
Appeal Decision

Site visit made on 5 August 2022

by Gary Deane BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 25 August 2022

Appeal Ref: APP/W2845/W/22/3292729
Shangri-La, Barlow Lane, Moulton NN3 7SZ

- 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 J Strudwick against the decision of West Northamptonshire Council.
 - The application Ref WND/2021/0061, dated 8 April 2021, was refused by notice dated 22 November 2021.
 - The development proposed is described as residential development including demolition of existing dwelling.
-

Decision

1. The appeal is dismissed.

Procedural matters

2. The application was submitted in outline form with all matters reserved for subsequent approval. I have assessed the proposal on that basis.
3. The description of development given in the above heading is taken from the application form lodged with the Council, which is repeated on the decision notice. However, the proposal was amended before it was determined to omit demolition of the existing dwelling called Shangri-La. The Council considered the proposal on that basis and so shall I.

Main issue

4. The main issue is whether the site is a suitable location for the development proposed having regard to its location outside the village confines of Moulton.

Reasons

5. The site is a parcel of largely undeveloped, partly overgrown land with some buildings and areas mainly used for the storage of materials, vehicles and scrap. It lies just outside the defined village confines of Moulton and is, therefore, within the open countryside. Within such areas, an overall policy of restraint applies with new development allowed only in certain circumstances. From the submitted evidence, none of the circumstances listed under Policies RA1 (Part B) or RA6 of the Council's Settlements and Countryside Local Plan (Part 2) for Daventry District 2011-2029 (LP) would apply in this instance.
6. Policy R1 of the West Northamptonshire Joint Core Strategy Local Plan (Part 1) (JCS) sets out a spatial strategy for the rural areas. It notes that residential development will be required, amongst other things, to be within the existing

confines of the village. It does, however, add that development outside the existing confines will be permitted where it involves the re-use of buildings or, in exceptional circumstances, it enhances or maintains the vitality of rural communities or contributes towards and improve the local economy. From the submitted evidence, I am not convinced that the proposal would meet any of these particular circumstances.

7. There is nothing before me to indicate whether the housing requirement for the rural areas has been met, one way or other. If it has, JCS Policy R1 notes that further housing development will only be permitted where it can be demonstrated that it would result in environmental improvements on a site. Even if that were to be the case, JCS Policy R1 also requires that the development is informed by an effective community involvement exercise before the application submission. The appellant concedes that exercise was not been carried out given the objections raised to the proposal by the Parish Council. None of the other criteria in JCS Policy R1 would apply in this case.
8. From what I saw, the site abuts a well-used car park on one side and there is existing housing along the eastern side of Northampton Lane North as well Shangri-La just beyond one corner. Nevertheless, the appellant's contention that the site relates to the village and that the land beyond it is contained by existing development in all directions is, to my mind, overstated. The site abuts open fields on two sides. On a third side, the land is designated as existing local green space in the Moulton Neighbourhood Development Plan (MNDP). Part of the adjacent car park similarly falls outside the village confines. On the fourth side, and while clearly legible as built form in the landscape, the properties along Northampton Lane North and Shangri-La have a modest presence in the context of the site and the surrounding views of it.
9. Despite the vegetation and a wall that marks some of the site's boundaries, there is a strong degree of visual inter-connectivity between the site and the largely open and rural landscape that almost surrounds it on three sides. In that context, the proposal would obtrude into this mainly open and largely undeveloped area, palpably extending the built form of the village into the countryside. Its character would be transformed from an area of open and mostly undeveloped land that currently blends into the open rural landscape to one occupied by new built form where people would live and visit.
10. The obtrusion would be most acutely felt in views from the adjacent car park and the upper rear windows of dwellings along Northampton Lane North that back onto the site. From these vantage points, the strong sense of urbanisation and encroachment into the countryside would be evident because the new built form would appear to be detached from the main village. Having carefully viewed the site and its immediate surroundings, I have little doubt that the proposal would be a visually disruptive and an unwelcome addition to the countryside. It therefore conflicts with LP Policies RA1 (Part C) and RA6, as well as JCS Policy R1, which aim to protect the form and character of the village, the open countryside and the quality of the landscape.
11. The appellant places some reliance on the historic use of the site as a scrap yard and premises for which a licence is in place. The materials stored across parts of the site detract from its appearance, as the appellant's photographs clearly show. The unkempt nature of most of the land and the dilapidated buildings towards the northern boundary also reinforce that impression. If neglected or left unused, the condition and appearance of the land and

buildings could deteriorate even further. As the site is just outside the Moulton Conservation Area (CA), these are important matters given that the site forms part of the setting to a designated heritage asset.

12. Even so, with their modest scale and low rooflines, the buildings on site have a generally insubstantial built form and a low-key presence in the landscape. Similarly, the hard surface areas are generally unobtrusive within the partly overgrown land. Dense vegetation and a stone wall also shield views towards the site from the adjacent CA to a large extent. The removal of the buildings on the site and scrap materials is clearly desirable. It would lead to some environmental improvement. However, it is not sufficiently pressing to outweigh the harm resulting from an incursion into the countryside, as proposed. Furthermore, there is nothing before me to indicate that this improvement could only be achieved through the development proposed.
13. The appearance, scale, layout and landscaping of the appeal scheme including the design of the dwelling(s) could, to some extent, mitigate the visual impact of the proposed development. These are matters reserved for subsequent approval. However, it is highly likely that the new built form would still be clearly visible from the adjacent car park, nearby dwellings and the open fields to the east and south notwithstanding detailed design considerations.
14. On the main issue, I conclude that the site is unsuitable for the development proposed. Of the policies cited by the Council that are most relevant to this issue, it conflicts with JCS Policies SA, S1, S2 and R1, LP Policies RA1, RA6 and ENV1 and MNDP Policy H1. Taken together, these policies presume in favour of sustainable development and seek to direct new development to the urban areas and within rural settlements to, amongst other things, safeguard the built environment and protect the countryside and the quality of the landscape.
15. In assessing the suitability of sites, JCS Policy S1 prioritises making best use of previously developed land (PDL) in urban and other sustainable locations. Given my findings set out above, the site would neither fall within an urban area nor a sustainable location even if it were to be regarded as PDL.
16. I acknowledge that Moulton has been the recipient of growth in recent years and that new development has taken place further to the south of the site. A large urban expansion is also underway in the local area. I also note that the application submission followed an email from the Council indicating that the site had potential for housing because it would lead to an environmental improvement. No objection is raised to the proposed access from Barlow Lane. However, these matters do not outweigh the harm that I have identified.
17. Moulton Parish Council raises several additional concerns including the effect of the proposal on drainage, highway safety, ecology, light and privacy. These are important matters and I have considered all the evidence before me. However, given my findings on the main issue, these are not matters upon which my decision has turned.

Conclusion

18. For the reasons set out above, I conclude that the appeal should be dismissed.

Gary Deane

INSPECTOR