



Appeal Decision

Site visit made on 28 January 2020

by S J Lee BA(Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11th February 2020

Appeal Ref: APP/Y2810/W/19/3240384

Main Road, Off A45, Dodford, Daventry, Northants NN7 4SR

- 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 John Mason against the decision of Daventry District Council.
 - The application Ref DA/2018/1024, dated 14 November 2018, was refused by notice dated 21 May 2019.
 - The development proposed is construction of dwelling and new access.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. The application was made in outline with all matters reserved for future consideration apart from access. I have considered the appeal on this basis and, other than where they relate to access, have treated all plans as indicative only.

Main Issue

3. The main issue is whether the development would be in a suitable location for housing, having regard to relevant planning policies on housing in the countryside.

Reasons

4. Policy R1 of the West Northamptonshire Joint Core Strategy (WNCS)(2014) sets out the spatial strategy for the area. This establishes a rural settlement hierarchy. Emerging Policy RA3 of the Settlements and Countryside Local Plan (SCLP) identifies Dodford as an 'other village' within this hierarchy. This plan has been subject to Main Modifications consultation and is thus at an advanced stage in its preparation. In accordance with paragraph 48 of the National Planning Policy Framework (the Framework) I consider the policies of the emerging plan should carry very significant weight.
5. Policy R1 sets out several criteria for all residential development in rural areas, including that development should be within the existing confines of the village. Dodford is identified as a 'restricted infill village' by saved Policy HS22 of the Daventry District Local Plan (1997 – saved 2007)(DDLPL). This also states that permission will normally only be granted under a number of circumstances, one of which is that development is within the existing confines of the village. SCLP Policy RA3 also states that development in 'other villages' should take place

within the existing confines of the village. There is dispute between the parties as to whether the site lies within the existing confines of Dodford.

6. The supporting text to DDL Policy H22 states that the existing confines of the village will be taken to mean the existing main built-up area, but excluding peripheral buildings such as free-standing or individual groups of dwellings and farm buildings. The supporting text for emerging Policy RA3 sets out a similar definition. In summary, this states that buildings and curtilages which are contained and visually separate from the open countryside, and that are clearly part of a coherent network of buildings, would be classed as being within the village confines.
7. Dodford does not have a defined settlement boundary. It is a small, dispersed village with small pockets and clusters of sporadic linear development. The main concentrations of housing are seemingly located along Brockhall Road and parts of Main Road to the north of the site. The village hall sits close to the junction of these roads and is within the most concentrated area of dwellings. When entering Dodford from the A45, there is a clear 'start' to the settlement in the form of the Day Nursery on one side of the road and a row of dwellings directly opposite. In my view, this represents a distinct change in character between the open countryside and the village.
8. The appeal site is an open and undeveloped agricultural field located to the north of the junction of Main Road and the A45. There are two existing clusters of dwellings facing the A45; one is to the east of the site and one is directly opposite the junction. Both of these small pockets of development are well separated visually and physically from the appeal site and the main core of the village. In this regard, I consider they would fall outside the definition of being within the existing confines of Dodford in policy terms.
9. The development itself would be poorly related to existing housing in Dodford. It would sit on its own in a visually isolated and separate location where there is a clear break between open countryside and the main cluster of development further to the north. In my view, the site therefore also falls outside the definition of being within the existing confines of the village. As such, it should be considered as development in the open countryside.
10. Emerging SCLP Policy RA3 states that development outside the confines of the village will be acceptable where it would meet an identified local need. The Main Modifications to the policy clarify this requirement. It refers to a 'local need' being identified through an up-to-date Housing Needs Survey or Housing Needs Assessment where it demonstrates this could not be met within the defined village confines. No evidence of this type has been provided by the appellant.
11. Notwithstanding this, the appellant asserts that the development would meet a local need based on the dwelling being a self-build property. The appellant states that he is on the Council's self-build register and no alternative sites have been identified. This has not been disputed by the Council. There is also little evidence before me relating to the need for self-build units or the availability of serviced plots to meet it.
12. However, there is no mechanism before me to ensure the development would be implemented in a manner that accords with the legal definition of self-build and custom housebuilding in the Self-Build and Custom Housebuilding Act 2015

(as amended). I do not consider this could be addressed through the imposition of a planning condition. Whatever the intentions of the appellant, without such a mechanism in place, I am not able to give any weight to this factor. On balance, I do not consider that a local need, as required by emerging Policy RA3, has been identified. This policy therefore offers no particular support for the development.

13. The development would not meet any of the criteria or exceptions set out in WNCs Policy R1, DDLP Policy HS24 or emerging SCLP Policy RA6 for allowing development in the open countryside. The development would therefore appear as a visually isolated dwelling in the open countryside. It would be poorly related to the main built form of Dodford and other nearby dwellings. Although design and layout are reserved matters, any dwelling in this location, along with the inevitable associated domestic paraphernalia, would appear as an incongruous encroachment into the countryside. Accordingly, the development would conflict with WNCs Policy R1, DDLP policies H22, H24, GN1 and GN2 and emerging SCLP policies RA3 and RA6. These seek, amongst other things, to control development in the open countryside and ensure it is in keeping with the locality.
14. The Council's decision notice refers to DDLP Policy EN1. This relates to 'Special Landscape Areas'. There is no indication that the site falls into one of these. As such, there is no evidence of conflict with this particular policy.

Other Matters

15. Section 38(6) of the Planning and Compulsory Purchase Act (2004) states that planning decisions must be made in accordance with the Development Plan unless material considerations indicate otherwise.
16. The development would provide an additional dwelling to the housing land supply. There is no evidence to suggest the Council does not have an adequate supply of housing land. The social and economic benefits associated with one additional dwelling therefore carry only limited weight. As noted above, I have had regard to the issue of self-build. I acknowledge the desire of the appellant to build their own home on their land. However, without any way of ensuring this would be the case, I can give only limited weight to this factor.
17. The appellant has drawn my attention to recent permissions in the vicinity of the site which he suggests set a precedent. The Council has indicated that these involve the reuse of existing buildings. I do not have the full details of these permissions. However, the reuse of buildings in the open countryside would not necessarily be contrary to policy in principle. I therefore see no reason why these permissions should alter my conclusions on the extent of the confines of the village or help justify this proposal.
18. The Council did not object to the development on the grounds of highway safety. I have seen nothing to suggest that I should come to a different conclusion. Nevertheless, a lack of harm in this respect is neutral and weighs neither for nor against the development. This does not outweigh the conflict with policy identified above. I have noted the appellant's comments in relation to factors that could be addressed at reserved matters stage. Nevertheless, this does not alter my conclusion that the development would be in conflict with adopted and emerging policies on the location of housing. This could not be resolved through reserved matters.

19. The appellant has raised concerns at the handling of the application by the Council, particularly in relation to pre-application discussions that had taken place with the case officer and that the decision was made using delegated authority. These are matters between the Council and the appellant and are outside the scope of this appeal. Similarly, concerns raised in relation to the comments of the Parish Council have been noted. I have considered the appeal on its own merits having regard to the evidence provided and my own observations of the area.
20. Taking all relevant matters into account, there are no material considerations that would justify making a decision other than in accordance with the Development Plan in this case.

Conclusion

21. For the reasons given above I conclude that the appeal should be dismissed.

S J Lee

INSPECTOR