refused by notice dated 10 March 2016.
 - The development proposed is described as "change of use of land for extension to existing storage area for not more than 80 leisure vehicles at any one time".
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The site address provided by the application form has been updated by subsequent documents, including the appeal form. I adopt the amended site address accordingly.
3. Following the Council's decision, a revised proposed block plan has been submitted as part of this appeal by the appellant. The revised plan reflects the current situation in so far as planning permission has been granted separately by the Council (ref S/2016/0916/FUL) for an extension by a further 50 vehicles of the leisure vehicle storage area which was previously granted planning permission under ref S/2013/0688/MAF. The 2016 planning permission includes part of the appeal site, together with additional land to the north east.
4. At the time of my visit, the 2013 and 2016 planning permissions had been implemented, landscape bunding was in place and the enclosed land was approaching full capacity in terms of storage of leisure vehicles. The revised plan indicates a reduced leisure vehicle storage area within the section of the appeal site that remains undeveloped which has an intended capacity for approximately 55 leisure vehicles. I have determined the appeal relative to the revised plan and the current circumstances of the site.

Main Issue

5. The main issue of this appeal is whether the proposal is consistent with local and national policies which seek to protect the countryside, with particular regard to the character and appearance of the site and its surroundings.
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Reasons

6. The appeal site is not within a defined settlement boundary and is outside of the village envelope of Slapton. It, therefore, comprises open countryside. The site consists of an access through the existing vehicle storage area granted planning permission in 2013, a section of the extended vehicle storage area granted planning permission separately in 2016 and undeveloped land to the north west of existing landscape bunding, all of which form part of Slapton Manor Farm. The site is accessed from an existing track known as Walters Way which has a secure key-fob entry system. Land levels have a gradual slope upwards in a northern direction within the Farm, including across the appeal site and towards adjoining fields to the north where the land crests.
7. The section of the appeal site consisting of undeveloped land is an agricultural field that has a similar character to surrounding livestock grazing land as open countryside. However, at the time of my visit it was enclosed by post and wire fencing and included some storage of former agricultural equipment and other items. Based on the evidence before me, the equipment stored on the site has been relocated from the land subject to the separate 2013 and 2016 permissions. In any case, the character of this part of the site remains defined by its predominant openness.
8. Saved Policy G3 of the South Northamptonshire Local Plan (LP), adopted October 1997, indicates that planning permission will normally be granted where the development, amongst other things, is compatible in terms of type, scale, siting, design and materials with the existing character of the locality. In addition, Saved Policy EV7 of the LP, amongst other locations, indicates that proposals for industrial and commercial development will not normally be permitted in the open countryside, except for changes of use or conversion of an existing building. Saved Policy E3 of the LP indicates that planning permission will normally be granted for the extension or intensification of an existing industrial or commercial use within the reasonable curtilage of the site, except where the proposal is in conflict with the criteria set out under Saved Policy G3.
9. Although not referred to in the Council's decision notice, Policy S1 of the West Northamptonshire Joint Core Strategy Local Plan - Part 1 (JCS), adopted December 2014, is also relevant to the proposal in so far as it seeks that new development in the rural area will be limited with emphasis being on, amongst other things, enhancing and maintaining the distinctive character and vitality of rural communities; strengthening rural enterprise and respecting the quality of tranquillity.
10. In addition, Policy R2 of the JCS relates to the rural economy and seeks, amongst other things, that proposals which sustain and enhance the rural economy by creating or safeguarding jobs and businesses will be of an appropriate scale for their location, respect the environmental quality and character of the rural area and protect the best and most versatile agricultural land. In this regard, types of development considered acceptable, include schemes for farm diversification involving small-scale business and commercial development that contribute to the operation and viability of the farm holding; and the expansion of business in their existing locations dependent upon the nature of the activities involved, the character of the site and its accessibility.

11. Having regard to the above, the location of existing landscape bunding defines the curtilage of the existing commercial use that has expanded over time as part of rural diversification at the Farm beyond traditional agricultural activities. The undeveloped land within the appeal site remains visually distinct from the curtilage of existing vehicle storage areas. These areas are more closely related to existing farm buildings and largely screened by the bunding upon which additional landscaping is in varying stages of establishing. The screening of the existing vehicle storage areas from footpaths to the east and to the south by bunding, is assisted by the difference in land levels. The appeal proposal seeks to expand the existing curtilage of vehicle storage further into open countryside.
12. Although the Saved Policies of the LP significantly predate the publication of the National Planning Policy Framework (the Framework), Saved Policies G3 and EV7 are consistent with an overarching principle of the Framework¹ which recognises the intrinsic character and beauty of the countryside. Furthermore, Saved Policy E3 also aligns with the Framework in so far as it seeks to promote the development and diversification of agricultural and other land-based rural businesses², but with regard to the overarching principle relating to the character and beauty of the countryside. Policies in the JCS were adopted after the Framework was published and are consistent with it.
13. With regard to the above, the expansion of the existing curtilage of land used for the storage of leisure vehicles including the addition of landscape bunding would result in a loss of countryside that is presently open. This would include encroachment of bunding upon existing views of undulating landscape to the south and glimpses of vehicles. The resultant effect would be visible from public vantage points to the north along a public footpath located to the east of the farm buildings. The additional bunding would have a similar appearance to and largely align with that existing to the north east and bring forward the alignment of existing bunding to the south. Nevertheless, the visual effect would be a more prominent and harmful change to open countryside when compared to the existing bunding and storage areas that are largely viewed against and assimilate with the existing farm buildings.
14. Users of public footpaths are sensitive receptors to change. There is no evidence before me that views to the south from the public footpath are protected by landscape designation. Furthermore, the visual effect would be lessened by the reduced land levels of the site from this perspective, together with containment of views by existing hedgerows to the west which run in north to south direction. Nevertheless, these influences on existing views would not mitigate the change to open countryside which would be experienced. Consequently, the development of the site would result in a detrimental visual impact on the countryside and therefore, would fail to maintain its vitality and character. The harmful loss of rural character would not be mitigated by maturing landscaping on the bunding over time which in itself would change the character of open countryside and encroach upon the views of the landscape to the south.
15. Distance views of the development from other public vantage points, including a separate public footpath to the south, are largely screened by the difference in land levels and the presence of existing hedgerows to the west and south of

¹ Paragraph 17

² Paragraph 28

the site. Nevertheless, the absence of concern in this respect is a neutral factor that does not justify the harm identified.

16. The proposal would have economic benefits in terms of expansion of an existing business in a rural area that is a successful example of rural diversification and where an evident demand for leisure vehicle storage exists. There would also be limited benefits in terms of supporting local services in Slapton and the surrounding area. However, there is no substantiated evidence before me that the development is fundamental to the viability of the Farm or the rural enterprise in the future, or that the development would result in an increase in employment.
17. In addition, the assertion that the development would have environmental benefits in terms of reduced journeys for customers is not supported by evidence, which limits the weight that can be offered to such matters. The link to tourism relative to Saved Policy EV2 of the LP is indirect. In any case, the evidence before me does not demonstrate that demand for leisure vehicle storage would not be capable of being alternatively accommodated in a less harmful location in South Northamptonshire or elsewhere. The absence of harm relating to loss of agricultural land which is not best and most versatile, ecology, infrastructure, means of access and highway safety, site security and living conditions of occupiers of neighbouring properties, are neutral factors.
18. Having regard to the above, in the particular circumstances of this case and based on the evidence before me, the extent of economic, social and environmental benefits of the proposal identified do not outweigh the significant environmental harm to the character of the countryside. Consequently, the proposal is not considered to be sustainable development in the context of the Framework.
19. Taking all of the above into account, I conclude that the proposal is not consistent with the objectives of local and national planning policies which seek to protect the countryside, as it would be harmful to the character and appearance of the site and its surroundings. The proposal, therefore, conflicts with Saved Policies G3, E3 and ENV7 of LP, Policies S1 and R1 of the JCS and the Framework in terms of the loss of open countryside which would result.

Other Matters

20. Letters in general support of the proposal or offering no objections subject to conditions were received. I have taken the views within all of the correspondence into account. However, the presence of some community support does not justify the harm identified and the associated conflict with the development plan and the Framework.

Conclusion

21. For the reasons set out above and having taken all other matters into account, I conclude that the appeal should be dismissed.

Gareth Wildgoose

INSPECTOR