

Appeal Decision

Site visit made on 30 May 2017

by Rachael A Bust BSc (Hons) MA MSc LLM MEnvSci MInstLM MCMI MRTPI

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

Decision date: 30 June 2017

Appeal Ref: APP/Z2830/W/17/3169575

**Church View Stables, Warkworth Road, Middleton Cheney, Banbury,
Oxfordshire OX17 2JH**

- 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 Mrs K Hone against the decision of South Northamptonshire District Council.
 - The application Ref S/2016/2992/FUL, dated 25 November 2016, was refused by notice dated 6 January 2017.
 - The development proposed is the siting of 3 static caravans for holiday accommodation.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The application was made to regularise the change of use of land for the siting of 3 static caravans for holiday accommodation. It is a re-submission of the same scheme that was previously refused in July 2016. I saw on my site visit that the 3 static caravans were already on site. I have therefore determined this appeal on the basis that the development has already occurred and on the evidence before me.

Main Issue

3. The main issue is whether the arguments in support of the development are sufficient to justify an exception to national and local policies designed to protect the countryside and achieve a sustainable pattern of growth in support of a prosperous rural economy.

Reasons

4. The appeal site lies outside of the village of Middleton Cheney and therefore it is within the open countryside. It is physically and functionally separated from Middleton Cheney by the A422 trunk road. The access to the site is from Warkworth Road which is a single track which terminates at the boundary of the A422 trunk road where it becomes a footpath and cycle track. To the east of the site lies an area of allotments, to the north and north-west are open fields. To the south and west is the land used in connection with Church View Stables.
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5. The 3 static caravans are sited in the north-eastern corner of the Church View Stables site. They are predominantly screened to the north and east by a combination of some timber fencing, green netting and mature trees. To the south lies a substantial modern agricultural building which also encloses the appeal site. Whilst the caravans are mostly screened from public view, glimpses are possible from the west. In addition during the winter views are also likely to be possible from the north and east. However, this does not mean that simply because a development in the open countryside cannot be seen that it is acceptable.
6. The 3 static caravans are made of pre-fabricated cream coloured metal, with windows and wooden steps to the main door. The area has been laid out with light coloured gravel, a range of planters, rotary airer, outside table and chairs, and a portable barbeque. The majority of curtains were closed at the time of my visit and as such it was not clear whether or not the caravans were occupied.
7. National and local planning policy does support sustainable rural tourism and visitor facilities where identified needs are not being met by existing facilities. The appellant has suggested that the caravans are fulfilling an unmet need for holiday accommodation in the local area and states that a register of occupancy has been kept. However, this document has not been presented; therefore I find that there is no evidence before me to substantiate this statement. The appellant makes reference to a number of visitor attractions but has not provided any evidence to help me understand how this accommodation would support these referenced visitor attractions or tourism generally in the local area. Furthermore, I note that some of the visitor attractions referred to by the appellant are a significant distance away from the appeal site.
8. Policy E7 of the West Northamptonshire Joint Core Strategy (WNJCS) provides general support for tourism, visitor and cultural development proposals where they benefit local communities and strengthen the overall tourism offer. No evidence has been provided to identify how the appeal development would benefit the local community of Middleton Cheney. The appellant has referred to having undertaken some low key marketing, but has provided no further information. Consequently no evidence has been submitted to me to indicate that the accommodation makes any effective contribution to the overall tourism offer of South Northamptonshire.
9. Policies R1 and R2 of the WNJCS recognise that tourism includes visitor accommodation and can make a positive contribution to the rural economy. For the reasons set out above I am not persuaded that appeal proposal contributes positively to the rural economy.
10. Saved Policy EV2 of the South Northamptonshire Local Plan (SNLP) does provide support for proposals in the open countryside that are essential for agriculture, forestry, tourism or recreation. No evidence has been presented to me, other than anecdotal statements, which make the case that these 3 static caravans are essential for tourism and require an open countryside location.
11. As there is insufficient evidence to support the appellant's view that the caravans are for holiday accommodation, then the proposal falls to be viewed as residential development in the open countryside. Such development is generally restricted by saved Policy H6 of the SNLP, unless associated with

agricultural or forestry uses. There has been no evidence put to me that suggests that these 3 caravans are connected with agriculture or forestry. Furthermore, no evidence has been presented that the scheme satisfies any of the special circumstances identified in the National Planning Policy Framework (the Framework) that justify new isolated homes in the countryside. As such, the appeal development conflicts with both saved Policy H6 of the SNLP and the Framework.

Conclusion

12. The appeal development is not supported by sufficient evidence to make the case for the provision of holiday accommodation in this open countryside location as required by local and national planning policy. Insufficient evidence of how the proposal makes a positive contribution to the rural economy or tourism offer of South Northamptonshire has been provided.
13. I conclude that the arguments in support of the development are insufficient to justify an exception to national and local policies designed to protect the countryside and achieve a sustainable pattern of growth in support of a prosperous rural economy. Taking all matters into consideration, relevant local and national planning policies and the development plan as a whole, the appeal is dismissed.

Rachael A. Bust

INSPECTOR