
Appeal Decision

Site visit made on 28 July 2020

by D Peppitt BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 25th August 2020

Appeal Ref: APP/Y2810/W/3252667

Manor Farm Buildings, Braybrooke Road, Arthingworth LE16 8JT

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Dr Dallas Burston against the decision of Daventry District Council.
 - The application Ref DA/2018/0898, dated 10 October 2018, was refused by notice dated 26 November 2019.
 - The development proposed is the redevelopment of redundant farm buildings to form 20 No business units (Class B1) on demolition of existing structures.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. Outline planning permission is sought, but with only access to be considered at this stage and I have determined the appeal treating all plans as illustrative, apart from the details relating to access.
3. The Council has stated in its Statement of Case, that it adopted the Settlements and Countryside Part 2 Local Plan (SCLP) in February 2020. The SCLP has replaced the 1997 Local Plan, therefore, these Policies that were referenced in the decision notice have now been superseded. I have determined the appeal on this basis.

Main Issues

4. The main issues are whether the proposed development would be in a suitable location, having regard to the scale of the development and local business needs and accessibility of services and the effect on the character and appearance of the surrounding area.

Reasons

Suitability of the location

5. The appeal site is a substantial complex which contains various agricultural buildings on Braybrooke Road, a narrow country road which connects to the village of Arthingworth. The site is predominately surrounded by open countryside. On the opposite side of the road from the site, there is an outdoor nursery, a pond and further back from the road, residential properties. The site and the village are both situated in a designated Special Landscape Area. The buildings on the site are of differing sizes and materials, and the site is largely

covered by concrete hardstanding. In the southern part of the site there is also an area of mature trees which sit next to the adjacent field. The majority of the buildings did not appear to be in active use at the time of my site visit, although some areas appeared to be in use for storage. However, I note that an interested party has suggested that the existing farm buildings are still used for agricultural purposes.

6. To the north of the site on part of the wider complex, there are a number of other agricultural style buildings, one of which has had prior approval granted for the conversion to 5 dwellings. Whilst there are a number of agricultural buildings on the site, in planning policy terms it is located in open countryside. In addition, due to the agriculture use on the site, it is not classified as previously developed land, as set out by the definition in the National Planning Policy Framework (the Framework).
7. The proposal would remove the agricultural buildings on the site and replace them with 20 new-build business units, which the appellant states could have approximately 2,200 square metres of floorspace. Whilst the submitted drawings are only indicative, they show that the units could be accommodated on the site and that the layout of the buildings could be 2-storey terraces around a central courtyard area, along with associated parking and landscaping. The access for the proposal would be located to the south of the site and would be approximately 6.5 metres wide. The proposal would also include a path along part of Braybrooke Road, which would connect the site with the village. The path is shown as being adjacent to the road, with one section towards the middle being set back slightly from the road into the adjacent field.
8. Policy RA6 of the SCLP states that only the forms of development listed will be supported for development in open countryside. As the proposal is to demolish and replace the existing buildings on the site, it would not be for a conversion or re-use of the buildings. Therefore, it would not accord with this element of the Policy. The Policy also allows for economic development that otherwise accords with Policy R2 of the West Northamptonshire Joint Core Strategy (WNJCS) (2014) or with Policy RA3 of the SCLP.
9. Policy R2 of the WNJCS, supports rural economic development proposals where they are of an appropriate scale for their location and respects the environmental quality and character of the rural area. It provides a list of criteria of development types which are considered acceptable, one of which is small scale development to meet local needs. Policy RA3 of the SCLP, states that development at villages such as Arthingworth, amongst other things, should be small scale. The Arthingworth Village Design Statement Supplementary Planning Document (AVDSSPD) (2016) also provides guidance on economic proposals, and states that large scale commercial premises, would not be considered appropriate or in keeping with the rural village setting, and should be discouraged.
10. Whilst the final details of the site have yet to be determined, the size of the overall site and the proposed number of units would not be small in scale, particularly when compared to the size of the village. Furthermore, given the size of the proposal, it would be likely to serve more than just the employment needs of the village or any surrounding network of villages. No evidence has been submitted to suggest that there are any local business needs that would

be met by the proposal, nor to suggest that it would accommodate the expansion or growth of existing local businesses. I note that Paragraph 83 of the Framework does not impose a test of local need to support a prosperous rural economy. However, this is one of the requirements set out in the Core Strategy Policy. In any case, it would still need to accord with the requirements around the scale of the proposal.

11. The indicative plans show that the units themselves could be relatively small in scale, however, the proposal as a whole would not be small scale. From the evidence before me, the proposal could not be considered to be a small scale farm diversification scheme to contribute to the viability of the farm holding. Therefore, criteria (b) of Policy R2 is not relevant to the proposal.
12. The Council has also suggested that the proposal would locate a main town centre use in the open countryside, and the location would be at the bottom of the sequential hierarchy for such uses. Given that the appeal proposal is not small scale rural development, then the exemption as set out in Paragraph 88 of the Framework would not apply.
13. However, the proposal does not just specify offices, namely B1(a), which is within the definition of main town centre uses in the Glossary of the Framework. The proposal includes B1 (b) and (c) uses, which are not main town centre uses. Therefore, as the proposal is for B1 use, it would not require application of the sequential test as set out in Paragraph 86 of the Framework.
14. The appellant has suggested that a planning condition could be imposed to ensure that individual units of occupation remain as separate units, by preventing the co-joiment of individual units, and as such the units of occupation would be small scale, and not subject to sequential testing. However, as I have already identified the proposal as a whole would not be small in scale, therefore, the intention of the condition would not overcome this issue.
15. The appeal site does not have a bus stop in the near vicinity and the Council states that the village does not currently have a bus service, with the nearest bus stop being approximately 2.2 miles from the site, something not disputed by the appellant. The Council also suggests that the route to this bus stop would be along the A508 and the country lane through the village, which have no footpaths. I acknowledge that the proposal would introduce a footpath link to the village. However, a large part of the overall route to reach a bus stop, would still be along an area with no footpath or street lighting. The Council also states that the village has limited facilities to support the proposal having just one public house.
16. I acknowledge that the proposed footpath would allow some journeys by foot to and from the village. I also recognise that the opportunity to maximise sustainable transport solutions will vary between urban and rural areas. However, due to the limited services in the village, and given the likelihood that the employment generated by the proposal would serve not just the village, but also the wider area, it would be likely that most journeys to and from the site would be by private motor vehicle.
17. The Highways Authority has suggested that the impact of the proposal would be acceptable as long as the provision of the path is included as part of the proposal. However, the potential draw of significant employment and

commercial traffic to a small rural village would be unlikely to be taken by sustainable transport options and would disrupt the existing tranquillity of the rural setting.

18. The proposed development would not be in a suitable location, having regard to the scale of the development and local business needs and accessibility of services. Therefore, it would be contrary to Policies S1 and R2 of the WNJCS and Policies RA6 and ST1 of the SCLP and the AVDSSPD. These Policies and guidance, amongst other things, require development in rural areas to be of an appropriate scale for their location, and where proposals are outside the confines of villages only the forms of development set out within Policy RA6 will be supported.

Character and appearance

19. The section of Braybrooke Road between the site and village is a narrow rural road. It varies in width and has grass verges at the side of the road, which contribute to the character of the area. The path would be relatively long and would pass various fields, as well as a residential property. The section nearest the village would be located near to a relatively high brick wall, which acts as the boundary to the nearby residential property. Next to the wall is a grass verge, which is lined with trees. A large proportion of the grass has been sectioned off from the road by black metal railings, with only a small section of grass left adjacent to the road. The path would follow the road from the village towards the proposal and would also pass open fields, a bridleway and hedgerows.
20. Whilst full details of the footpath have not been submitted with the proposal, Drawing No. PF/9658.03 shows the route that it would follow, with the majority of the path situated adjacent to the road. The appellant has stated that the design of the footpath link is a matter that could be controlled by a planning condition, and that there are many surfaced footpath links in the rural area without harm to environmental quality and character. However, I have not been provided with substantive evidence to support this claim. The appellant also states that the paved footpath would not abut the road edge with a kerb like an urban road, and that it would follow an alignment behind the roadside hedge, in order to avoid an urbanising impact.
21. However, it is not clear how this would be achieved. The fields behind the hedge are not edged blue on the location plan. The scale of the location plan itself makes it difficult to fully understand precisely what extent of land along the road edge is, or is not actually within the application site. The footpath would harm the character of the rural road by urbanising the grass verges. Furthermore, there are not currently hedges along the full length of the path, therefore, it would not be possible able to obscure views of the whole path. I acknowledge that the proposed pedestrian path would provide a link to the village, nevertheless, this would be at the expense of eroding the character of the rural road by introducing additional hardstanding.
22. In terms of the development itself, the Council suggests that the illustrative plans show a development which would resemble an urban business park, and this would be out of character with the agricultural character of this rural, open countryside location. However, as the plans are only indicative, and the final design and layout is yet to be determined, these are not relevant issues for the determination of the proposal.

23. The proposed development would have a harmful effect on the character and appearance of the surrounding area. Therefore, it would be contrary to Policies S1 and R2 of the WNJCS and Policies RA6 and ST1 of the SCLP. These Policies, amongst other things, require development to respect the environmental quality and character of the rural area and where proposals introduce improved linkages, regard will be had to the impact on the character of any affected settlement and its surroundings.

Other Matters

24. I acknowledge that the proposal could improve the employment opportunities in the area, which would help strengthen rural enterprise and enhance the vitality of the rural community. I also note that the proposal could provide a net gain in biodiversity. The appellant has suggested that the site could provide high quality accommodation for small businesses, and that in its current state, does not serve any public interest. The appellant also suggests that the site is an ineffective use of land and without a beneficial use, the site will deteriorate and become derelict. However, these factors would not overcome the harm that I have identified above.

Conclusion

25. For the reasons set out above, I conclude that the appeal is dismissed.

D Peppitt

INSPECTOR