
Appeal Decision

Site visit made on 18 October 2022

by Benjamin Clarke BA (Hons.) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 31 October 2022

Appeal Ref: APP/J0405/W/22/3292996

Salden Crabtree Farm, Whaddon Road, Mursley MK17 0PR

- 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 Alice Hain against the decision of Buckinghamshire Council.
 - The application Ref 21/04711/APP, dated 2 December 2021, was refused by notice dated 9 February 2022.
 - The development proposed is the erection of a new steel framed building 30x15m for general agricultural use. The building has no windows and open front for access.
-

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues relevant to this appeal are:
 - the effect of the development upon the character and appearance of the surrounding area; and
 - the effect of the development upon highway safety.

Reasons

Character and appearance

3. The appeal site consists of an agricultural field located outside of settlement boundaries. By reason of the nature of the appeal site, there are few buildings in the surrounding area. In addition, the boundaries of the appeal site are marked by hedges. These factors, when combined, create a rural, less-developed and open character. The appeal site is near to Whaddon Road. Towards the rear of the appeal site is a track and footpath, which leads to a further footpath.
4. Although of a functional design, the proposed development would have a large height, width and footprint. This means that the proposed development would result in the introduction of a large building. Therefore, the proposal would result in a greater urbanising effect upon the countryside by reason of the notable increase in built form, that would conflict with the open character of the vicinity.
5. The proposed development would be visible from Whaddon Road, as well as the track to the rear of the site and a nearby other footpath. This would mean that the development would be prominent. The appeal site is separated from these by hedges. However, the proportions of the building are such that it would be

readily viewable over the height of the hedges. In addition, the proposed development would be readily perceptible given the open character of the vicinity and the topography of the surrounding area. Therefore, the proposed development would result in an erosion of the character of the surrounding area.

6. The proposal includes some areas of hard standing. Whilst these might serve a functional purpose, their extent, proportions and prominence would also contribute to a general erosion of the more verdant character that is a feature of the appeal site and its immediate surroundings.
7. The proposed development includes several external lighting columns. In addition, the proposed building features several apertures on multiple elevations from which light might escape. Therefore, when illuminated the proposed development would remain readily viewable. This would mean that the less-developed character of the appeal site and the surrounding area would be eroded by the proposed development.
8. It has been suggested that the form of the proposed building could be mitigated through additional landscaping. However, such screening would be unlikely to satisfactorily mask the proposed development to a notable degree due to the proportions of the proposed development. In addition, any such planting would take some time to become established and is likely to vary depending on health and season. Therefore, this suggestion does not overcome my previous concerns.
9. The evidence before me indicates the operators of the farm require additional space in the form of the appeal proposal. However, it has not been demonstrated that the needs of the farm require a building of the precise size and scale proposed. In result, it has not been satisfactorily demonstrated that the building's scale is required.
10. I understand that the need for the proposal has been stimulated due to the lack of availability of an existing building some distance away from the appeal site. Therefore, it has also not been demonstrated that the proposed development needs to be located within this location, which would result in harm to the area's character.
11. Therefore, without compelling evidence to the contrary, I am not persuaded that the benefits of the proposal in this regard outweigh the notable adverse effect that the proposed development would have on the character and appearance of the surrounding area.
12. I therefore conclude that the proposed development would have an adverse effect upon the character and appearance of the surrounding area. The development, in this regard, would conflict with Policies BE2, E9, S1, S2, S3 and NE4 of the Vale of Aylesbury Local Plan (2021) (the Local Plan); and Policies MUR1 and MUR4 of the emerging Mursley Neighbourhood Plan.
13. Amongst other matters, these seek to ensure that developments respect and complement the physical characteristics of the site and its surroundings; minimise impacts on landscape; limit development in rural areas; do not compromise the character of the countryside; minimise impact on visual amenity; the scale, siting, design, external appearance and construction of the

buildings and any associated hardstanding should be appropriate; be suited to a countryside location; and reflect the rural vernacular.

Highway Safety

14. The proposed development would be accessed via relatively narrow service road. The appeal site would, in turn, be accessed from Whaddon Road. This features two lanes of traffic and vehicles can travel at higher speeds.
15. Due to the scale and nature of the appeal proposal, there is a reasonable likelihood that the proposed development would be accessed via large vehicles. Some of these vehicles, by reason of the nature of the proposed development, might be slow moving. This poses a concern as due to the narrow proportions of the access road; it is doubtful that these could manoeuvre in a convenient manner in order to allow for egress from the appeal site.
16. Furthermore, road users would not have notable forewarning of the access road and, potentially, a large vehicle looking to join the highway. This poses a concerns as it is likely to result in an increased risk of collisions as other road users would not necessarily be anticipating undertaking an avoiding manoeuvre. Although some road users might be local and therefore familiar with the proposed development, this cannot be guaranteed. In result, the previously described adverse effects have a reasonable likelihood of occurring.
17. In addition, the presence of dense hedges next to the edge of the road means that the drivers of vehicles leaving the appeal site would not be able to view approaching vehicles or pedestrians. This is due to the road layout and the presence of hedges near to the edge of the road and the site entrance. This would also erode highway safety due to the lack of appropriate visibility.
18. It has been suggested that the proposed development could be amended to reduce the height of hedges to overcome the latter point. However, it has not been demonstrated that the sufficient works can be undertaken to provide sufficient forward visibility on land that is within the control of the appellant.
19. Furthermore, the reduction in the height of hedges would adversely affect the character and appearance of the rural surroundings of the appeal site. In addition, there is a possibility that ecology would be adversely affected. This matter is of particular concern given that the presence of a hedges near to the highway edge is a defining characteristic of the surrounding area. Therefore, this suggestion does not overcome my previous concerns.
20. I note that no objections to the proposed development were received from the local highway authority. Whilst this is a matter of note, I have been directed towards adopted development plan policies that seek to maintain highway safety. In addition, the level of road usage, road layout and likely travelling speeds would, when combined, cause conflict with vehicles leaving the site. Therefore, the absence of objections does not allow me to forego my previous concerns.
21. I therefore conclude that the proposed development would have an adverse effect upon highway safety. The development, in this regard, would conflict with the requirements of Policies T1 and T5 of the Local Plan. Amongst other matters, these seek to ensure that new developments improve the safety of all road users; and provide the necessary mitigation.

Other Matters

22. It has been suggested that a building has previously been erected on the appeal site. Whilst this might be the case, it has been removed. Therefore, I have assessed the appeal proposal based, amongst other matters, on the site's current appearance and character. In result, the presence of a now removed building on the site does not overcome my previous findings.
23. The development is unlikely to cause harm to the living conditions of neighbouring properties. Although a matter of note, this is only one of the issues that must be considered when assessing a proposed development. It therefore does not overcome my findings in respect of the main issues.
24. Concerns regarding the manner in which the planning application was considered by the Council fall outside of the scope of this decision.

Conclusion

25. The proposed development would have an adverse effect upon the character and appearance of the surrounding area and highway safety. The scheme would therefore conflict with the development plan taken as a whole. There are no material considerations, including the National Planning Policy Framework, that indicate the decision should be made other than in accordance with the development plan. Therefore, for the preceding reasons, I conclude that the appeal should be dismissed.

Benjamin Clarke

INSPECTOR