The Planning Inspectorate

Appeal Decision

Hearing Held on 31 July 2020

Site visit made on 3 August 2020

by Andrew Smith BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 14 August 2020

Appeal Ref: APP/U2805/W/19/3238467
Land to the east of Little Lane, Stanion

- 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 Hughes on behalf of Mayfair Homes Limited against the decision of Corby Borough Council.
- The application Ref 18/00621/DPA, dated 10 September 2018, was refused by notice dated 5 April 2019.
- The development proposed is full planning application for the erection of 5 dwelling houses including associated infrastructure and landscaping.

Decision

1. The appeal is dismissed.

Procedural Matter

2. The Council confirmed at the hearing that the Stanion Neighbourhood Plan (the NP) is at any early emerging stage and I have seen or heard nothing to clearly indicate otherwise. Thus, the NP is at a stage that attracts limited weight and I shall determine the appeal on this basis.

Main Issues

3. The main issues are:

   - Whether or not the proposal would preserve or enhance the character or appearance of the Stanion Conservation Area (the CA); and
   - The effect of the proposal upon highway and pedestrian safety.

Reasons

Character or appearance of the CA

4. The significance of the CA as a designated heritage asset, is drawn, in part, from its typically linear form, which conforms to the village's medieval layout, and its range of attractively designed historic buildings. These tend to either address or sit in proximity to the village's earliest historic streets and include the prominent Grade I listed St Peter's Church (the church). This significance is further defined by the rural nature of much of the CA's wider surroundings and the often well planted nature of its approaches.

5. The appeal site, which abuts Little Lane (the Lane), is comprised of an undeveloped area of land situated at the northern end of both the village and the CA. Stone boundary walling is in place to much of the site's perimeter and bisects the site on an east-west axis. It is intended that its southern L-shaped side be kept clear of development, whilst its northern extent would accommodate the proposed dwellings. The site sits between the Lane, which is addressed to its western side by a series of predominantly stone-constructed cottages, and a recent housing development to the east (The Paddocks). To the site's northern side, a heavily planted corridor contains the A6116.

6. The rationale behind retaining the site's southern side clear of development is, as set out in the appellant's submitted evidence and explained at the hearing, linked to its historic connection to Manor Farmhouse (the farmhouse), a Grade II listed building. The L-shaped area forms part of a series of enclosures/paddocks that are set out to the rear of the farmhouse. Historic mapping illustrates that the field boundary that bisects the appeal site is historic such that the northern side of the site would have once formed part of a large field/enclosure with no immediate connection to the farmhouse.

7. The lands to the rear of the farmhouse are referred to at points within the Stanion Conservation Area Appraisal (the SCAA). Indeed, a large green paddock spilling over the wall into the Lane is referenced at paragraph 5.4.39, where it is also stated that the field is now an important area of enclosed green space that acts as a buffer to the new housing development further to the east. Whilst these references relate to a single paddock/field and appear next to a photograph of the L-shaped portion of the site, it is not the case that the site's northern extent makes no contribution in this context. Indeed, it too is clothed in vegetation to its western side (alongside the Lane) and reads as a continuation of open green space adjacent to The Paddocks.

8. The buildings that address Little Lane's western side are typically made up of attractively detailed stone cottages that exhibit a range of period features. These include a terrace (Nos 15-21 Little Lane) (the terrace) that faces the appeal site. The open and undeveloped nature of the opposing land, although not identified as open land of particular significance under the terms of saved Policy P13(V) of the Corby Borough Local Plan (June 1997), provides a rural greenfield setting to the terrace, which in turn makes a positive contribution to the character and appearance of the CA. Whilst the proposed dwellings would not be positioned so as to block publicly available views of the terrace, their proximity would alter the way in which the terrace and the northern part of the Lane would be experienced. Indeed, the valuable breathing space that now exists between Little Lane and The Paddocks, would be eroded.

9. The corridor that contains the A6116 and that is situated to the north of the site is a modern addition that does not reflect the historic context and evolution of the village. Nevertheless, it is a heavily vegetated corridor that sits before the Cowthick Plantation. The impressiveness of this mature woodland backdrop is noted at paragraph 5.1.1 of the SCAA, where it is also stated, at paragraph 5.1.7, that trees and fields outside of the village reinforce its rural character. The present wooded backdrop, when considering its height and extent, would still be appreciable post-development. However, the openness and ruralness of views across the site from various vantage points upon the Lane would, to a not insignificant extent, be diminished as a result of the proposal.

10. The proposal, when viewed from the important viewpoints that are depicted upon the CA map, would be anticipated to have a limited influence. Indeed, available views of the church would not be impacted upon to any material extent and the proposal has been carefully designed/laid out to guard against views of the development materialising from the Lane's entry point from Corby Road due to existing screening that would be, for the most part, retained. I also see merit in the approach taken to arranging the proposed buildings to resemble a small loose-knit farmstead. Indeed, the scale, proportions and detailing of the proposed dwellings would be respectful of their local context.

11. However, for the above reasons, the loss of green space to development at this edge-of-village location would have an unacceptable urbanising influence and lead to less than substantial harm being caused to the significance of the CA. As set out in the National Planning Policy Framework (February 2019) (the Framework), any less than substantial harm should be weighed against the public benefits of the proposal. A balanced judgement is required when weighing the merits of a scheme, having regard to the extent of loss of significance caused.

12. The proposal would deliver five additional housing units and the Framework reaffirms the Government's objectives of significantly boosting the supply of homes and promoting an effective use of land. Indeed, it is the case that small-scale infill development within a village is proposed, which would strengthen North Northamptonshire's network of settlements in accordance with Policy 11 of the North Northamptonshire Joint Core Strategy (July 2016) (the NNJCS).

13. To assist in gauging the weight to be afforded to the benefit of new housing, I shall give some consideration to the housing land supply position locally. I have been provided with an August 2019 appeal decision[1] relating to a site elsewhere in the Borough where the Inspector found the level of supply to be at somewhere between 4.6 and 4.8 years. A November 2019 assessment of the Borough's housing land supply position was brought to my attention at the hearing, which I understand indicates the existence of around a 6 year supply of deliverable sites. I have not been made aware of any independent scrutiny applied to the November 2019 assessment. Nevertheless, when factoring in the extent of supply identified through the August 2019 appeal decision, I am satisfied that, in any event, a significant supply shortfall does not exist across the Borough.

14. A Housing Needs Survey of Stanion (December 2017) (the HNSS) indicates that over the 5 years following its publication there is a need for up to 13 market homes for local people. This finding reflects a consolidated predicted housing need for both Stanion and the neighbouring parish/settlement of Little Stanion. Other housing schemes have been granted planning permission in recent times, including 11 units at Willow Lane, Stanion. Whilst it is my understanding that the Willow Lane scheme centres upon the delivery of bungalows, and thus a different housing product to that under consideration here, it has not been clearly demonstrated that the appeal proposal would meet a specific outstanding local housing need as identified in the HNSS.

15. For the above reasons, even when noting the scheme's infill nature and the site's village location, I afford moderate weight to the benefit of delivering five

[1] APP/U2805/W/18/3218880

additional houses. The proposal would also create jobs during its construction phase and support local facilities and services once occupied. However, given the limited scale of the proposal, these benefits attract limited weight. Similarly, any potential ecological benefits brought about by new planting/biodiversity enhancements would attract limited weight given the site's relatively small size.

16. As indicated in the Framework, when considering the impact of a proposal upon the significance of designated heritage assets, great weight should be given to the asset's conservation. This is irrespective of whether any identified harm to its significance is at a substantial or less than substantial level. The scheme's benefits attract moderate weight in cumulative terms and would not outweigh the less than substantial harm that I have identified in this case.

17. For the above reasons, the proposal would fail to preserve or enhance the character or appearance of the CA in conflict with Policy 2 of the NNJCS and with the Framework in so far as these policies require that proposals should conserve and, where possible, enhance the heritage significance and setting of an asset or group of heritage assets in a manner commensurate to its significance.

Highway and pedestrian safety

18. The Lane is of single-lane width and is not served by footway to either of its sides where verges tend to be narrow. It is an adopted highway and is only accessible to vehicular traffic via Corby Road at its northern end. The Lane currently provides vehicular access to ten residential properties that are typically located to the south of where accesses to the appeal site would be provided. Whilst generally of more or less straight alignment, the Lane contains a sharp bend that is situated between the site and Corby Road.

19. There was some discussion at the hearing about the relevance of adoptable standards for new roads. Indeed, the Highway Authority, in written correspondence, has referred specifically to a 5.5m road width standard when accommodating multiple dwellings. Whilst this represents a modern standard and provides relevant context, it must be acknowledged that the Lane is already an adopted highway. A wider assessment of the scheme's effect upon highway and pedestrian safety, factoring in site-specific circumstances and the supporting evidence provided by the appellant, is thus merited.

20. As set out in the appellant's submitted evidence, a speed survey, an automatic traffic count and a manual traffic/pedestrian count were undertaken in February 2018. The speed survey results indicate that, notwithstanding the 30mph speed limit that applies on the Lane, most vehicles tend to travel at or below 15mph. This is consistent with my own observations during inspection. Indeed, as Little Lane operates as a shared surface, I see some merit in the appellant's arguments that motorists will tend to drive more cautiously and that future occupiers of the proposed development would, as time goes by, become increasingly aware of the local highway environment.

21. The automatic traffic counts took place over four different days and captured all types of vehicle movement. A maximum of 70 individual trips were recorded across any single 24-hour period and no obviously observable peak hours for trips were indicated by the results. On the basis that a 50% increase in dwellings with vehicular access on to the Lane is proposed, it has been

calculated by the appellant that a total of 35 additional daily individual trips via the Lane would realistically be anticipated to be generated by the proposal.

22. With respect to existing/predicted vehicular trips, the effect of the Covid 19 pandemic was raised as a consideration by the Council at the hearing. The potential for an increase in delivery movements was suggested. However, no evidence has been produced to clearly demonstrate this point. Furthermore, it is not unreasonable to anticipate that a raised likelihood for homeworking could remove the need for some trips. Having inspected the site myself and observed the regularity of vehicle movements, I have no reason to doubt the legitimacy of the appellant's vehicular trip counts and calculations.

23. Notwithstanding the fairly limited number of additional daily trips that would be expected to be generated by the proposal, it is still the case that an intensification in the way in which the northern part of the Lane would be used would result from the proposal. The anticipated additional trip numbers would not be so low to avoid a materially increased likelihood of vehicles simultaneously seeking to travel in opposite directions along the northern section of the Lane. Consistent with the appellant's submitted highways evidence, such instances would only realistically occur on an occasional/irregular basis. This nevertheless still raises safety concerns.

24. Indeed, the single-lane route between Corby Road and the site does not provide formal opportunities for passing. In such instances of vehicles seeking to travel in opposite directions, motorists would likely be presented with challenging and potentially dangerous manoeuvres in order to give way. This situation would not be assisted by the heavily vegetated and bended nature of the Lane's northern section and the potential consequence of vehicles being forced to reverse out on to Corby Road. Furthermore, the proposed site access points, which have been referred to by the appellant as informal passing places, would be of limited width and of restricted usability for passing purposes. This finding most clearly applies to the northernmost proposed access point, which has been designed to provide access to a single plot.

25. The appellant's pedestrian count was undertaken manually on a single day and across a restricted range of morning and afternoon hours intended to correspond with peak periods. Whilst the results indicate that the number of pedestrians using the Lane is low, limited survey data has been obtained. Several interested parties have referred to the recreational value offered by Little Lane and have indicated that it is in fact a well-used route. During my inspection I observed multiple pedestrians using the Lane, including for the purpose of dog walking. It is thus likely that the surveyed extent of existing pedestrian movements along the Lane underplays, at least to some degree, the actual day-to-day situation.

26. The potentiality for the Lane to be used by pedestrians is an important factor in this case. This is particularly due to the absence of a footpath and the narrow nature of both the Lane itself and its verges. Indeed, the Lane's makeup is not conducive to providing a safe and successful shared surface arrangement. It is the case that pedestrians, when encountering passing traffic at the Lane's northern section, would likely be forced to exit the shared surface altogether in order to avoid conflict, which was my own experience during inspection. This raises safety implications, most particularly because of the observed makeup of the Lane's verges and their limited capacity to provide refuge for pedestrians.

27. As acknowledged above, vehicular traffic on the Lane tends to be slow-moving and motorists can realistically be expected to drive cautiously along it. I am also unaware of any reported accidents or collisions upon the route and am satisfied that ample on-site car parking is proposed. However, these factors do not, to my mind, robustly demonstrate that the proposal would be acceptable in highway or pedestrian safety terms. In accordance with my reasoning as set out above, the Lane is not suitably equipped/laid out to safely accommodate the additional traffic and pedestrian movements that would realistically be anticipated to be generated by the scheme.

28. Whilst a severe impact upon the road network would not be anticipated, the proposal would prejudice highway and pedestrian safety and thus cause harm. The proposal conflicts with Policy 8 of the NNJCS and with the Framework in so far as these policies indicate that development should only be prevented on highways grounds if there would be an unacceptable impact on highway safety.

Other Matters

29. Contained within the CA are various listed buildings, including the church and the farmhouse. It is my statutory duty to have special regard to the desirability of preserving these buildings, their settings and any features of special architectural or historic interest. As set out above, the proposal has been designed so as to guard against an effect upon publicly available views of the church and so as to avoid the development of land with a direct historical connection to the farmhouse. It is also the case that a suitable degree of separation to other listed assets in the area would be achieved (including Nos 5 and 7 Little Lane) so as to preserve their settings. I am thus satisfied that the proposal would not cause harm to the heritage significance of any listed building. For the avoidance of doubt, this does not alter my findings with respect to the first main issue in this appeal.

30. I have noted objections/concerns raised by interested parties with respect to matters including the construction phase of development, the effect upon neighbouring living conditions and the effect upon an existing protected Huntingdon Elm tree. However, as I have found the proposal to be unacceptable for other reasons, it is not necessary for me to explore these matters any further here.

31. As set out within my reasoning above, the proposal would provide various benefits that would include the delivery of five new dwellings that would strengthen North Northamptonshire's network of settlements. However, the scheme's benefits, when considered in cumulative terms, attract moderate weight and do not outweigh the harms and associated policy conflicts that I have identified.

32. The proposal conflicts with the development plan when read as a whole, and material considerations do not lead me to a decision otherwise.

Conclusion

33. For the reasons set out above, the appeal is dismissed.

Andrew Smith

INSPECTOR

APPEARANCES

FOR THE APPELLANT

Sam Silcocks	Director, Harris Lamb
Paul White	Head of Heritage, ECUS Ltd
Ian McGrane	Director, JPP Consulting Limited

FOR THE LOCAL PLANNING AUTHORITY

Edward Oteng	Planning Manager

INTERESTED PERSONS

Adriano Cattini	Local resident
Mark O'Sullivan	Local resident