



Planning Committee Report

Application Number: 2023/7490/FULL

Location: St. Alnoths Barn, Preston Capes Road, Church Stowe, NN7 4SQ

Development: Change of use of land to mixed use (agriculture, leisure and tourism), including retention of temporary mobile home (part retrospective).

Applicant: Ms Elizabeth Lawes

Agent: Mr Tim Wilson

Case Officer: Tim Cantwell

Ward: Woodford and Weedon

Reason for Referral: Called in by Councillor Frost due to impact on the character and setting of the local area

Committee Date: 15 May 2024

EXECUTIVE SUMMARY OF PROPOSALS AND RECOMMENDATION

RECOMMENDATION:

THAT THE ASSISTANT DIRECTOR FOR PLANNING AND DEVELOPMENT BE GIVEN DELEGATED POWERS TO GRANT PERMISSION FOR THE DEVELOPMENT SUBJECT TO CONDITIONS

Proposal

Change of use of land to mixed use (agriculture, leisure and tourism), including retention of temporary mobile home (part retrospective).

Consultations

The following consultees raised **objections** to the application:

- Stowe Nine Churches Parish Council
- Councillor Rupert Frost (call-in)

The following consultees raised **no objections** to the application:

- Local Highway Authority
- WNC Environmental Health

The following consultees **support** the application:

- WNC Economic Development

There were no responses from neighbours or local residents.

Conclusion

The application has been assessed against relevant policies in the Development Plan and National Planning Policy Framework, and other material considerations as listed in Section 4 of the report.

The key issues are:

- Principle of development
- Impact on character and appearance of the open countryside
- Neighbouring amenity
- Highway safety

Other relevant matters include:

- Renewable energy
- Land contamination
- Biodiversity

Following an assessment of the key issues and other matters, it is considered that on balance, the proposal is acceptable subject to the conditions listed in Section 10 of the report.

Members are advised that the above is a summary of the proposals. The main report below provides details of consultation responses, policy considerations, and the case officer's assessment of the key issues. Members are advised that this summary should be read in conjunction with the main report.

MAIN REPORT

1 APPLICATION SITE AND LOCALITY

1.1 The application site comprises a grass field of approximately 1.7 hectares which is set in open countryside about 1 kilometre to the south-west of Church Stowe. The site entrance is at the northern end of the field off Preston Capes Road, where there is also a red brick barn, some footings for a second barn, and a mobile home (caravan). Adjoining the field on the south side is another field which the applicant has an interest in and is used for grazing sheep. To the west and east sides are more open fields under separate ownership. There is a public right of way that crosses the adjacent field on the east side, which offers views of the site. However, the barn and caravan are partly obscured by trees and shrubs in that corner of the field. The site is fairly well-screened from the public highway due to the vegetation that generally lines the local roads. The nearest residential properties are The Larches, about 130 metres from the site entrance on the opposite side of Preston Capes Road, and Oak Tree Cottage, which is about 300 metres to the south-west of the site entrance at the junction of Preston Capes Road and Main Street.

1.2 The site has been used for occasional events and camping in the recent past.

2 DESCRIPTION OF PROPOSED DEVELOPMENT

- 2.1 The proposal follows enforcement investigations as there is currently no permission for a temporary mobile home on the site, nor any permission for non-agricultural uses.
- 2.2 The applicant proposes to establish a business that promotes 'off-grid' living and self-sufficiency. It will comprise a diverse range of activities, including: camping/glamping; regular workshops and events; and the cultivation of lavender and other plants/herbs to make health products. The full range of activities is contained in the business plan which was submitted in support of the planning application.
- 2.3 The nature of the business requires the applicant to be on site at all times, particularly as the business is being established. As such, they are proposing retention of the existing mobile home, which will be limited to three years.

3 RELEVANT PLANNING HISTORY

DA/2011/0550 – Construction of general purpose agricultural building – Approved.
Note - The footings next to the existing barn relate to this permission.

DA/2008/0918 – Change of use of barn to dwelling – Refused.
Note – Refused due to poor design, small size, isolated location, and highway safety.

DA/1999/0783 – Demolition of existing barn and construction of new barn in alternative location – Approved
Note – This relates to the existing barn.

4 RELEVANT PLANNING POLICY AND GUIDANCE

Statutory Duty

- 4.1 Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.

4.2 Development Plan

West Northamptonshire Joint Core Strategy Local Plan Part 1 (LPP1)

Policies:

SA - Presumption in Favour of Sustainable Development

S10 - Sustainable Development Principles

E7 – Tourism, Visitor and Cultural Industries

BN2 – Biodiversity

R1 – Spatial Strategy for the Rural Areas

R2 – Rural Economy

Settlements and Countryside Local Plan Part 2 (LPP2)

Policies:

RA6 – Open Countryside

HO6 – Rural Worker Dwellings

ENV1 – Landscape

ENV2 – Special Landscape Areas

ENV5 – Biodiversity

ENV9 – Renewable Energy and Low Carbon Development

ENV10 - Design

Note

A Regulation 18 version of a local plan for the whole of West Northamptonshire was published for consultation between 8th April and 2nd June 2024. Paragraph 48 of the NPPF states that weight may be given to relevant policies in emerging plans subject to the following three considerations:

- a) the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);
- b) the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
- c) the degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).

As the local plan is still in the early stages of preparation, policies in it can be a material consideration, but its policies can only be afforded limited weight at this stage.

The policies of particular relevance to this application are:

S1 – Spatial Strategy
PL1 – Sustainable Design and Construction
PL4 – Renewable Energy
PL7 – Design and Amenity
R1 – Open Countryside
HO12 – Rural Worker’s Accommodation
EC5 – Rural Economy
EC6 – Visitor Economy
BN6 – Landscapes
BN7 – Special Landscapes
BN10 – Biodiversity Net Gain
BN11 – Trees and Woodland

4.3 Material Considerations

National Planning Policy Framework (NPPF)
Stowe Nine Churches Village Design Statement (VDS)
Local Highway Authority (LHA) Standing Advice
Local Highway Authority (LHA) Parking Standards

The West Northamptonshire Local Plan to 2041 is a newly emerging document and as such, carries very limited weight.

5 **RESPONSE TO CONSULTATION**

- 5.1 Below is a summary of consultation responses received at the time of writing this report. Responses are available to view in full on WNC’s website:

Consultee	Position	Comment
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Stowe Nine Churches Parish Council	Objection	Proposal will have a negative impact on the rural setting, and does not meet exception criteria for new rural homes.
Local Highway Authority	No Objection	Requested a speed survey and improvements to access and parking arrangements. Satisfied with survey results and improvements made.
WNC Environmental Health	No Objection	Requested conditions relating to potential land contamination.
WNC Economic Development	Supports	Proposal could expand the local tourist offer and provide jobs.

6 RESPONSE TO PUBLICITY

- 6.1 No responses from local residents or third parties were received.
- 6.2 Site notice expired 27/12/23.

7 APPRAISAL

Principle of Development

- 7.1 The planning application has two elements that require consideration – the change of use, and the retention of the temporary mobile home. For the change of use, the relevant policies are: E7(b) and (d), R1(8), and R2 (generally) from the LPP1; RA6(viii) from the LPP2; and paragraph 88(b) and (c) from the NPPF. These all support small scale economic development, including tourism and rural diversification schemes, as long as there are no negative impacts on the existing setting.
- 7.2 The change of use proposal is on a small scale and is in line with the type of economic development favoured by policy. Indeed, WNC’s Economic Development Officer supports the application, stating the following benefits: Business growth/diversification, expansion of the local tourism offer, and potential for local job opportunities. Furthermore, given the small scale, any impacts on the rural setting will be minimal (which is discussed further under the section on Character and Appearance).
- 7.3 In terms of retaining the temporary home, the relevant policies are RA6(i) and HO6 from the LPP2. These allow rural worker dwellings if they are required to support a rural business. In respect of temporary homes, policy HO6(B) states:
- ‘Temporary accommodation for new rural enterprises will be acceptable where it is demonstrated that there would be an essential need to ensure the function of the rural business, so as to enable the long term financial sustainability of the enterprise to be assessed when well established...’*
- 7.4 It is normal practice to limit the time period to three years as this is deemed reasonable for the business to establish itself. However, there are caveats to this, including the temporary accommodation being appropriately sized and located, and an assessment of whether suitable alternative accommodation could be found elsewhere in the locality.

The existing temporary home is a relatively modest caravan that is tucked behind the existing barn and is only partly visible when passing by the site entrance. As such, it is appropriately sized and located. Regarding suitable alternative accommodation, the parish council notes that a nearby house is available for rent. However, whilst this may or may not be affordable, there would be no guarantee that it would be available for more than the short term. Therefore, on balance, it is considered that retention of the existing temporary home is acceptable whilst the business is establishing itself.

- 7.5 The above discussion confirms the proposal is acceptable in principle. However, it is also necessary to consider other issues that may carry weight in the decision-making process.

Character and Appearance

- 7.6 The relevant policies and material conditions are: R1(9) from the LPP1; ENV1 and ENV2 from the LPP2; and Landscape/Environment/Tree Guidelines in the VDS. These all seek to preserve and enhance the essential tranquillity and beauty of the open countryside and local landscape features. Policy ENV10 from the LPP2 and paragraph 135 in the NPPF are largely about design, but also include caveats about preserving landscape character.

- 7.7 Although the site is relatively small scale, it can be seen from public vantage points, so elements of the proposal need discussing. As already noted, the mobile home is partly hidden from view behind an existing barn, so has minimal impact on character and appearance. The new driveway and parking area will not take up a significant area, and will be made up of permeable compacted stone which will allow natural vegetation to grow through in areas of low use. As such, its appearance will be suitable for a rural setting. The cultivation of lavender and other plants/herbs in the main body of the field is an entirely appropriate activity on arable land, and as part of the ongoing management of the site, the applicant has already planted a number of trees on the boundary, which meets with guidelines in the VDS. The camping/glamping area will be tucked up against a row of trees on the north-west side of the field, but there is no indication of what kind of structures will be installed or how many. The business plan talks of yurts and luxury pods, which may be sensitive to a rural setting, but with no details, the LPA cannot assess the visual impact. Therefore, details of these will be required before installation.

- 7.8 There is always potential with any camping site that has semi-permanent structures for some visitors to make it a semi-permanent, or even permanent home, which could undermine the setting and conflict with the permitted uses, if approved. Therefore, an additional condition will be imposed that limits the time in which any visitor or visitor group can stay on-site.

- 7.9 The above discussion suggests that the proposal will have a minimal impact on the character and appearance of the setting, and where there is any doubt or potential for this to be undermined, suitable conditions can be applied.

Neighbouring Amenity/Highway Safety

- 7.10 These two issues are combined for this application as they are linked. Relevant policies and material considerations that protect neighbouring amenity are R1(D) from the LPP1; ENV10(viii) from the LPP2; and paragraph 135(f) from the NPPF. Paragraph 191 of the NPPF also discusses the need to minimise noise nuisance from sensitive areas. Material considerations for highway safety are Highways Guidelines in the VDS,

and the LHA's Standing Advice and Parking Standards. The LHA also has a general remit to maintain highway safety.

- 7.11 The parish council suggested that proposed site activities may create additional strain on the local road network, which can impact on local amenity and present a risk to road safety. This is echoed in the VDS where it states all future developments should consider the impact of increased traffic. However, the LHA did not raise this as an issue, and the capacity of the site and proposed activities are not considered to be of a scale that would generate large volumes of traffic. The speed survey concluded that speeds are relatively low along this section of Preston Capes Road and existing visibility is good. Also, site visitors will park within the site on the designated parking area, which means there should be no parked cars on the public highway.
- 7.12 The parish council also suggested that proposed events may cause noise nuisance. However, whilst this may or may not be an occasional nuisance, if it were persistent and/or intense, there are means to control it (and take enforcement action) through WNC's Environmental Health Team.

Renewable Energy

- 7.13 The relevant policies and material considerations are S10 from the LPP1, ENV9 from the LPP2, and paragraphs 163 and 164 of the NPPF. These all support renewable energy schemes in order to deliver a carbon free future. Indeed, the NPPF states that:

'...even small-scale projects provide a valuable contribution to significant cutting of greenhouse gas emissions.' Para. 163(a).

The whole purpose of the business is to promote 'off-grid' living and sustainable lifestyles, with the applicant being an exemplar of this. As such, the applicant already has an array of solar panels to provide energy, and intends to install a mini-wind turbine, (which might require a separate planning application at a later date).

Land Contamination

- 7.14 The relevant policies and material considerations are BN9 from the LPP1 and paragraphs 189 – 190 in the NPPF, which seek to protect the environment and human health from the harmful effects of pollution. Given the unknown quality of the land, the environmental health officer requested that a site investigation and risk assessment for land contamination be carried out. However, being as the land has largely been used for grazing, and no significant excavations are being proposed, this is considered to be excessive and unnecessary.

Biodiversity

- 7.15 The relevant policies and material considerations are BN2 from the LPP1, ENV5 from the LPP2, and paragraphs 180, 186 and 188 of the NPPF. These all seek to protect and enhance existing habitats and deliver a net gain in biodiversity. As previously noted, the applicant has already planted additional trees and intends planting more. Furthermore, all cultivation will be in accordance with organic farming principles in line with the general business plan. As such, there is potential for biodiversity improvement.

8 FINANCIAL CONSIDERATIONS

- 8.1 This application is not liable for Construction Infrastructure Levy (CIL).

9 PLANNING BALANCE AND CONCLUSION

- 9.1 The proposal is a suitable use of land in this location, and will have little or no negative impacts on the rural setting. It has the potential to make a small contribution to the local economy, and could deliver positive outcomes for carbon reduction and biodiversity. All other issues and matters that relate to the proposal have been assessed and are also considered acceptable. As such, the application should be approved in line with the principle of sustainable development, subject to suitable conditions.

10 RECOMMENDATION

- 10.1 GRANT PERMISSION SUBJECT TO CONDITIONS as set out below with delegated authority to the Assistant Director for Planning and Development to approve any amendments to conditions as deemed necessary:

Permission

1. The development hereby permitted is authorised from 15th May 2024.

Reason: To comply with Section 73A of the Town & Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

Change of Use

2. The change of use hereby permitted is for agriculture, leisure and tourism and relates to the land bounded by the red line on the site location plan ref. 2309_01 Rev B, and shall be laid out according to the block plan ref. 2309_02 Rev C.

Reason: For the avoidance of doubt, and to enable the Local Planning Authority to assess the impact of any variation to the approved drawings and/or permitted uses.

Temporary Mobile Home – Time Limitation

3. The temporary mobile home (caravan) shall be permitted for a period of three years from the date of this permission and shall be removed from site and the land returned to its former condition on or before 15th May 2027, unless otherwise agreed in writing with the Local Planning Authority.

Reason: To meet with exception criteria for new homes in the open countryside, and specifically with policy HO6(B) of the LPP2.

Temporary Mobile Home - Occupation

4. The temporary mobile home (caravan) shall only be occupied by a person (and their immediate family) who is employed by the business that operates from the land holding on which the temporary home is situated.

Reason: To meet with exception criteria for new homes in the open countryside, and specifically, with policy HO6(B) from the LPP2.

Site Access and Parking Arrangements

5. The proposed improvements to site access and parking arrangements as shown in drawing ref. 2309_03 shall be carried out and completed within 12 months from the

date of this permission and thereafter retained, unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interests of highway safety and visual amenity.

Glamping Structures

6. Prior to installation on site, details of any yurts, pods or structures that will be used for glamping shall be submitted to and approved in writing by the LPA. The structures shall then be installed as agreed.

Reason: In the interests of visual amenity in a rural setting.

Camping Limitations

7. The maximum length of stay on site for any person or group of persons is 30 consecutive days, and no person or group of persons can stay more than 30 days in any 90 day cycle.

Reason: In the interests of visual amenity in a rural setting, and because the site is not designed nor intended to be used as a permanent home for any person or group of persons, other than the rural worker and their immediate family as detailed in condition four (4).

INFORMATIVE:

The applicant is reminded that a Section 184 licence will be required from the Local Highway Authority to carry out works that cross or adjoin the public highway.
