
Appeal Decision

Site visit made on 21 September 2024

by J Somers BSocSci (Planning) MA (HEC) MRTPI IHBC

an Inspector appointed by the Secretary of State

Decision date: 9TH December 2024

Appeal Ref: APP/W2845/W/24/3341847

27 Brackendale Drive, Barby, West Northamptonshire CV23 8TJ

- 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 David French against the decision of West Northamptonshire Council.
 - The application reference is 2023/7809/OUT.
 - The development proposed is described as 'Application for Outline Planning Permission with all Matters Reserved, aside from Access, for the Redevelopment of the Existing Site for the Erection of 1 No. Self-Build Dwelling.'
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The application was made in outline, with access to be determined at this stage; and appearance, layout, scale and landscaping as reserved matters. However, an illustrative concept plan showing the footprint of a dwelling has also been provided to which the Council has had regard. I confirm that I have also dealt with the appeal on this basis.

Main issue

3. The main issue is whether the proposal would provide a suitable site for development, having regard to its location in conjunction with the Housing Strategy of the area, the character and appearance of the locality and the sustainability of the location.

Reasons

4. The appeal site consists of a parcel of land located to the rear of No27 Brackendale Drive. Brackendale Drive appears to have been constructed as a speculative development from the late twentieth century and is a circular crescent type road. The development around Brackendale Drive is very linear in character with single depth detached dwellings fronting the road edge with a small front garden and large rear gardens. There is an emphasis on visual gaps and spaces in and around dwellings, which adds a spacious feeling and quality to the area. Vegetation is also prevalent with boundary hedges in between properties and open front gardens. There are gaps between dwellings enabling views to the tops of trees in rear

gardens and open countryside further beyond. Dwellings that front the road have a mix of styles, with single and double storey construction, with concrete and clay tiled roof forms. These are some of the positive characteristics and qualities of the locality which reinforces its local character and distinctiveness.

5. The housing strategy for the area consists of the Settlements and Countryside Local Plan (Part 2) For Daventry District 2011-2029 (LP) where Policy RA6 seeks to recognise the intrinsic character, beauty and tranquillity of the countryside and seeks to support a number of uses and development within the open countryside such as re-use and conversion of existing buildings to ensure the continuing function of a rural business, replacement of an existing building of the same size, massing, and bulk that respects the character of its rural surroundings, and individual dwellings of exceptional quality or innovative design, amongst others. LP Policy SP1 is the spatial strategy for the area where development is directed to locations dependant upon their sustainable pattern of development, and that protects and enhances the existing built and natural environment, including the District's heritage assets. LP Policy RA2 identifies the appeal site nearby the Barby settlement which is designated as a 'Secondary Service Village' and contains a number of principles to assess the appropriateness of development, such as meeting identified local needs, and be of an appropriate scale, form and character, including areas of environmental and/or historic importance, amongst others. LP Policy ENV10 relates to design principles, where development should promote or reinforce local distinctiveness, ensure the site blends well with the site and with its surroundings; and responds to the wider landscape and open space, amongst others.
6. The appeal site is also part of the Blaby and Onley Neighbourhood Plan (NP) area where Policies BO-GP1, BO-D1, BO-D2 are design led policies that seek that new development has considerations around retaining and enhancing local character and identity, respecting local setting, settlement pattern and garden forms, and suitability of overall design and appearance amongst others. NP Policy BO-H2 concerns housing in the open countryside which restricts development of dwellings to replacement of existing dwellings, reuse of rural buildings or will maintain and enhance the vitality and viability of the rural community, amongst others.
7. The West Northamptonshire Joint Core Strategy (JCS) Policy R1 seeks that residential development in rural areas outside the confines of existing settlements be permitted in exceptional circumstances where it will enhance or maintain the vitality of rural communities, amongst others. JCS Policy S10 describes a number of sustainable development principles such as sustainable design, located where services and facilities can be easily accessed by walking, cycling or public transport, amongst others. JCS Policy H1 relates to housing mix and type of dwellings and seeks that new development makes efficient use of land taking into account the location and setting of the site, the existing character and density of the area, proximity to public transport routes, amongst others.
8. Paragraph 83 of the National Planning Policy Framework (the Framework) and relevant Case Law¹ shows that development in countryside locations can enhance or maintain the vitality of rural communities where they are suitably located, which may not only be associated with the closest settlement, but other settlements

¹ Braintree District Council v Secretary of State for Communities and Local Government, Greyread Limited & Granville Developments Limited [2017] EWHC 2743 (Admin); [2018] EWCA Civ 610
<https://www.gov.uk/planning-inspectorate>

- surrounding. Paragraph 70 of the Framework also supports the delivery of small sites which can deliver housing and is an additional consideration to this scheme.
9. The appeal site displays a number of positive characteristics which contribute to the local distinctiveness of the area, being experienced as part of the open countryside beyond the rear of development which fronts Brackendale Drive. Whilst there are existing barn buildings located to the rear which would be replaced, the character of these buildings are related to and expected within the agricultural experience of the open countryside rather than a residential dwelling. Unlike dwellings along Brackendale Drive, the proposed dwelling would be detached from surrounding development and to the rear so would not have a relationship with the street, which in this area is single depth housing fronting the carriageway with larger open gardens to the rear extending into the open countryside beyond. Much of the proposed development site would contain built form from the long driveway to the footprint of the dwelling which would have little space for characteristic large gardens and would not be in-keeping with the development surrounding where there is an emphasis on vegetation and spaces in and around the dwellings. Given the size of the proposed plot, the proposed dwelling would have a cramped experience and would not have the presence of a more organic infilling of the site. As a result the development in principle would have an awkward and quite cramped presence which would not reinforce the positive qualities or characteristics of the locality.
 10. I can appreciate comments from the Appellant's Statement of Case (SoC) that there are plans to create a similar scale building to the existing barn buildings, however a residential building is much different from an agricultural building with its residential use, paraphernalia, and lighting etc. The rear of the appeal site like others along Brackendale Drive is open and undeveloped in terms of residential development which represents a positive break in the built form of the settlement, and which reinforces the relationship between the settlement and the countryside beyond. The proposed development would have an awkward presence, the dwelling would not address the street or relate well to the dwellings surrounding, in terms of its positioning or context. Whilst I can appreciate that there is discussion in the SoC that the proposed dwelling would be of a low scale similar to the existing barns, this would be unsuccessful and creates an in-principle uncharacteristic scheme which does not reinforce the local character or distinctiveness of the area.
 11. The Appellant has submitted two planning decisions in order to demonstrate that the Council has previously applied similar considerations to dwellings outside the settlement. I disagree that both of these applications at Yelvertoft and East Farndon are 'identical' given that there is a clear relationship made between built form which has a much closer relationship between the new development and existing buildings. This is not the case with the appeal site where the dwelling is located on its own away from the inherent line of existing development. The appeal site is not experienced as an organic extension or infill of the settlement, but quite detached.
 12. I am also aware of a number of benefits of the proposal which relate to socio-economic factors such as making available a dwelling, economic benefits in terms of short term employment opportunities from the construction of the scheme and expenditure locally from future occupants; increasing the vitality and vibrancy of nearby settlements and the local community. I also note other benefits such as contributing to the supply of housing; the deliverability of small sites; the development of underused or under-utilised plots which improves the mix of housing

and the delivery of self-build accommodation. There are also environmental benefits discussed in the Statement of Case such as vehicle charge points and a willingness to reduce carbon footprint via reserved matters. These benefits weigh moderately in favour of the development.

13. The Appellant has also suggested that there is a fallback position in that the provisions of the General Permitted Development Order enable permitted development rights to extend the existing outbuildings beyond the scale of the proposed dwelling under this appeal. Whilst this may be the case, as explained previously the presence of an agricultural building would not be experienced within the countryside in the same way as a residential dwelling. As such I disagree that permitted development rights seeking extensions would alter the existing pattern of development as it would still not be a dwelling. As such I disagree that the extension of the existing building would be a material consideration that would result in this scheme being acceptable.
14. I am also aware of the housing situation where evidence indicates that there has been slow progress in constructing new dwellings in the area which can accommodate the Appellant's needs for a bungalow, whilst being part of the existing settlement. I acknowledge and appreciate the comments from the Appellant regarding their personal needs, their specific situation and justifications for the proposed dwelling which I have treated as a material consideration to this proposal. Having reviewed these personal circumstances, I feel that there may be other ways of accommodating the Appellant's needs which may be more compliant with the policies of the development plan. As such the personal circumstances of the Appellant in this case together with consideration of the housing delivery situation do not indicate that the decision should not be made in accordance with the policies of the development plan.
15. In conclusion of this matter it is clear to me that the proposal would unacceptably harm the character and appearance of the locality, and erode and encroach upon the open countryside character. The proposed scheme would therefore conflict with JCS Policies S10, H1 and R1; and LP Policies SP1, RA2, RA6 and ENV10. The proposal would also conflict with NP Policies BO-GP1, BO-D1, BO-D2 and BO-H2.

Conclusion

16. For the reasons given above, the appeal is dismissed.

J Somers

INSPECTOR