



Appeal Decision

Site visit made on 20 July 2020

by M Chalk BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 4 August 2020

Appeal Ref: APP/G2815/W/20/3247435

Land to the rear of the Exeter Arms, Stamford Road, Easton-on-the-Hill, Northamptonshire

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant permission in principle.
 - The appeal is made by Ms S Oliver (Stamford Country Inns) against the decision of East Northamptonshire District Council.
 - The application Ref 19/01345/PIP, dated 19 July 2019, was refused by notice dated 5 September 2019.
 - The development proposed is described as “residential development”.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The appeal proposal seeks Permission in Principle and is at the first stage where the scope of permission is limited to location, land use and amount of development. I have considered the appeal on that basis, and taken into account that between 5 and 9 dwellings are proposed.
3. Both main parties have made submissions regarding the emerging Local Plan. However, I do not have any evidence before me to show how close this is to adoption. Accordingly, I have given its policies limited weight in determining this appeal.

Main Issue

4. The main issue is whether the principle of the proposed development is acceptable in this location with specific regard to:
 - whether the appeal site is a suitable location for new development, having regard to the relationship of the appeal site to the village,
 - whether the appeal site can accommodate a residential development of the scale proposed,
 - whether the appeal site is suitable for its safeguarded use as employment land,
 - its effect on the character and appearance of the surrounding area; and,
 - the effect on highway safety.

Reasons

Location

5. The appeal site lies on the edge of the settlement. Policy 11 of the North Northamptonshire Joint Core Strategy 2011-2031 Adopted July 2016 (the JCS) and Policy 2 of the Rural North, Oundle and Thrapston Plan July 2011 (the RNOTP) collectively require, amongst other things, that new residential development be satisfactorily integrated into the settlement.
6. The Council has stated that the appeal site lies outside the linear settlement boundary identified in the RNOTP. I have not been provided with any document showing the extent of this boundary. However, I saw during my visit that the appeal site lies to the rear of the Exeter Arms public house and adjacent to commercial buildings. The A43 was busy during my site visit and I have no reason to think that this was an unusually high amount of traffic.
7. I consider that the appeal site would have a limited relationship with the wider settlement given the separation imposed by its backland siting and the functional barrier of the A43, which I consider would discourage foot traffic. There is no pedestrian crossing near the site, and no pavement along the same side of the road as the appeal site. The local highway authority have sought additional measures to address safety concerns, including a pedestrian crossing, should permission be granted. However, I do not have full details of these before me, including where any crossing could be located given the absence of a paved footway on the same side of the road in the vicinity of the appeal site. It is not clear whether the measures sought would link the appeal site into the wider settlement.
8. I do not consider that a residential development on this site could be satisfactorily integrated into the settlement. I therefore find that the appeal site would not be a suitable location for new development, having regard to its relationship to the village. The appeal proposal would conflict with the requirements of Policy 11 of the JCS and Policy 2 of the RNOTP.

Scale of Development

9. The appeal site's nearest neighbouring uses are commercial buildings, with the building occupied by Sharman's of Stamford directly adjacent to one boundary of the site. No proposed site layout has been provided at this stage, but these commercial buildings are large structures that would be prominent features when viewed from the houses and any gardens provided.
10. While national guidance states that dwellings per hectare can be used as a measure of density to help make effective use of land, it is not the only means for doing so. Consideration must be given to whether the site would provide acceptable living conditions for residents. Given the potential for the neighbouring commercial buildings and uses to cause harm to the living conditions of future residents, I am not convinced that even a development at the lower end of the scale at 5 dwellings could be arranged on the site in such a way as to prevent harm to the living conditions of future occupiers.
11. While the Exeter Arms and approved wedding and conference venue provide overnight accommodation, this is principally for visitors rather than permanent accommodation. I consider that permanent residents of a property can reasonably expect a higher standard of living conditions than would be

provided in visitor accommodation. In addition, I do not have any details of the accommodation in the wedding and conference venue before me, while the public house is further from the commercial buildings than the houses would be. Accordingly, I only give these approved and existing uses limited weight in determining this appeal.

12. I therefore find that it has not been demonstrated that the appeal site can accommodate a residential development of the scale proposed. The development proposed therefore conflicts with Policy 8 of the JCS, which amongst other things requires that development protect amenity by not resulting in an unacceptable impact on the amenities of future occupiers.

Employment Use

13. Policy 22 of the JCS states, amongst other things, that existing and committed employment sites will be safeguarded unless it can be demonstrated that there is no reasonable prospect of the site being used for that purpose. The appeal site is not presently allocated for employment use in the JCS or RNOTP. While it is proposed for allocation in the emerging Local Plan, I cannot attach significant weight to this as set out above.
14. The appeal site is greenfield land, but has an extant planning permission for a conference and wedding venue. There was no indication that work had commenced on implementing this permission on site at the time of my site visit, and the permission in any case is in outline.
15. I have reviewed the marketing evidence provided in support of this appeal, and saw a sale board outside the site during my visit. I note that it has been marketed with the public house and as a separate unit. From the evidence before me there has been little interest in the approved use of the site in either configuration. Marketing has been ongoing for some time, but prospective operators have been deterred in part because the wedding and conference venue has not been built. While I have not been provided with details for the costs of construction, feedback from prospective operators indicates concerns around existing competition for conference business.
16. Having considered all the above issues I am satisfied that the appellant has demonstrated that there is no reasonable prospect of the site being used for its safeguarded use as employment land. Use of the site for an alternative purpose would therefore accord with JCS Policy 22.

Character and Appearance

17. The appeal site is separated from existing residential properties in the settlement with commercial properties on three sides. The modern commercial buildings are large, while the public house is an older building of a more modest scale.
18. There are houses on the opposite side of the A43, as well as a house on the other side of the neighbouring commercial buildings to the appeal site. While the modern commercial buildings are prominent within the immediate area, I do not consider that residential development would be wholly out of character with the prevailing built form.
19. The appeal proposal would lie to the rear of the public house, and would not be prominent within the street scene. Given the existing residential uses and public house nearby, further residential development would not be out of place.

20. I am therefore satisfied that the appeal proposal would not have an unacceptable effect on the character and appearance of the surrounding area. It would accord with JCS Policy 8, which amongst other things requires that development should respond to the site's immediate and wider context and local character.

Highway Safety

21. The highway authority have advised that a development of up to 5 houses can be accommodated on the development site without raising highway safety issues. A higher number of houses would require additional works within the public highway and on land outside the appeal site but, from the evidence before me, within the land shown within the blue line on the location plan, and which therefore is within the appellant's control.
22. Highways matters are a technical issue and not before me in the determination of this appeal. They fall to be considered at the technical details stage. I have not been presented with any evidence that highway safety matters could not be addressed, and therefore I am satisfied that the appeal proposal would not result in an unacceptable effect on highway safety. It would therefore accord with JCS Policy 8 which, amongst other things, states that developments that would prejudice highway safety will be resisted.

Other Matters

23. Both parties have made submissions regarding the Council's supply of housing land. The Council, in their appeal statement, have stated that they can demonstrate a five year supply of housing land based on their 2019 Annual Monitoring Report. The appellant has not challenged this conclusion. I am therefore satisfied that the Council can demonstrate a five year supply. The presumption in favour of sustainable development identified at Paragraph 11 of the National Planning Policy Framework is not therefore engaged.
24. The development proposed would provide support for the village's services and facilities, as well as those in neighbouring settlements, and I recognise that there would be a financial benefit from the construction of the development. The development proposed would also contribute to the Council's housing land supply. I recognise that the appeal proposal would therefore deliver benefits, but I do not consider that these would outweigh the harm that I have identified.
25. I note the references to JCS Policies 2 and 22 in the Council's first reason for refusal. Policy 2 relates to the historic environment, and I have not been directed to any specific historic environment concerns relating to this appeal. Policy 22 is concerned with delivering economic prosperity, and I have addressed this matter separately regarding the safeguarding of the site as employment land. I therefore consider that the policies I have identified are those most relevant to the issue of whether the appeal site is a suitable location for new development.

Conclusion

26. For the reasons set out above, the appeal fails.

M Chalk

INSPECTOR