



Appeal Decision

Site visit made on 1 July 2025

by **Eleni Marshall BSc (hons) MSc FRICS FAAV MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 07 July 2025

Appeal Ref: APP/W2845/D/25/3365391

Ridgeway Farm, Hartwell Road, Ashton, West Northamptonshire, NN7 2JR

- 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 P Joyce against the decision of West Northamptonshire Council.
 - The application reference is 2024/2061/FULL.
 - The development proposed removal of existing storage container unit. Construction of detached garage, workshop and storage room with home office rooms over for incidental use to the main dwelling.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the impact of the proposal upon i) the setting of the host dwelling and local area, ii) ecological impacts, wildlife mitigation and trees and iii) whether the proposal would be tantamount to a self-contained/independent unit.

Reasons

Setting

3. The appeal site is a detached bungalow which stands within a large plot forming part of Ridgeway Farm which comprises the host dwelling which shares the former farm access with a converted barn, adjoining the site, which is in commercial use as part of the appellant's business. The appeal site stands outside of the village confines of Ashton and is therefore classified, in planning terms, as being within the open countryside. The proposal before me seeks to build a detached building which would provide garaging with a workshop, storeroom and a study/office space over to be occupied in connection with the host dwelling.
4. The site benefits from dense hedgerow/boundary vegetation along Hartwell Road meaning that there are no clear views of the host property from the highway. The footprint of the building, shown for context on the site plan (A24-294-004), demonstrates that the footprint of the proposal would be smaller than the host dwelling. Despite this, I find that the proposed building would appear excessive in scale as a result of the roof geometry, height and design.
5. The proposal would be of a comparable height to the host dwelling itself. The lower ground level would allow the proposed building to be positioned in the region of half a metre lower than the adjacent floor level of the host dwelling, however, whilst the eaves and ridgeline of the proposal are acknowledged to be slightly lower, I do not find that they are low enough to be subservient as an outbuilding to the host

dwelling. I do not find that the difference in site levels, noted as being shown on the proposed elevations, means that the proposal would be reduced in prominence, visually, in the context of the host dwelling. The proposed elevations are shown in the context of the existing bungalow, and I find that the proposal would be out of keeping with the context of the host dwelling and would not present as visually subservient. I do not find that the proposal would align with the character or function of the existing dwelling which is, ultimately, modest in its appearance and setting as a result of its original construction dwelling tied to the former agricultural business at the farm (albeit no longer in operation at Ridgeway Farm).

6. Whilst the proposal would not be visible in external views, i.e. from the public domain/adjacent highway, a lack of visibility beyond the appeal site boundary does not override the requirement for proposals to be acceptable in the context of the host dwelling in terms of the character and appearance of the site itself. I do not find that the proposal would necessarily be out of keeping or unsympathetic to the rural identity and character of the surrounding area, nor that it would result in detrimental visual impact beyond the boundary of the appeal site, however, for the reasons outlined I find that the scale, design and height of the proposal would fail to be subservient and would look overly dominant in the context of the host dwelling and I find the proposal unacceptable in that regard.
7. I note the proposal is smaller in footprint terms, however, I do not find the bulk scale and massing as a result of height, design and roof geometry means that it follows the impact is limited. I acknowledge that the appellant's property currently has no external storage or covered parking/garaging save for a metal container which would be removed as part of the proposal. The appellant's requirement for further accommodation is acknowledged but I do not find that the growth of the appellant's business, now utilising the whole adjacent facility, then necessarily justifies the proposal before me in its current form. Overall, I find that the proposal would appear overly bulky, dominant and unsympathetic to the character of the host dwelling and that it would fail to appropriately demonstrate a subordinate relationship. The proposal would be located in an area to the front of the existing built form which would result in removal of a number of trees and dense vegetation further compounding the impact of the proposal overall in terms of the site setting.
8. The proposal would be contrary to South Northamptonshire Part 2 Local Plan (LP2) Policy SS2 which requires proposals to use a design led approach to demonstrate compatibility and integration with its surroundings in terms of type, scale, massing, siting, form and design. The proposal would also be contrary to LP2 Policy SDP1 which requires proposals in the open countryside should be appropriate to their context. The proposal would also be contrary to Ashton Neighbourhood Plan 2021 Policy ANDP8 which requires development to demonstrate that appropriate account has been taken of existing building forms and that care and maintenance of trees should be of paramount importance to the character of Ashton. The proposal would also be contrary to the South Northamptonshire Design Guide 2017 which requires (in the context of ancillary accommodation) proposals to be clearly subservient to the main house in terms of scale and height.

Ecological impacts, wildlife mitigation and trees

9. Householder developments are exempt from mandatory Biodiversity Net Gain (BNG) as a result of the Environment Act 2021; however, this does not then follow that such proposals are exempt from the biodiversity requirements set out within

the Local Plan which is the starting point for determination of applications nor are householder developments exempt from a requirement to ensure that proposals do not impact upon protected species.

10. I note that a Preliminary Wildlife Assessment Check has been undertaken through Partnership for Biodiversity in Planning and whilst there are no European designated sites, Nationally designated sites and no Nature Reserves within 50 metres of the proposed development I do not find that this document is sufficient in terms of information as to the potential loss of habitat or impact upon protected species as a result of the proposal. The appellant has attached, at appendix 6, a plan of trees which would be removed as a result of the proposal, but the proposal does not show a detailed consideration of the ecological impacts or wildlife mitigation to preserve and enhance biodiversity at the point of determination – the removal of a number of trees and established vegetation has potential for impact upon protected species.
11. I note the appellant has no objection to a landscaping condition requiring future native planting. Whilst such a condition would be positive, I do not find that a condition of this nature would overcome the issues related to potential impacts upon protected species and/or habitats I have identified based upon the limited information on such matters.
12. The proposal would be contrary to West Northamptonshire Joint Core Strategy Local Plan Part 1 2014 (LP1) Policy NE4 which requires proposals to seek to integrate existing trees, woodland and hedgerows and that where the loss of existing trees is unavoidable suitable replacement planting will be required within the development site. The proposal would also be contrary to LP1 Policy NE5 which requires proposals to conserve and enhance biodiversity in order to provide measurable net gain. Whilst householder applications are exempt from mandatory BNG, LP1 Policy BN2 is clear that development will be subject to an ecological assessment and required to demonstrate it will maintain and enhance existing designations or deliver a net gain in biodiversity. LP2 Policy SS2 also requires proposals to show a detailed consideration of ecological impacts and to enhance biodiversity.

Self-contained/independent unit

13. The Council's second refusal reason is based upon their view that the proposal and functional arrangement, would resemble an independent unit rather than a conventional garage workshop building with modest personal space over. Whilst, as discussed above, I have found the scale and height of the proposal to be unacceptable insofar as I do not find it subservient to the host dwelling – the proposal must be considered on the basis which it has been submitted rather than speculatively as to alternative use. The proposal that is before me, shows on the plans, a workshop space, storage, garaging and office space over – I do not find that facilities, such as toilets shown on the plans, could be said to provide all the necessary facilities for the proposal to be considered self-contained.
14. The proposal as submitted would be in close proximity to the host dwelling and share access, services and have limited separation distance meaning that separate occupation or unconnected occupation to the host dwelling would be unlikely and I do not find in this case that, subject to a condition requiring the proposal to remain ancillary to the host dwelling and not to be let or occupied independently, that the

proposal would result in or be tantamount to the creation of an independent unit. I find the site characteristics would mean that it would be reasonably associated in basic terms to the host dwelling, as part of that planning unit, despite a lack of physical connection and the acknowledged separate access through the external staircase. I note that the Council's questionnaire suggested such a condition in the event this appeal was allowed.

15. The proposal would be consistent, in terms of link and association to the host dwelling, with LP2 Policy SS2 seeking to demonstrate integration with its surroundings (in this case the host dwelling) as well as being consistent with paragraph 135 of the Framework which, as an overarching objective, seeks to ensure that proposals are appropriate for the site.

Other Matters

16. The appellant suggests that similar floorspace could be provided as a single storey structure within the provisions of the Town and Country Planning (General Permitted Development)(England) Order 2015. Whilst it is not within the scope of this appeal to consider what is, or is not, permitted development the proposal as submitted would not fall under Schedule 2, Part 1, Class E insofar as Class E restricts proposals to single storey as well as requiring buildings not to be on land forward of a wall forming the principal elevation of the original dwellinghouse.
17. Whilst I acknowledge the potential for utilisation of Class E for the provision of an incidental building, I attribute limited weight to this as a consideration within this appeal based upon the fact that the proposal in its current form and location is notably beyond the scope that would be allowed comparatively as a fallback position if the appellant proceeded to seek to provide alternative facilities within the site beyond the control of the Council under permitted development. A permitted development proposal, even of the same footprint, would not be located in the same position nor of the same bulk, massing or height which are the matters which I have found to be unacceptable in the context of subservience to the host dwelling.
18. I note the appellant's commentary with regard to the application having taken 46 weeks to determine, however, the handling of the application itself within the determination period by the Council is outside the scope of this appeal. Consistency in decision making is key to maintaining confidence within the planning system and as noted, each case should be considered on its own merits. The appellant has made reference (alongside extracts of the site plan, the Council's delegated report and an image) to what is stated to be a self-contained annex in the region of 2.5 miles from the appeal site. No further information is provided such as the plans for the proposal or Council's decision notice to allow me to take into account the relevant considerations and characteristics for that site to draw any conclusions as to consistency and approach to that decision.
19. In this case, in relation to the appeal proposal that is before me, I have found that the occupation/use could be considered as ancillary and not necessarily a self-contained unit, which could also be controlled by condition. I do not, in the case of the example provided by the appellant, have any details as to the size and design of the host dwelling itself, nor the site setting, in order to be able to draw any conclusions as to the Council's conclusion that the example was considered subservient in that case. I have assessed the proposal before me based upon its own merits, the evidence before me at the point of determination and that which I

saw during my site visit and, for the reasons set out, I have found the proposal unacceptable in the context of the host dwelling as a result of height, design and massing as well as protected species and biodiversity.

Conclusion

20. For the reasons outlined above, and taking into account all other matters raised, I conclude that the appeal should be dismissed.

Eleni Marshall

INSPECTOR