



Appeal Decision

Site visit made on 3 February 2025

by **Les Greenwood MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 19th February 2025

Appeal Ref: APP/W2845/W/24/3352082

Glebe Barn Stables, Blakesley Road, Maidford, West Northamptonshire NN12 8HN

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a failure to give notice within the prescribed period of a decision on an application for planning permission.
 - The appeal is made by Heather Mary Kemp against West Northamptonshire Council.
 - The application Ref is 2024/3237/FULL.
 - The development proposed is the erection of 2 small wooden boxes.
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Decision

1. The appeal is allowed and planning permission is granted for the erection of 2 small wooden boxes at Glebe Barn Stables, Blakesley Road, Maidford, West Northamptonshire NN12 8HN in accordance with the terms of the application, Ref 2024/3237/FULL, subject to the following condition:
 - 1) The development hereby permitted shall not be carried out other than in accordance with the materials detailed on the application form dated 30 June 2024 and the following approved plans: Location plan dated 30 June 2024; 1:500 scale block plan entitled 'Mobile Home' and annotated to show 'Proposed new boxes'; and the pair of 1:50 scale floor plan and elevations drawings entitled '2 x Brood Mare Stables'.

Preliminary matters

2. As set out above, the application form describes the proposal as being for 2 small wooden boxes, for use as stabling as part of the appellant's racehorse training business. The Council unilaterally amended this description to include "*change of use from agricultural purposes (Use Class SG) to a licenced racehorse training facility (Use Class F2)*". I leave to one side any question about the accuracy of the quoted Use Classes¹. The key point here is that the appellant is clear that no change of use is proposed and that the appeal should be treated as being for the horse boxes only. I must consider the appeal on that basis.
3. This approach is in any case backed up by evidence that some equestrian use is already permitted here. The Council's listed planning history for the site includes a permission for the use of a building for joint agricultural and equestrian purposes. Two recent appeal decisions refer to equestrian use². The appellant refers to other planning permissions and confirms that she has run a racehorse training business

¹ Under the Town and Country Planning (Use Classes) Order 1987 (as amended)

² APP/W2845/W/23/3317450 and APP/W2845/W/22/3290771

from the site for 5 years. Any issue about the lawful use of the site would need to be dealt with separately.

4. I saw at my site visit that the 2 proposed wooden stable boxes are in place. The appeal is therefore retrospective.
5. A revised version of the National Planning Policy Framework (the Framework) was published on 12 December 2024, with minor updates on 7 February 2025, all during the course of this appeal. Having regard to the changes in the Framework and to the comparatively minor scale and nature of this appeal proposal, I consider that further consultation on this matter is not necessary.

Main Issues

6. Bearing in mind the objections set out in the Council's appeal statement, the main issues are:
 - i) Whether the proposal accords with policies for the control of development in the countryside; and
 - ii) Whether the proposal would be likely to harm, or to have harmed, any protected species or its habitat.

Reasons

Countryside

7. West Northamptonshire Joint Core Strategy Local Plan Part 1 (LPP1) policy R2 supports proposals which would sustain and enhance the rural economy where they are of an appropriate scale for their location, respect the environmental quality and character of the rural area and protect the best and most versatile agricultural land. The policy specifically supports the use of land for equestrian activities.
8. This is a very small scale development that benefits a rural business so is generally supported by LPP1 policy R2. No argument has been advanced that the boxes would harm the landscape or cause significant loss of best and most versatile agricultural land. The Council acknowledges that the timber boxes would not result in detriment to the character and appearance of the area.
9. The Council's concern appears to be that insufficient information has been provided to demonstrate there is a need for a racehorse training facility in this location. As set out above, however, the equestrian use of the land is not part of this appeal proposal. I see nothing in policy R2 requiring the need for small scale equestrian developments to be justified.
10. Policy R2 does state that its support for the expansion of rural businesses in their existing locations is subject, amongst other things, to the accessibility of the site. The policy does not include any explanation or criteria for this. The Council argues that in most cases isolated development is unlikely to be acceptable. Equestrian facilities like this are, however, typically located in isolated situations where public transport connections are likely to be poor. This small scale proposal for 2 stable boxes would not significantly affect the overall use or transport sustainability of the site.
11. I conclude that the proposal would be part of a rural business in line with the support for such businesses set out in LPP1 policy R2 and fully accords with that

policy. The Council has not raised any issues in regard to other policies for the control of development in the countryside.

Biodiversity

12. As acknowledged by the Council, the Planning Practice Guidance states that ecological surveys should only be required where clearly justified, for example if there is a reasonable likelihood of a protected species being present and affected by development. In this case, the very small scale of the proposed building and its location on a hard surfaced part of the yard means that it should have no more than a minimal impact on any protected species or habitat, despite its proximity to a 'Potential Wildlife Site'.
13. I consider that there is no need for a protected species survey in this case as the proposal is not at all likely to harm, or to have harmed, any protected species or its habitat. The proposal accords with LPP1 policy BN2, which aims to protect and enhance biodiversity and requires that development with potential to harm sites of ecological importance should be subject to ecological assessment.

Conditions

14. I impose a condition specifying the relevant plans and materials to provide certainty. As the development has already been carried out, the standard condition requiring commencement within 3 years is not relevant. The Council suggests 2 other conditions which I find unnecessary. Due to the small scale and minimal biodiversity implications of this proposal, biodiversity enhancement measures are not needed. There is no need to control construction working hours for this scale of development on an isolated site - where the construction works have already taken place in any case.

Conclusion

15. I find that the proposal accords with the development plan. For the reasons set out above, and having regard to all other matters raised, I conclude that the appeal should succeed.

Les Greenwood

INSPECTOR