



Appeal Decision

Site visit made on 7 January 2025

by **C Harding BA (Hons) PGCert PGDip MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 28th March 2025

Appeal Ref: APP/M2840/W/24/3347310

Land off Dovecote Close, Yarwell, North Northamptonshire PE8 6PT

- 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 and Mrs Howell against the decision of North Northamptonshire Council.
 - The application Ref is NE/24/00289/OUT.
 - The development proposed is outline application with all matters reserved except access for the erection of no. 4 dwellings off Dovecote Close, Yarwell.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The application was made in outline form with all matters except for means of access reserved for subsequent approval. An indicative layout (REF P003 Rev B) was submitted with the application and I have taken this into account insofar as it relates to the means of access to the proposal and in establishing whether it would be possible, in principle, for the site to accommodate up to four dwellings.
3. A revised version of the National Planning Policy Framework ('the Framework') was published in December 2024, and I have afforded the main parties opportunity to comment upon the changes within it.

Main Issues

4. The main issues are:
 - whether the appeal site is a suitable location for residential development, and;
 - the effect of the proposal upon the character and appearance of the area.

Reasons

Location

5. The development strategy of the East Northamptonshire Local Plan Part 2 ('LPP2') identifies Yarwell as a small freestanding village. North Northamptonshire Joint Core Strategy 2011 – 2031 ('JCS') Policy 11 states that small scale infill development in rural areas will be permitted on suitable sites within villages where this would not materially harm the character of the settlement and residential amenity or exceed the capacity of local infrastructure or services. JCS Policy 29 also makes provision for small scale infill development but states that other housing development in excess of identified requirements will only be permitted where tested and supported through the LPP2 or neighbourhood plans.

6. LLP2 Policy EN 1 provides support for small-scale infill development within existing built-up areas, as defined through LPP2 Policy EN2 and its supporting text, or within a Neighbourhood Plan, that help to maintain and strengthen local services in freestanding villages.
7. LP2 Policy EN2 (ii) provides support for infill development within a built-up area where (a) the site is well-related to the principal built-form of the settlement and not protected for any other use; (b) is clearly distinct from the surrounding countryside, both physically and visually; and (c) is bounded by existing or committed development on at least two sides, which should be adjoined by a highway and located such that developing it would not extend the built form away from a highway to create a backland form of development.
8. The supporting text to this policy defines a built-up area as those settlements comprising a cluster of 20 or more residential buildings, including areas that have a closer relationship, in character and scale, to that cluster defining a settlement than that of the surrounding countryside.
9. The appeal site is currently part of a larger grassed field which extends to the south and forms part of a network of fields that together comprise the countryside surrounding the settlement. Although built development exists to the north and east, it backs onto the appeal site and has little functional relationship with it. A large recreation area is located to the west, but other than play equipment in its northeastern corner, this has an open character reflective of the wider countryside rather than the built-up area. Overall, the character of the appeal site is very much as part of the rural hinterland of the settlement, beyond the extent of built form, rather than being contained by built development. Therefore, the appeal site does not form part of the built-up area.
10. As a result, even if I were to agree that the appeal site is bounded on two sides by existing development, or that it would not constitute backland development, the proposal cannot form infill development for which LP2 Policy EN2 provides support in any event, and it is not necessary for me to consider the additional criteria of the policy in further detail.
11. LPP2 Policy EN3 states that new build residential development beyond the built-up area will not generally be supported. Support is provided by both LPP2 Policy EN3 and JCS Policy 13 for rural exception affordable housing schemes on the periphery of settlements, but there is no evidence before me to indicate that the proposal would comprise such a scheme.
12. I have had regard to the provided decision¹ of another Inspector. However, although the details of that case which are before me are limited, it is clear that the Inspector in that case found that the proposal would be clearly distinct from the surrounding countryside as it would not extend beyond existing boundary walls. This is not comparable to the proposal before me, which comprises the subdivision of a large open field. Accordingly, it would not be inconsistent of me to reach a different conclusion to that particular Inspector in this instance.
13. Therefore, the appeal site would not represent a suitable location for new housing and the proposal would be contrary to the spatial strategy which I have set out

¹ APP/M2840/W/23/3329336

above, and in doing so would conflict with LPP2 Policies EN1, EN2 and EN3, as well as JCS Policies 1, 11, 13, 29 and 30.

Character and appearance

14. The development would extend the built form of the village southwards into open countryside. I saw that views across the appeal site were available, albeit filtered by a hedgerow, from within the recreation ground, and the footpath that adjoins the western boundary of the appeal site. Although houses on Dovecote Close and Mill Road provide a backdrop of built development in some views, the scene is largely rural in nature. As set out above, the adjacent recreation ground, with its sports pitches and open nature is more akin to the open countryside than the built-up area.
15. The provision of four dwellings with associated domestic enclosures, vehicles and other typical paraphernalia would invariably impinge on the undeveloped, open character of the appeal site, so it is likely that the site and its immediate rural surroundings would be harmfully urbanised.
16. Although a matter reserved for future consideration, it is stated that a robust vegetation buffer could be established along the southern boundary of the appeal site in order to provide natural screening. While such an intervention could, in principle, potentially reduce the prominence of the proposal, it would take several years to establish and the harm that I have identified would be likely to persist into the medium term.
17. Matters of detailed design are reserved for future consideration, and while I acknowledge that this would provide flexibility in terms of layout, scale and appearance, it is unlikely that the fundamental harm that I have identified as a result of the introduction of four dwellings on to the site would be wholly mitigated.
18. The proposal would be harmful to the character and appearance of the area. It would therefore be contrary LLP2 Policy EN2 and JCS Policy 8. Together, and amongst other factors, these policies state that developments should respond to the local character and characteristics of the site's immediate and wider context, and integrate positively with the surrounding area.

Other Matters

19. The Council has raised concern that the proposal would fail to deliver an appropriate mix of housing in an area where there is an identified need for small housing. However, given that the detail design of the dwellings is a reserved matter, it could have been addressed at that stage, had I been minded to allow the appeal.
20. Even if were to agree that the proposal would be acceptable in relation to its effects upon highway and pedestrian safety, these are neutral factors that do not weigh in favour of the proposal.

Planning Balance and Conclusion

21. I have found that the proposal would harm the character and appearance of the area and would not be situated in a location suitable for housing development. The proposal would therefore conflict with the development plan when read as a whole.

22. The provision of four dwellings would make a modest contribution towards boosting the supply of housing, and there is no dispute that the Council can demonstrate a supply of deliverable housing land in excess of the five-year requirement. Given the Government's objective of significantly boosting the supply of homes set out within the Framework, the contribution that the proposal would make to the supply of housing is a factor to which I afford moderate weight.
23. The proposal would lead to time-limited economic benefits during the construction period, and thereafter in the longer term through support to services and facilities in a rural area. The scale of the proposal means that these are modest benefits.
24. It is stated that the appellant would be willing to provide biodiversity net gain, and whilst this would be a benefit of the proposal, the level of net gain is not quantified, nor a baseline established. Accordingly, I afford this minor weight as a benefit of the proposal.
25. Section 38(6) of the Planning and Compulsory Purchase Act 2006 states that a decision must be taken in accordance with the development plan, unless material considerations indicate otherwise. The other considerations before me do not indicate that I should make a decision other than in accordance with the development plan.
26. For the reasons given, I conclude that the appeal should be dismissed.

C Harding

INSPECTOR