



Appeal Decision

Site visit made on 8 September 2020

by Darren Hendley BA(Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 22nd September 2020

Appeal Ref: APP/G2815/W/20/3253494

Willowbrook Barn, Pound Lane, Woodnewton PE8 5DY

- 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 Ayres against the decision of East Northants District Council.
 - The application Ref: 19/01803/FUL, dated 11 November 2019, was refused by notice dated 20 March 2020.
 - The development proposed was originally described as a "proposed change of use from grassed pasture to residential garden and new access drive from un-adopted road Pound Lane."
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Decision

1. The appeal is allowed and planning permission is granted for a new access drive to serve as a relocated access for dwellings to the rear of Willowbrook Barn and as an additional access for Willowbrook Barn from an unadopted road (Pound Lane) with the existing access drive to be retained for Willowbrook Barn's sole use at Willowbrook Barn, Pound Lane, Woodnewton PE8 5DY in accordance with the terms of the application, Ref:19/01803/FUL, dated 11 November 2019, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 191085-10 Location Plan Existing Site Plan, 191085-11 Proposed Site Plan except in respect of the proposed garden shown on plan 191085-11.
 - 3) The development hereby permitted shall be implemented in accordance with the materials to be used in the construction of the external surfaces of the new access drive as shown on plan 191085-11.

Procedural Matter

2. The description in the banner heading above is taken from the planning application form. During the course of the application, the proposed change of use from a grassed pasture to a residential garden was removed from the proposal prior to the Council making its decision. Accordingly, I have also considered the appeal on this basis. The description in my decision paragraph is based on that which is set out in the Council's decision notice.

Main Issue

3. The main issue is the effect of the proposal on the character and appearance of the area.

Reasons

4. The appeal site comprises an area of pasture land that is well enclosed on its side and rear boundaries by way of hedgerows and a row of conifers. The front boundary to Pound Lane is more open and contains a low stone wall.
5. The site is separated from the garden of Willowbrook Barn by an access track. This track also provides vehicular access to a small number of further dwellings to the rear, and to a gate on the boundary with the appeal site. Willowbrook Barn also has a separate vehicular access off Pound Lane which is located between its garden and the dwelling.
6. Pound Lane itself is a single track tarmacked road which ends at a small utilities facility, a short distance from the site. It also provides access to an area of land next to the site and beyond the row of conifers. This is used for the external storage of materials and contains some modest sized buildings. The route of a Public Right of Way (PROW) also follows Pound Lane. More broadly, the site is found at the eastern edge of the village and with the predominant agricultural surroundings, it is a countryside location.
7. The proposed access drive would run along the edges of the site to adjoin the existing access track. For the most part, it would be narrow and constructed of gravel, only widening significantly at the access point onto Pound Lane with a red/brown paving construction. Its presence would be limited because it would be an open form of development. Whilst the access point onto Pound Lane would make it more distinguishable with the removal of part of the wall and with the use of a harder surfaced material, this is where it would join the established form of the lane. As a consequence, the effects would be limited.
8. Due to the location of the proposed access drive adjacent to the vegetation around the site's perimeter, it would also be discretely sited and largely screened from the wider countryside. Hence, the soft edge to the settlement would be maintained and it would not become urbanised, notwithstanding the use of the land next to the site and the utilities site further along the lane. The impact on the visual amenity of the area and the countryside would, thus, be of a restricted nature. It would not be an unsympathetic feature in these surroundings.
9. The remaining pasture land within the site would be undisturbed. It would not appear in domestic use because it would still be separate from the garden of Willowbrook Barn, both in terms of use and physical attachment. The extension of the garden onto the pasture land would require greater scrutiny as regards the encroachment of the village and the overall effect on the quality of the countryside. However, this is not for my consideration as it does not form part of the proposal.
10. The Council has made reference to the location of the proposed access drive outside of the settlement boundary. Beyond matters which relate to the character and appearance of the countryside, it is not evident why this causes concern to arise as regards local and national planning policy. Access drives are not uncommon features in countryside areas and, for the reasons that I

have set out above, its location would not cause untoward effects on local character.

11. I conclude that the proposal would not have an unacceptable effect on the character and appearance of the area. As such, it would comply with Policy 8 of the North Northamptonshire Joint Core Strategy 2011-2031 (2016) which states that development, amongst other considerations, should create a distinctive local character by responding to the site's immediate and wider context and local character; and by responding to the local topography and the overall form, character and landscape setting of the settlement.
12. It would also comply with paragraph 127 of the National Planning Policy Framework where it is concerned with developments that will function well and add to the overall quality of the area, are visually attractive and are sympathetic to local character. It would also accord with paragraph 130 which states that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into account any local design standards or style guides in plans or supplementary planning documents, amidst other matters.

Other Matters

13. The Council's Appeal Statement also raises matters in relation to highway safety. The number of dwellings that would be accessed would, though, remain the same, regardless of who uses which drive. As the proposed access drive would serve a modest number of dwellings, the utilisation of a further short stretch of Pound Lane would not cause undue safety concerns for the users of the PROW. It is clearly a lightly trafficked road and this would remain the case with the proposal. I agree with the Council that highway safety would not amount to an essential need but as I find the proposal not to be unacceptable, this does not alter my decision.
14. In relation to whether the proposal, if accepted, would justify similar development elsewhere in the countryside, this would depend on the particular consideration of the site circumstances. My decision concerns only the proposal before me. In relation to ecology, there is not substantive evidence that undue harm would arise.
15. The property on the opposite side of Willowbrook Barn to the site, Willowbrook Farmhouse, is grade II listed. It is an attractive and well-proportioned property that is most prominently constructed of coursed limestone with a thatched roof. It would be well separated from the proposal and its setting would not be affected.

Conditions

16. In addition to the timescale for implementation, I have imposed a condition concerning the approved plans for the purposes of certainty. This excludes the 'proposed garden', as this was removed from the proposal. I have also imposed a condition by way of the materials as shown on the approved proposed site plan. This is in order to protect the character and appearance of the area.

Conclusion

17. For the reasons set out above and having regard to all matters that have been raised, the appeal should be allowed subject to the conditions.

Darren Hendley

INSPECTOR