



Appeal Decision

Site visit made on 28 May 2019

by K Stephens BSc (Hons), MTP, MRTPI

an Inspector appointed by the Secretary of State

Decision date: Tuesday, 09 July 2019

Appeal Ref: APP/G2815/W/18/3202942

The White Cottage, Main Street, Glapthorn PE8 5BE

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Mr Allen Brown against the decision of East Northants District Council.
 - The application Ref 17/02358/OUT, dated 31 August 2017, was refused by notice dated 18 January 2018.
 - The development proposed is four bedroom detached dwelling with integral garage within the rear garden of The White Cottage. New access drive from Main Street serving the proposed dwelling and to a new garage for The White Cottage. Current vehicular access to the rear of The White Cottage is via farmers track to the West of the application site. (Track owned by another with right of way granted to the applicant).
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The application is in outline and includes Access, Layout and Scale. Landscaping and Appearance are reserved matters and would be subject to separate reserved matters applications should outline planning permission be granted. The submitted drawing 5571-001 is titled "Preliminary site layout", but as Layout is not a reserved matter I am determining the application based on this plan. However, as Appearance is a reserved matter, the elevations of the proposed dwelling shown on drawing 5571-002 and titled "Preliminary Sketch Scheme" are only indicative, although they provide a guide as to what the appellant has in mind.
3. Since determination of the application, the Glapthorn Neighbourhood Plan (NP) was 'made' on 30 July 2018 and now forms part of the development plan and its policies can be given full weight. Whilst the Council's Delegated report referred to the draft GNP policies, its submitted appeal Statement refers to the adopted plan and that the proposal would be contrary to its policies 2, 3, 7 and 10. I note the appellant did not submit any 'Further Comments' on the Council's Statement and hence has made no comment on the adoption of the Glapthorn NP and the policies the Council refers to.
4. The 2012 National Planning Policy Framework (the Framework) was revised in July 2018, and subsequently updated on 19 February 2019. I have had regard to it in reaching my decision.

Main Issue

5. The main issue is the effect of the proposal on the character and appearance of the area.

Reasons

6. The appeal site is located towards the centre of Glapthorn within the built up area of the village, within walking distance of the village school and hall and there are public transport links to Oundle, a bigger service centre. It is formed of the side and rear garden of The White Cottage, a traditional thatched roof dwelling that fronts the Main Street through the village. To the east is a residential property (The Peaches) and to the west a farmers track that leads to the appeal site and a garage, beyond which is land also owned by the appellant's that was being used to store vehicles on my visit. The other side of the track is Melton Cottage. Beyond the appeal site to the rear is a tennis court (not the appellant's) and fields.
7. Glapthorn has a mixture of house styles and designs including old and modern, with both tiled and thatched roofs. It is a linear village and a clear prevailing characteristic is of built development fronting the road and good sized garden plots at the rear.
8. The proposal is for the erection of a detached dwelling on land that currently forms the rear garden of The White Cottage. The submitted 'Preliminary Sketch Scheme' indicates a 4 bedroom dwelling with integral garage would be possible. A new access would be created off Main Street through the existing stone wall that forms the boundary to the garden. The new access drive would then lead past The White Cottage, branching off to a new proposed detached garage for it, and then would carry on to the rear of the plot where the new dwelling would be sited. An existing garage building, accessed via the farmers track, would be demolished.
9. The North Northamptonshire Joint Core Strategy: Local Plan Part 1 2016 (the Core Strategy) has a spatial strategy with a network of urban and rural areas. Policy 11(2) refers to development in the rural areas and part (b) permits "small scale infill development on suitable sites within villages where this would not materially harm the character of the settlement and residential amenity or exceed the capacity of local infrastructure and services." The supporting text in paragraph 5.17 qualifies infill as "development of vacant and under-developed land within the main built up areas of the village on land which is bounded by existing built curtilages on at least two sides, such as the filling in of a small gap in an otherwise substantially built up frontage." Policies 3 and 8 are also concerned with protecting local landscape character and keeping the separate identities of settlements.
10. The policy goes on to say that Part 2 Local Plans or Neighbourhood Plans may allocate sites or designate sensitive areas where infill development will be resisted or subject to special control. To this end the Rural North, Oundle and Thrapston Plan (2011) (RNOTP) allows windfall development in settlement boundaries, appropriate to the character of the locality and suitably integrated into the settlement, although it pre-dates the NPPF.
11. However, the more recent Glapthorn NP places a strong emphasis on the retention of the village's linear pattern of development and keeping active

street frontages. Policy 2 expects new housing to be contained within Glapthorn's defined settlement boundary. Policy 3 supports small-scale housing development of up to 5 dwellings on small infill sites within the identified settlement boundary, and that development should also be well related to the existing built form of the village "thus adhering to the existing building lines and avoiding back-fill in garden spaces". Policy 7 states that new proposals must demonstrate how they contribute to the retention of the linear layout of the village and Policy 10 states that "Development proposals which do not respect the linearity character of the village, such as use of rear gardens for placement of dwellings, will not be supported."

12. Not all of the appeal site lies within Glapthorn's settlement boundary, as shown in the RNOTP and in Map 5 of the Glapthorn NP. The White Cottage and its garden up to the garage proposed for demolition lie within the boundary, but the far garden area, that will have the rear part of the new dwelling and its garden, lie outside it. I note the appellant submitted representations to the Glapthorn NP to seek to amend the village settlement boundary to include the entire appeal site. Whilst the Glapthorn NP has revised the boundary in some village locations, it has not been amended to include the rear of the appeal site. Therefore, there is some policy conflict as part of the appeal site lies outside the village settlement boundary.
13. The proposal would be small-scale in that it is for a single dwelling. The part of the site for the proposed access and driveway could be described as 'infill' as it sits between existing built curtilages within a built up frontage. The land is garden so could be described as vacant and under-used. However, the main part of the appeal site is not between two built curtilages and would not be within a built up frontage. It would not therefore, in my view, be infill in accordance with the definitions above.
14. The proposed dwelling would be sited a considerable distance back from the main street frontage behind The White Cottage and towards the bottom of its garden. In my view, the proposal represents 'back-fill' in a garden. Whilst Glapthorn is a village deemed suitable to accept some new housing, the appeal proposal would disrupt the prevailing linear pattern and grain of the village and harm its character and appearance. The Council has not raised concerns regarding the scale of the dwelling, and appearance is a reserved matter.
15. Even if the site were found to be 'infill' and the dwelling built of traditional materials, this would not outweigh the harm caused to the character and appearance of the village from the disruption of the linearity. Furthermore, the Parish Council identify the dwelling is not needed to meet Glapthorn's or other local housing need.
16. I conclude that the proposal would harm the character and appearance of the area. Accordingly, I find that it would be contrary to Policies 11(2), 3 and 8d(ii) of the Core Strategy and Policy 2 of the RNOTP, whose aims are outlined above. It would also be contrary to Policies 2, 3, 7 and 10 of the recently 'made' Glapthorn NP, as already described above.
17. The reason for refusal also refers to paragraph 61 of the Framework. As the decision was made in January 2018 it refers to the 2012 version of the Framework. Paragraph 61 was found in section 7 entitled 'Requiring good

design' and referred to inclusive design and the integration of new development into the natural, built and historic environment. In the 2019 Framework section 12 deals with design but paragraph 61 has not been replicated. However, the Framework still promotes good design that is sympathetic to its surrounding built environment and landscape setting. The appeal proposal would not be in accordance.

Other Matters

18. I accept that the site would be no less accessible to the facilities in the village than existing dwellings in the village or to new dwellings on more appropriate sites within the settlement boundary that would preserve the linear village pattern.
19. I note the appellant's examples of dwellings that have been approved. Whilst the appellant has not provided much detail about these, the Council has in its Statement. Both applications were recommended for refusal by Council officers, but were overturned by the Planning Committee. For application 16/01743/OUT, members took the view that the site was infill; was frontage rather than backland development; and the site was also identified in the then draft Glapthorn NP as an extension to the settlement boundary. For the other site 17/00929/FUL, it appears that members accepted it wasn't infill, but as the dwelling was not directly behind the host property it would not be outside the linear form of the village.
20. The Breaseby appeal decision¹ allowed 5 dwellings on the edge of the village, straddling the settlement boundary, on a site with different characteristics but which the Inspector considered to be infill. There were also other factors that weighed in the balance, such as the near-derelict state of the land and its re-use. Since the appeal decision the Glapthorn NP has been 'made'.
21. In spite of all these examples, there are differences that mean they are not directly comparable to the appeal proposal, which I must consider on its own merits.

Conclusion

22. For the reasons given above, and having regard to all other matters raised, I conclude that the proposed development would not accord with the development plan and there are no other considerations which outweigh this finding. Accordingly, the appeal should be dismissed.

K. Stephens
INSPECTOR

¹ APP/G2815/W/16/3149683 dated 11 August 2016