The Planning Inspectorate

Appeal Decision

Site visit made on 17 December 2019

by D Peppitt BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 7th February 2020

Appeal Ref: APP/Z2830/W/19/3237445
Rignall Farm Barns, Abthorpe Road, Towcester, Northamptonshire NN12 8PA

- 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 and Mrs Raymond Jones against the decision of South Northants District Council.
- The application Ref S/2019/0345/FUL, dated 5 December 2018, was refused by notice dated 16 April 2019.
- The development is described as 'Farm office/welfare timber "log cabin" building and removal of existing timber storage building plus hardstanding of existing grass storage area'.

Decision

1. The appeal is dismissed.

Procedural Matter

2. At the time of my site visit, I saw that the office building and the hard standing was in place. The description of development also refers to the removal of the existing timber storage building. This was no longer in place and had already been removed. I also note that the application has been submitted retrospectively, therefore, I have dealt with the appeal on this basis.

Main Issues

3. The main issues are:

   - the effect of the development on the character and appearance of the site and surrounding area; and
   - whether the development is in an appropriate location, in relation to the existing commercial use.

Reasons

Character and appearance

4. The appeal site is located at Rignall Farm Barns which has a range of uses, including an equestrian use and holiday accommodation. On the site there is a mix of modern and traditional rural buildings, including stabling. The area subject to the appeal is situated to the north east of the main complex of buildings. A Public Right of Way (PROW) (number SB/014) runs adjacent to the north-west boundary of the site.

5. The appeal seeks to retain the single storey timber office / welfare building and the provision of hardstanding for vehicle parking / storage. As these were already in place at the time of my site visit, I was able to see the effect of the development in situ.

6. The office building is made of timber and whilst the materials are broadly in keeping with the surrounding buildings, such as the stables, the design of the building appeared to resemble a residential summer house, rather than being for a commercial or agricultural purpose. Although I note the appellants consider the building's design to be complimentary to the nearby stables, they are intended for different purposes, and the office building is noticeably different in its design and colour.

7. The building is in a position which is open and readily visible from the area to the north, with public views possible from the nearby PROW and Abthorpe Road. I note the Council has also suggested the site is also visible from the A43. Whilst the land does slope up towards the complex from the A43, due to the density of the shrubs and mature trees along the A43, not all of the buildings are readily visible, which means that views are limited and largely obscured from this area. Despite this, the building is located in a prominent location and due to its design, appears as an incongruous feature at odds with the prevailing context in which it is located.

8. On my site visit I observed that the hardstanding was being used for parking of vehicles, caravans and general storage. The appellants have stated that this area is not an expansion as it has been used for vehicle parking before the hardstanding was in place, and is part of the existing buildings and yard. The Council have suggested that this area was previously grassed and that the existing use is not long established, as well as it not having planning permission.

9. The office building appears to have been built, at least in part, on an existing area of hardstanding. However, the introduction of the hardstanding around the office building has created a relatively large area that has now formalised the area for the parking of vehicles and storage. The introduction of hardstanding means that it is more likely to be used for vehicle parking and storage. The positioning of the hard standing has created a hard edge to the surrounding buildings, and it is readily apparent, due to the public views towards the site, particularly from the PROW. When combined with the office building, it creates an urbanising effect in an area which would have been predominately green and undeveloped.

10. The appellants have highlighted that the development does not encroach on the PROW and is not contrary to any policies relevant to Rights of Way. The appellants also note that the Ramblers Association did not respond to the application. The development does not affect the alignment of the PROW; however, users would experience a harmful change to the character and appearance. Whilst I note the lack of objection from the Ramblers Association, this does not necessarily mean there is no harm to the character and appearance.

11. I note the appellants have suggested that the building could be moved. However, it is not clear where the building might be moved to. In any event, I must assess the siting put forward in the planning application that has led to this appeal.

12. I find that the development has a harmful effect on the character and appearance of the site and surrounding area. It is therefore contrary to policies G3, E3, EV1 and RC13 of the South Northamptonshire Local Plan (1997) (SNLP) and policies S10 and R2 of the West Northamptonshire Joint Core Strategy (2014) (WNJCS). These policies, amongst other things, seek development to be high quality and respond to the local context and character of the site and to protect the natural environment.

Whether the development is in an appropriate location

13. The appeal site is located outside a defined development boundary, therefore, for the purposes of planning policy it is located within the countryside. Policy EV2 of the SNLP seeks to restrict development in the countryside with the exception of the criterion identified within the policy. Whilst the criteria identified in i), iii) and iv) are not applicable to this development, criterion ii) identifies that development necessary for the purposes of agriculture, forestry, tourism or recreation may be acceptable.

14. On my site visit I noted that the use next to the site was primarily equestrian related. The appellants have suggested that the farm office has in the past been used as a meeting/classroom for the approved farm diversification equestrian activity. However, land used for equestrian purposes does not constitute an agricultural use, therefore, none of the exemptions that are listed in Policy ENV2 are relevant to the development for this purpose.

15. Even if the development is considered to be for agricultural purposes, Policy EV2(ii) states that development in open countryside is required to demonstrate that the exempted development is necessary. The appellants have stated that the office will be used for all rural businesses. However, it is not clear which element of the existing uses will be using the building and why it needs to be located where it is and be of the particular design that it is. The appellants state that the Council has validated the planning application and not put forward any evidence to state why the building is not necessary. However, it is for the applicant to demonstrate and justify the need for the development.

16. In terms of the need for the hardstanding, the appellants have stated that at times there are 28 vehicles, not including the agricultural machines and equipment, which is higher than the existing capacity of 18 bays in the parking area. On my site visit I noted that there were a number of cars using the existing parking, and I acknowledge the photos submitted by the appellant. However, my site visit and the photographs are only a snapshot in time, and it is not substantive evidence in terms of assessing the actual usage and requirements of vehicles on the site.

17. Saved Policy E3 of the SNLP permits the extension or intensification of an existing industrial or commercial use within the reasonable curtilage of the site, except where this is in conflict with the criteria set out under Policy G3 of the SNLP. This includes, being compatible in terms of type, scale, siting, design and materials within the existing locality. The appellants suggest that the office building is within the reasonable curtilage of the historic farm complex. However, the building and hardstanding extends beyond the built limits of the site beyond its previously established curtilage, with no substantive evidence as to why it is not possible to accommodate the parking and office building within the existing limits of the site.

18. The appellants have also stated that the development accords with other policies such as RC13 of the SNLP and R2 of the WNJCS. However, whilst these policies are supportive of the rural economy and equestrian activities, they also caveat that development must respect the character and appearance of the area, to which I have already found harm.

19. Consequently, the development is not an appropriate location in relation to the existing commercial use. Therefore, it is contrary to policies E3, E7, EV2, and RC13 of the SNLP and Policy R2 of the WNJCS. These policies, amongst other things, seek development in the countryside to be necessary, essential and justified.

Other Matters

20. The appellants have referenced that the emerging Local Plan proposes to develop the hillside the other side of the A43 with houses and infrastructure. The emerging Local Plan is undergoing its preparation, and the proposals and allocations that it may contain, are still potentially subject to change. I am required to determine this appeal on the basis of the adopted development plan, which is what I have done.

Conclusion

21. For the reasons set out above, I conclude that the appeal should be dismissed.

D Peppitt

INSPECTOR