



Appeal Decision

Site visit made on 20 February 2023

by Zoe Raygen DipURP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 20th March 2023

Appeal Ref: APP/ M2840/W/22/3294837

Gilby's Field, Oxendon Road, Braybrooke, Leicestershire

- 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 C Giles against the decision of North Northamptonshire Council.
 - The application Ref NK/2021/0634, dated 15 July 2021, was refused by notice dated 24 February 2022.
 - The development proposed is a 20 m x 40 m manège for private use of applicant.
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Decision

1. The appeal is allowed, and planning permission is granted for a 20 m x 40 m manège for private use of applicant at Gilby's Field, Oxendon Road, Braybrooke, Leicestershire in accordance with the terms of the application Ref NK/2021/0634, dated 15 July 2021, subject to the conditions set out in the schedule to this decision notice.

Preliminary Matters

2. I have used the description of the appeal site from the appellant's appeal form as this more accurately describes its location than the application form.

Main Issue

3. The main issues are:
 - the effect of the proposal on the character and appearance of the area; and
 - whether the proposal is in an appropriate location having regard to local and national policy.

Reasons

Character and appearance

4. The appeal site forms a field in the open countryside contained by high hedges and some trees. There are some agricultural buildings adjacent and in the surrounding fields. The area has a distinctly rural character to which the appeal site makes a positive contribution.
5. The proposed manège would measure about 40m x 20m and comprise an all-weather surface made up of a mixture of free draining sand and recycled shredded carpet, surrounded by a post and four-rail fence. No lighting is proposed.

6. The size of the manège would be modest. While the surfacing would introduce a different surface, the field is surrounded by a high hedge and therefore it would have very limited visibility from the surrounding highway network. The manège would be apparent from the access off Oxendon Road. However, here it would be viewed in the context of existing development including a modest turning and hardstanding area. Furthermore, given the development is limited to surfacing only, with a post and rail fence, the proposal would not be overly or harmfully obtrusive.
7. For the reasons above, I conclude the proposal would not be harmful to the character and appearance of the area. There would therefore be no conflict with Policy 8 of the North Northamptonshire Joint Core Strategy 2011-2031 adopted 2016 (the JCS) which requires that development responds to the site's immediate and wider context and local character.

Location

8. The spatial strategy contained within the Council's development plan seeks to direct development to the most accessible locations increasing the self-reliance of North Northamptonshire while maintaining its mixed urban-rural character. To achieve that Policies RS4 of the Kettering Site Specific Part 2 Local Plan 2021 (the Local Plan) and Policies 11 and 13 of the JCS seek to resist development in the open countryside unless it is well related to an accessible location and the scale and nature of the development does not exceed identified needs and is appropriate to the surroundings, minimises impacts on the environment and is supported by existing or new infrastructure.
9. The supporting text at paragraph 5.5 states that infrastructure investment and the distribution of new homes, jobs, shops and other types of development will contribute to creating a well-connected network of settlements that together meet most of the needs of residents of North Northamptonshire.
10. The proposal for a private manège would be sited in the open countryside away from existing settlements. However, given its form and purpose for private use by one household located a short distance away, it would not readily fall into the categories of development outlined in paragraph 5.5. In any case, its attributes mean that it would not undermine the purpose of the policy requirement of creating a well-connected network of settlements. Furthermore, as I have already found that there would be no harm to the character and appearance of the area then it would maintain the areas distinctive mixed urban-rural character.
11. Consequently, for the reasons above, I find no fundamental conflict with Policies 11 and 13 of the JCS and therefore also with Policy RS4 of the Local Plan.

Conditions

12. I have had regard to the conditions suggested by the Council and considered them against the tests in the National Planning Policy Framework and the advice in the Planning Practice Guidance. I have made such amendments as necessary to comply with those documents.
13. A condition requiring the development to be carried out in accordance with approved plans is necessary to provide certainty. Conditions regarding the height of the fence, a restriction on lighting and the use of the manège are

necessary to protect the character and appearance of the area. I have slightly amended the wording of the lighting condition as the tailpiece is not necessary to maintain control over any proposed future lighting.

Conclusion

14. For the reasons above I conclude that the appeal should be allowed.

Zoe Raygen

INSPECTOR

- 1) The development hereby permitted shall be begun before the expiration of 3 years from the date of this planning permission.
- 2) The development hereby permitted shall not be carried out other than in accordance with approved plan Giles/P2C (proposed plan).
- 3) The timber post and rail fencing hereby approved to run the perimeter of the manège shall not exceed 1.6 metres in height, when measured from ground level.
- 4) The manège hereby approved shall not be used for any commercial purposes.
- 5) There shall be no external illumination on the site at any time.