



Appeal Decision

Site visit made on 3 December 2019

by Graeme Robbie BA(Hons) BPI MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 10 January 2020

Appeal Ref: APP/G2815/W/19/3235292

Manor Farm, Cottestock Road, Glapthorn PE8 5BJ

- 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 David Wilkinson against the decision of East Northants District Council.
 - The application Ref 19/00549/FUL, dated 24 March 2019, was refused by notice dated 23 May 2019.
 - The development proposed is the removal of a modern agricultural building and construction of 1 No. self-build residential dwelling to enhance the setting of the adjacent listed Manor House.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. Both parties have referred to the Draft East Northamptonshire Local Plan Part 2 : 2011 – 2031¹ (LPpt2). The Council describe the LPpt2 as being at a very early stage of its preparation and could, in the Council's words, 'be subject to great change'. The Council give no weight to the LPpt2 as a consequence, whilst the appellant infers weight should be ascribed to its provisions, albeit that weight is unspecified and not quantified.
3. The development plan comprises of the North Northamptonshire Joint Core Strategy² (NNJCS) and the Glapthorn Neighbourhood Plan³ (GNP). I have not been provided with any further detail regarding the progress of the LPpt2 beyond its 'draft' status and so I ascribe weight accordingly.

Main Issues

4. The main issues are whether or not;
 - The proposed development would help maintain a mix of tenure, type and size of dwelling; and
 - The proposed development would preserve the setting of the grade II listed Manor Farm; and

¹ November 2018

² Adopted July 2016

³ Approved by Referendum 5 July 2018 – Made by resolution of East Northamptonshire Council 30 July 2018

Reasons

Dwelling mix and size

5. Policy 30 of the NNJCS refers to housing mix and tenure and seeks to assist in the creation of sustainable mixed and inclusive communities. The Council's second reason for refusal refers to sub-section a(i) and a(ii) of NNJCS policy 30, stating that proposals should reflect a need to accommodate small and medium sized houses⁴ and also reflect existing housing stock within the settlement in question in order to address any gaps in provision and avoid over-concentration of a single type of housing where this would adversely affect the character or infrastructure of the area.
6. Glapthorn Neighbourhood Plan (GNP) policy 3 sets out a range of criteria against which housing development will be assessed and supports, amongst other things, proposals for three or more homes which include smaller and family accommodation. It goes on to state that all proposals must demonstrate how they help to maintain a mix of tenure, type and size of dwelling in the Parish and how they respond to the particular need, identified in the GNP, for smaller properties and those suitable for retired villagers.
7. The proposal is for a single dwelling and so could not, of itself, provide a mix of house types. Nor, with four bedrooms, would it fall within the scope of small or medium sized dwellings set out by NNJCS policy 30(a)(i). However, neither NNJCS policy 30 nor GNP policy 3 expressly prohibit dwellings of more than 3 bedrooms.
8. The proposed dwelling would be on land within the appellant's ownership and, on the basis of the evidence, for the benefit of the appellant and his family. As such, NNJCS policy 30(g) supports proposals for self-build (individual custom-build) proposals where they are in line with the spatial strategy. There is no dispute between the parties that the site is allocated for development in the GNP, or that it lies within the extended⁵ Glapthorn settlement boundary. The Council do not dispute that the general principle of residential development on the appeal site is acceptable and that the proposal would accord with the spatial strategy set out in the NNJCS.
9. Whilst the Council goes on to state that self-build developments would be expected to be brought forward mainly on strategic urban extension sites (SUE's), NNJCS policy 30(g) does not state that this should be exclusively so and is clear that proposals for individual self-build developments that are in line with the spatial strategy will be supported. The GNP makes no specific reference to self-build proposals.
10. However, beyond the numbered criteria set out in GNP policy 3⁶, that policy also requires all proposals to demonstrate how they help maintain a mix of tenure, type and size within the Parish and how they respond to the particular need for smaller properties and those suitable for retired villagers. The proposal before me does not do so. I understand that the appellant is able to access the development land without incurring purchase costs and that a four-bedroomed dwelling would satisfy the appellant's personal requirements. As someone born and brought up within the village I also understand the desire to

⁴ Defined as 1 -3 bedroomed dwellings

⁵ As set out in the GNP

⁶ Numbered points 1) to 12)

remain within the village, particularly as occupancy of the appellant's current place of residence (Manor House farm) is shared with other generations of the appellant's family.

11. However, a four bedroomed detached dwelling would perpetuate the prevailing dominant type and size of dwelling as identified in the Council's Housing Strategy consultation response, and within the GNP itself. Although the evidence submitted by the Council in this respect is limited, I am not persuaded that it has been adequately or robustly demonstrated how the proposal would respond to the particular need for smaller properties or would help to maintain a mix of property tenure, type and size.
12. I have noted that the proposal before me follows a process of redesign following a recently approved scheme for four dwellings on land immediately to the north of the appeal site. That scheme would, the appellant states, proceed as one with the appeal proposal should the appeal succeed and, as that provides two 3-bedroomed dwelling, the two schemes taken as one would provide a mix of smaller and larger dwellings. However, I have no mechanism before me to ensure that that happens and, as the benefits of planning permission go with the land rather than the individual, I cannot be certain that this would transpire.
13. I have carefully noted the appellant's position regarding the self-build status of the proposed dwelling and the duties of the Self-Build and Custom Housebuilding Act 2015⁷ and I am satisfied that it has been adequately demonstrated that the appellant has had a primary input into the commissioning and design of the proposed dwelling. In this respect, the proposal would reflect the guidance set out in the Planning Practice Guidance regarding self-build and custom dwellings. However, despite the appellant's evidence regarding the commissioning and design of the proposed dwelling and ownership of the appeal site and adjoining land, I have no mechanism before me to ensure that the proposed dwelling would not be offered on the open market.
14. Even if I were to be reassured by the statement set out in the appellant's initial Planning Statement that the property would not be available either to rent or sold on the open market, the GNP is quite clear regarding its requirement for residential proposals to demonstrate how they help maintain a mix of tenure, type and size within the Parish and how they respond to the particular need for smaller properties and those suitable for retired villagers. The proposal before me does not do so. The appellant's Planning Statement also refers to development on the appeal site being carried out at the same time as that relating to the four-unit scheme on the land and buildings immediately to the north of the appeal site. However, I have no mechanism before me to ensure that that happens and so, in the absence of such, the further absence of a compelling demonstration that the proposal would not compound and reinforce the predominant and prevailing pattern of larger detached dwellings within Glapthorn leads me to conclude that the proposal would not be in accordance with GNP policy 3.

⁷ As amended by the Housing and Planning Act 2016

Manor Farm

15. Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that in considering whether to grant planning permission for development which affects a listed building or its setting, special regard shall be given to the desirability of preserving the building or its setting. When considering that impact, great weight should be given to the heritage asset's conservation⁸ and any harm to the significance of the heritage asset should require clear and convincing justification.
16. Manor Farmhouse is a grade II listed building with various constituent elements of it dating from the early and late 16th century, and the 18th and 19th centuries. The listed building pre-dates the stone farm buildings located to the east of Manor Farmhouse which have recently been granted planning permission for their conversion to dwellings.
17. The farm grouping occupies an elevated position when viewed from the southeast and south and the southwest quadrant. From the south / southwest, there are open views across rising ground towards Manor Farmhouse, with the grouping of former agricultural buildings to the side.
18. However, whilst the stone-built buildings are substantial buildings which now have the benefit of planning permission for conversion to dwellings, they are not the dominant feature on the skyline from these aspects. Manor Farmhouse itself is a significant feature on the skyline, but its setting is dominated by the modern agricultural buildings lying primarily to the side and offset from of Manor Farmhouse.
19. Here, the open-ended large single span building enclosing much of the stackyard is evident but foremost in these views are the 'Dutch barn' that the appeal proposal seeks to remove and replace with a dwelling. It is a substantial structure, its long axis running broadly east-west and bookending the southern extent of this group of farm building. It is, other than the roof itself, a largely open building and the Council's description of it as such is not necessarily inaccurate although the lower portions of eastern half of the building are partly enclosed by blockwork walls between the uprights of the steel frame.
20. However, the effect of these on the otherwise open elevations of the building are minimal, particularly when viewed from the southeast and southwest quadrants, due largely to intervening crops, hedges and trees, and the substantial brick wall marking the garden area to the south of Manor Farmhouse. Nonetheless, the elevated position of this barn in the foreground of views towards the group from the south means that it is a significant feature in views across the field from the public footpath and from road to the southwest.
21. Moreover, from this aspect its bulk and massing blends almost seamlessly into the adjacent large modern agricultural building further to the east again, to the extent that it takes on an even more significant presence in views from here. Significantly, the east-west spread of this barn is such that it also significantly impinges upon views towards Manor Farmhouse from the southeast.

⁸ Paragraph 193 National Planning Policy Framework

22. The barn to be removed may well have a somewhat skeletal form with its largely open sided form, but it would be far from the unassuming, modest and discrete presence that the Council suggest. In contrast, the proposed dwelling would be lower overall in terms of its height, and its positioning within the site would truncate its westerly spread in comparison with the existing building. It would, from southerly aspects, open up rather than constrain views towards the Manor Farm house.
23. I accept that the proposed dwelling would have a greater apparent bulk than the skeletal barn that it would replace, but it would not be a dominating factor when viewed from the surrounding area, particularly the southern and southwestern aspects. Indeed, the parties agree that the design of the proposed dwelling would be reflective of a typical, traditionally built barn. As such, it would be readily distinguishable from the modern steel framed agricultural buildings beyond the appeal site, thereby reducing the perceived spread of buildings which the existing barn contributes to and which I have identified above.
24. Moreover, the detailed design, proportions and detailing would not be out of keeping with the traditional farm buildings to the north, whilst the siting of the proposed dwelling would provide a logical termination to that grouping. The proposed dwelling would share a common, and complementary, appearance with and to the traditional farm buildings previously granted permission for conversion from an earlier permission⁹ which would not detract from either those or Manor Farmhouse itself. Rather than causing harm to setting of the listed building, or the understanding of its setting, it would instead open up a wider angle of view of Manor Farmhouse itself through the removal of the existing barn.
25. It might be expected that perspective and lower ground levels would imbue the proposed dwelling with undue dominance relative to Manor Farmhouse when viewed from the south and southwest. However, I am satisfied that its siting would open up and improve views of Manor House from the south and southeast, whilst from the south and southwest it would provide sufficient differentiation in terms of scale, bulk and massing from the modern agricultural buildings beyond the site to the east to reduce the extent of visual competition with Manor Farm that presently exists.
26. Thus, for the reasons I have set out above, the proposal would conserve and, from particular aspects and viewpoints, enhance the setting of the grade II listed Manor Farmhouse, whilst the design, detail, scale and siting would complement the character, setting and appearance of the surrounding historic environment. The proposal would not be in conflict with NNJCS policy 2 (2a, 2b, 2c or 2d), GNP policy 3(6) or with the Framework in respect of the historic environment.

Conclusion

27. For the reasons I have set out above, I am satisfied that the proposal would not cause harm to the setting of the grade II listed Manor Farmhouse. Indeed, as I have set out above, the proposal would open up wider views of Manor Farmhouse from the southeast and south, and provide a pleasantly proportioned and attractive building in a traditional design in keeping with the

⁹ LPA Ref No 18/00895/FUL

fundamental character, scale and appearance of the traditional agricultural buildings behind.

28. I am also satisfied that, in the initial stages at least, the appellant has had a primary input into the commissioning, design, layout and details of the proposed dwelling. As such, it is capable of consideration as a self-build dwelling as set out Self-Build and Custom Housebuilding Act 2015¹⁰ and this carries some weight in support of the proposal.
29. However, I have no mechanism before me to ensure that the property would not be made available for rent or to the open market and I cannot be certain that it would ultimately be delivered as such. Even if I were to be persuaded that adequate control over the self-build status of the could be achieved, it has not been adequately or robustly demonstrated how the proposal would help to maintain a mix of tenure, type and size within the Parish and how they respond to the particular need for smaller properties and those suitable for retired villagers, as required by GNP policy 3. Thus, for these reasons, and having considered all other matters raised, I conclude that the appeal should be dismissed.

Graeme Robbie

INSPECTOR

¹⁰ As amended by the Housing and Planning Act 2016