

Appeal Decision

Site visit made on 10 September 2024

by E Catcheside BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15th October 2024

Appeal Ref: APP/W2845/W/24/3341778

Land at Church Street, Naseby NN6 6DW

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a failure to give notice within the prescribed period of a decision on an application for planning permission.
 - The appeal is made by Dr and Mr Lorimer against West Northamptonshire Council.
 - The application Ref is 2023/8008/FULL.
 - The development proposed is demolition of stable building and erection of a single dwelling including access from Church Street, associated hardstanding and detached garage.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The appeal was submitted on the basis of the failure of the Council to determine the planning application within the prescribed period. The Council has stated that, had it determined the application, it would have refused planning permission. The main issues I have identified are based on the evidence before me, including the views of interested parties.
3. The Council has commenced the preparation of a new local plan for West Northamptonshire. The emerging plan is at an early stage of preparation, which limits the weight that can be afforded to it. Consequently, I have considered the appeal against the policies in the statutory development plan.
4. On 30 July 2024, the Government published a consultation on “proposed reforms to the NPPF and other changes to the planning system” and the “National Planning Policy Framework: draft text for consultation”. A Written Ministerial Statement (WMS) entitled “Building the homes we need” was also published. Whilst a direction of travel has been outlined within the WMS, the changes to the National Planning Policy Framework (the Framework) can only carry limited weight at this stage because the document has not been finalised. The proposed reforms are not pertinent to the main issues in this appeal therefore I have not invited further comments from the parties.

Main Issues

5. The main issues are:

- the effect of the proposal on the character and appearance of the area; and
- whether the site is a suitable location for the development, having regard to the spatial strategy set out in the development plan.

Reasons

Character and appearance

6. The appeal site lies adjacent to the Royal Oak public house, which marks the current extent of the village on the northern side of Church Street. It is laid to grass with landscaped borders and abuts agricultural land to the rear. Opposite the site, the village extends southwards along Nutcote, which generally comprises two storey dwellings and bungalows.
7. The land slopes gently downwards along Nutcote towards Church Street, before rising again across the appeal site and the land beyond. The topography allows for views of the site and surrounding farmland to be gained over roadside hedging from nearby roads and properties. Due to the absence of large buildings, the site provides a soft, green edge to the settlement, which contributes positively to the landscape character. Along with other land on the outskirts of Naseby, the site is identified as Important Open Land (IOL) in the Naseby Village Design Statement (May 2008) (VDS).
8. In support of the appeal, I have been provided with a Landscape and Visual Impact Assessment (LVIA) which concludes that the effects of the development on the landscape would be negligible in the longer term. However, the dwelling, driveway, garage, and associated domestic paraphernalia would elongate the length of built form at this end of the village, encroaching onto undeveloped land. Moreover, whilst the dwelling would be graded into the slope such that it would sit beneath the ridgeline of Oakworth House and other large properties on higher ground, it would nonetheless add substantial bulk and mass to a site which is largely devoid of buildings. I acknowledge that there are other buildings within the IOL. However, given the overall footprint of the proposed development, there would be an unduly urbanising effect on this green land parcel, and the proposal would cause harm to local landscape character.
9. The dwelling has been designed to reflect traditional buildings in the village, including through its height and materials, and it would not disturb the panoramic, special, or important views identified within the VDS. However, notwithstanding retained and supplemental landscaping, which could be secured through conditions, the LVIA acknowledges that the proposal would be visible in the longer term from both public and private viewpoints.
10. Indeed, the development would be unacceptably prominent in views from Nutcote due to the topography, as well as from Church Street, nearby dwellings, and the Royal Oak. Due to its size, siting and the sloping land profile, the development would partially block views that can currently be gained across the site towards farmland. It would therefore permanently and

harmfully disrupt the visual connection between the village and the surrounding landscape, to the detriment of local character.

11. I conclude that the proposal would cause harm to the character and appearance of the area. Therefore, in respect of this main issue, there would be conflict with Policies S10 and H1 of the West Northamptonshire Joint Core Strategy Local Plan (Part 1) (CS), Policy ENV10 of the Settlements and Countryside Local Plan (Part 2) for Daventry District 2011-2029 (LP), and the Framework. Collectively, these policies seek high quality design that is sympathetic to local character, and which protects, conserves and enhances the natural and built environment. There would also be conflict with Policy R1 of the CS and Policy RA2 of the LP which, taken together, expect development in rural areas to protect the form and character of the village.

Whether the site is suitable

12. The appeal site is located immediately adjacent to, but outside of, the defined boundary of Naseby. Policies R1 of the CS and RA2 of the LP seek to direct rural development to sites within the confines of existing settlements; and take a more restrictive approach to proposals outside of defined settlement boundaries other than in certain circumstances.
13. The proposal would result in some environmental improvements through biodiversity and landscape enhancements. However, it does not involve the re-use of an existing building, and there is no substantive evidence that the proposal has been informed by an effective community involvement exercise. Therefore, there would be conflict with Policy R1 of the CS insofar as it resists housing developments where the housing requirement for the rural areas has been met.
14. The development is advanced as a self-build dwelling, for which support is provided through Policy Ho14 of the Daventry District Council Housing Supplementary Planning Document (Adopted July 2017). The Council concedes that there is an identified need for custom or self-build housing in Naseby, which would be partially met by the appeal scheme. Moreover, I have not been directed to any other deliverable sites within the village confines where this need could be met. Consequently, the proposal is not precluded as a matter of principle by Policy RA2 of the LP, which is cross-referenced in Policy RA6 of the LP.
15. However, whilst I have been provided with a draft Unilateral Undertaking, which seeks to ensure the delivery of the proposal as a self-build dwelling, I have not been provided with a signed and completed legal document, or any other enforceable mechanism through which the ownership and occupation of the self-build property could be secured. Therefore, the delivery of a self-build home could not be guaranteed. For this reason, the proposal cannot rely on support from Policy RA2 of the LP.
16. Given its proximity to the village, future occupants of the proposal would undoubtedly utilise the services and facilities within Naseby, which could be reached on foot with ease. Therefore, the development would help to enhance and maintain the vitality of this rural community. In this respect, the location of the development garners some support from the Framework. However, the proposal would not meet an identified housing need in the

local area, and it would cause harm to local character. It would therefore conflict with the underlying objectives of the spatial strategy for the area.

17. Taking all of the above into account, whilst the proposal would support the vitality of the rural community in Naseby and surrounding villages, I conclude that the site is an unsuitable location for the proposed development, having regard to the spatial strategy set out in the development plan. It would be contrary to Policy R1 of the CS and Policies RA2 and RA6 of the LP insofar as they seek to restrict development outside of settlement boundaries other than in certain circumstances that are not met by the proposal. It follows that there would also be conflict with Policy SA of the CS, and the Framework, insofar as it supports sustainable development that accords with the development plan.
18. The Council has referenced paragraph 84 of the Framework in its suggested reason for refusal, which relates to isolated homes in the countryside. Given the proximity of the site to Naseby village, the dwelling would not be isolated and paragraph 84 of the Framework is not pertinent to my decision.

Other Matters

19. The appeal scheme has evolved following the Council's refusal of a previous iteration of the proposal for a larger dwelling on higher ground. However, it is necessary for me to consider the proposal on its own merits. Therefore, the planning history of the site is not determinative to my decision.
20. The proposal has some support from the local community, and I note that its size and shape could limit its suitability for farming. However, I am not convinced the appeal scheme is the least harmful way in which the site could be utilised. Therefore, this matter carries limited weight.

Planning Balance and Conclusion

21. The site is well-connected to Naseby and future residents could support the vitality of the community without the need to travel by private car. This benefit weighs in favour of the proposal. There could also be some environmental improvements through additional landscaping and biodiversity features. However, the contributions that would be made by this single dwelling proposal on the site would be modest. Consequently, these benefits carry limited weight. This would not be sufficient to outweigh the harm that would be caused to local character and the conflict with the spatial strategy.
22. The proposal conflicts with the development plan and the material considerations do not indicate that the appeal should be decided other than in accordance with it. Therefore, for the reasons given above the appeal should be dismissed.

E Catchside

INSPECTOR