

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: 16 October 2024

Appeal Ref: APP/W2845/W/24/3340848

**Paddock House, Barley Mow Farm, Evenley, Brackley, Northants
NN13 5SB**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant outline planning permission.
- The appeal is made by Mr Jon Williams against the decision of West Northamptonshire Council.
- The application Ref is 2023/6477/OUT.
- The development proposed is: *"A submission for outline permission for one of the properties of the previous application. It is for a high spec eco-friendly self-build property with low carbon build in creation and assembly, and ongoing useage. This includes being a net-generator of electricity".*

Decision

1. The appeal is dismissed.

Preliminary Matters

2. The description of the development refers to a previous planning application that was withdrawn prior to it being determined. The evidence also refers to subsequent discussions between the parties about proposals to bring forward 3 properties on the appeal site. However, the appeal scheme seeks permission for 1 detached dwelling. The Council determined the application on this basis, and I have taken the same approach with the appeal.
3. The proposal is for outline planning permission. The application form makes it clear that approval is sought at this stage for access, appearance, layout, and scale, with only landscaping matters reserved. The submitted plans and details include a site plan, foundation designs, elevations, sections and floor plans, as well as specifications for the standard of finish and windows for the proposed dwelling. I have had full regard to these plans and specifications in my consideration of the appeal.
4. The Council has commenced the preparation of a new Local Plan for West Northamptonshire, which was subject to public consultation from 8 April to 2 June 2024. 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.

5. 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

The main issues are:

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

Reasons

Whether the site is suitable

6. The site lies close to the existing residential properties at Barley Mow. However, the nearest defined settlements are Evenley and Croughton, both of which lie over 2km from the appeal site. Policy SS1 of the South Northamptonshire Part 2 Local Plan 2011-2029 (LP) states that all areas outside of defined settlement confines including hamlets and isolated groups of buildings are ‘open countryside’. Therefore, the site lies within the open countryside for the purposes of applying the spatial strategy set out in the development plan.
7. Taken together with Policy S1 of the West Northamptonshire Joint Core Strategy Local Plan (Part 1) (Adopted December 2014) (CS), Policy SS1 of the LP directs development towards larger towns and villages in accordance with a settlement hierarchy whilst taking a more restrictive approach to development in the open countryside. However, development outside of settlement confines is not precluded by the development plan where it would comply with housing policies, including Policies LH4 and LH5 of the LP, and Policy R1 of the CS.
8. The proposed dwelling is clearly intended to be exemplary by way of its sustainability credentials. The proposed mix of measures to maximise energy efficiency and support decarbonisation would be supported by Policies S10, S11, and H4 of the CS. However, the dwelling would have a simple form and appearance and I have not been directed to features of notable architectural interest. Whilst there are other dwellings in the local area that have a simple design, including in Brackley, I have not been referred to any specific examples in the open countryside that were advanced on the basis of their architectural merit. Overall, the development would not reflect the highest standards of architecture and it would not be of an exceptional quality or innovative design in the terms set out in Policy LH4 of the LP.

9. Furthermore, because the proposal would not reflect the highest standards of architecture, paragraph 84 of the Framework would not apply even if I were to conclude the proposal were for an isolated home in the countryside.
10. The Council concedes that the proposal could help to meet the demand for self-build properties in the area. However, given the distance to Croughton and Evenley, the site does not meet the locational criteria for single self-build dwellings in Policy LH5 of the LP. Furthermore, the evidence is not definitive as to who the first occupant of the property would be. Therefore, I cannot be certain that the first occupant has had primary input to the design of the dwelling. Consequently, I am not persuaded that the proposal would provide a genuine self-build property that accords with the requirements of the Self-build and Custom Housebuilding Act 2015 (as amended) (the Act) and Policy LH5 of the LP.
11. Moreover, even if the proposal would accord with the legal definition of self-build as set out in the Act, there is no enforceable mechanism before me through which matters relating to the ownership and occupation of the house could be secured, and this is not a matter that could be dealt with at the reserved matters stage. Therefore, the delivery of a self-build dwelling could not be guaranteed. It follows that the support for rural housing afforded by Policy LH5 of the LP does not apply.
12. The Framework states that housing should be located where it would enhance or maintain the vitality of rural communities, and this is reflected in the exceptional circumstances for rural housing in Policy R1 of the CS. The proposal would increase the population in the area and there would be an associated boost to local spending. However, the contribution that could be made to the vitality of rural communities would be limited by the modest scale of the proposal.
13. The B4031 Croughton Road is largely unlit and there is no footpath for pedestrians. Given the proximity to a major road junction, the speed of traffic, and the distance to the nearest settlements, it is unlikely that future occupants of the dwelling would choose to travel regularly on foot or by bike in order to access services and facilities. Moreover, whilst future occupants could work from home, this could not be enforced through the appeal. Indeed, many employment opportunities necessitate the need to travel.
14. There is some evidence of a demand responsive bus service in the area. However, I have not been provided with sufficient evidence to conclude it would provide a meaningful alternative to car travel. Consequently, in all reasonable likelihood, future occupants of the development would be heavily reliant on the private car to meet their daily needs.
15. The number of vehicle movements arising from a single dwelling would not be significant and the use of electric vehicles could reduce their environmental effects. However, the site's poor connectivity by sustainable travel modes nonetheless points to it being in a location where sustainable modes could not be prioritised, contrary to the provisions of the Framework.
16. Overall, notwithstanding the modest support that would be given to the vitality of rural communities and the associated provisions of Policy R1 of the CS and the Framework, I conclude the site is an unsuitable location for the

proposed development, having regard to the spatial strategy set out in the development plan. With respect to this main issue, there would be conflict with Policies S1 of the CS, and Policies SS1, LH1, LH4 and LH5 of the LP. Collectively, these policies seek to limit development in the open countryside other than in specific circumstances that are not met by the appeal scheme. It follows that there would also be conflict with Policy SA of the CS which supports planning applications that accord with policies in the local plan.

Character and appearance

17. The appeal site lies near to a tight-knit complex of buildings at Barley Mow Farm. It comprises a grassed paddock that is bordered by fencing and well-established hedgerows. The B4031 Croughton Road is aligned with the southern boundary of the site. Although the site is near to a major road junction, the land around it predominantly comprises agricultural fields, which can be observed in open views from the appeal site and the surrounding area. Therefore, the locality has a rural character.
18. The proposed dwelling would be located at the eastern edge of the paddock, which is closest to Barley Mow. However, it would be physically separated from the existing buildings by a lane, hedgerow, and intervening land and therefore it would not be visually integrated with the existing cluster of buildings. Moreover, the site access would be located further to the west, elongating the built form across most of the width of the paddock. Consequently, whilst the proposed development would not encroach onto working arable farmland, it would nonetheless add significant built form to this undeveloped site, causing harmful deleterious effects to the open character of the countryside.
19. It is clearly the appellant's intention to deliver more than one dwelling on the site and the proposed site layout and vehicular access arrangements have been designed to allow for this eventuality. However, I cannot be certain as to the outcome of any future planning applications and there is no certainty that any other developments would be forthcoming. Therefore, the appellant's long-term aspirations for the site do not justify the harm that would be caused to the character of the area by the appeal scheme, including the disproportionate length of the proposed driveway.
20. The form of the proposed dwelling takes reference from the nearby barns. However, the Standard of Finish document states that the external walls would be rendered white, which appears to be reflected on the elevation plans. This would be at odds with the appearance of the stone buildings at Barley Mow, and other traditional rural buildings in the locality. It is nonetheless the appellant's intention to incorporate timber-cladding or similar materials to the exterior of the building, and this could be secured through condition if the appeal were to be allowed. However, the dwelling would nonetheless fail to integrate cohesively with the buildings at Barley Mow due to its siting and physical separation. It would therefore be a discordant feature in the landscape.
21. Views of the development from Croughton Road would be largely screened by the well-established hedgerow along the street frontage. However, due to its height and siting, the development would be observed over field gates from Barley Mow and when approaching the site from the east, as well as

from the surrounding landscape to the north and west. Given its lack of cohesion with the nearby buildings, the development would be unduly prominent in those views, and it would detract from the rural landscape character.

22. Overall, I conclude that the proposed development would cause harm to the character and appearance of the area. With respect to this main issue, there would be conflict with Policies LH4 and SS2 of the LP insofar as they seek to ensure development in rural areas is sensitive to the defining characteristics of the local area and is compatible to its surroundings. There would also be conflict with the Framework insofar as it expects planning decisions to recognise the intrinsic character and beauty of the countryside.
23. Policy LH1 of the LP sets out the criteria for development outside of settlement confines, which I have considered above. Therefore, I do not find Policy LH1 to be determinative to my conclusions on this main issue.

Other Matters

24. No harm has been identified in respect of the standard of accommodation or the living conditions of neighbours. Moreover, the Council has not referred to flooding or highway safety issues in its reasons for refusal. Based on the information before me, I have no reason to take a different view on these matters. The absence of harm weighs neither for nor against the proposal.
25. The appeal scheme has evolved following the Council's feedback on previous iterations of the development. However, I have necessarily considered the appeal scheme on its own merits. Moreover, the lawful use of the land that lies between the appeal site and Paddock House is not a matter that has been determinative to the outcome of this appeal.

Conclusion

26. The proposal would be designed to minimise carbon emissions and to contribute towards climate change mitigation. There would also be some increased spending from new residents, which would support the vitality of rural communities. However, the contribution that would be made by a single dwelling would be modest and, therefore, these benefits carry moderate weight in support of the appeal.
27. I have found there would be harm caused to the character and appearance of the area; and the site would not accord with the spatial strategy set out in the development plan. The significant weight I afford to these matters outweighs the benefits of the scheme.
28. Consequently, the proposal conflicts with the development plan when read as a whole 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