



Appeal Decision

Site visit made on 1 April 2025

by **E Catcheside BA (Hons) MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 24 April 2025

Appeal Ref: APP/J3720/W/24/3354063

Land off Howcombe Lane, Napton-on-the-Hill

Grid Reference Easting: 446236, Grid Reference Northing: 261082

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Mark Hughes against the decision of Stratford-on-Avon District Council.
 - The application reference is 24/00305/FUL.
 - The development proposed is to erect a new 1no. self-build Class C3 6-bed eco dwellinghouse, access, landscaping and associated works.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The appeal documents include a Landscape and Visual Impact Assessment (LVIA), which was not before the Council when it determined the application. The LVIA does not alter the scheme but provides further technical evidence in response to the Council's reasons for refusal. The Council has had the opportunity to comment on the LVIA as part of the appeal scheme. Therefore, no prejudice is caused in me taking account of it in my decision.
3. The evidence refers to an emerging Site Allocations Plan (SAP). However, there is no information before me to indicate the SAP is at an advanced stage or that it would fundamentally alter the policy approach to the appeal proposal. I have therefore necessarily determined the appeal with regard to the policies in the statutory development plan.

Main Issues

4. The main issues are:
 - the effect of the proposal on the character and appearance of the area, including the Ironstone Hills Fringe Special Landscape Area (SLA), and
 - whether the proposal would comply with relevant development plan policies in respect of housing on sites adjacent to a village.

Reasons

Character and appearance

5. Napton-on-the-Hill forms part of the agricultural landscape of the Northamptonshire Uplands National Character Area and the Feldon - Lias Village

Farmlands Local Character Area. It lies within the Ironstone Hills Fringe SLA, which is noted, in part, for its rolling landscape with prominent ironstone hills, ridges and slopes and its sparse settlement pattern of nucleated villages on rising ground. The Napton-on-the-Hill Neighbourhood Development Plan 2018-2031 Character Assessment (CA) describes that the village has evolved around this natural topography, with development wrapping around Napton Hill. Gaps in development are noted within the CA for providing spectacular views and connections with the surrounding agricultural landscape, and they are considered to be essential for retaining the rural character of the settlement.

6. The appeal site comprises a sloping field, providing a largely undeveloped gap between Howcombe Lane and The Butts. Owing to the topography and gaps in the boundary hedging, the site is prominent in views from the lane, as well as the footpath to the south of the site, and it is overlooked from the rear windows of properties on The Butts. Longer views of the site across the wider landscape are available, particularly from the west. Therefore, whilst the site is not identified as Local Green Space or as part of an important view in the Napton-on-the-Hill Neighbourhood Development Plan 2018-2031 (July 2021) (NP), it nonetheless contributes strongly to the rural character of the settlement, and its undeveloped and green nature strengthens the connection between the village and the surrounding agricultural landscape.
7. The proposed development would be graded into the hillside, and additional planting and a green roof is proposed to supplement the hedgerows that would be retained. These measures, along with other factors including the proposed materials, seek to integrate the building with its surroundings. On this basis, the LVIA concludes that the landscape and visual effects of the proposal would not be detrimental.
8. However, the proposed dwelling would be uncharacteristically wide and deep with a substantial footprint, which would be at odds with the more modest scale of nearby dwellings. Due to its excessive scale, and central position on this sloping site, the building, access, and hardstanding areas, would add a substantial amount of built form to this open, undeveloped area. Moreover, its wide, boxy form would be conspicuous in longer views from the surrounding landscape, such that it would have a harmful urbanising effect on this edge of the village and the SLA.
9. Whilst there is a broad mix of architectural styles in the village, the proposed development would be an incongruent feature due to its large size and contemporary appearance, which would fail to reflect the more traditional character of most other buildings in the village. Moreover, its uncharacteristically deep set back and its orientation towards a private access road would further depart from the established pattern of development within this part of the village, which predominantly, albeit not exclusively, comprises rows of dwellings with varying setbacks that are aligned with roads or footpaths. The siting and layout of the proposal would also differ from the adjacent bungalow and the nearby Oak Tree Cottage, which are relatively modest structures located discretely beside the lane.
10. The development would be prominent in views from the footpath to the south of the site and from the rear windows of surrounding properties due to the gradient of the land. Given its size and siting, the proposal would interrupt views from those receptors towards the surrounding farmland, and it would lead to an unacceptable loss of open, green space that marks the transition between the built-up area of

the settlement and the open countryside. Furthermore, due to its incongruent design and appearance, the development would have a deleterious effect on the scenic quality of the village when observed from Howcombe Lane.

11. Notwithstanding the above, the proposed green roof would reduce the likelihood of vertical light spill, and internal lighting would not add significantly to the cumulative light arising from existing buildings within the village. Moreover, if the appeal were to be allowed, details of the lighting and the proposed solar panels could be secured through condition to ensure that there would be no harmful increase in light pollution. However, even if there would be no harm to the dark skies, this would not overcome the concerns identified above. The absence of objection from the Parish Council does not equate to a lack of harm.
12. Overall, whilst there would be no conflict with Policy 5 of the NP insofar as it seeks to minimise light pollution, the proposal would cause harm to the character and appearance of the area, including the Ironstone Hills Fringe SLA. Therefore, there would be conflict with Policies CS.5, CS.9, and CS.12 of the Stratford-on-Avon District Core Strategy 2011-2031 (CS), and Policy 10 of the NP which, taken together, seek to protect landscape character and the quality of SLAs, and to ensure high quality design that reflects the distinctiveness of the locality.
13. The decision notice refers to Policies CS.15 and AS.10 of the CS, and Policies 1 and 3 of the NP in the first and third reasons for refusal. I will consider the proposal with regard to these policies later in this decision.

Housing sites adjacent to a village

14. The appeal site lies outside of, but adjacent to, the built-up area boundary of Napton-on-the-Hill village. Taken together, Policies CS.15 and AS.10 of the CS set out the types of development that are acceptable adjacent to a village. This includes small-scale schemes for housing to meet a need identified by the local community. Policy AS.10 of the CS states that the need would be identified in a Parish Plan, Neighbourhood Plan, or other form of local evidence.
15. Policy 1 of the NP requires that such proposals have regard to the needs identified in the latest Housing Needs Survey for the parish or the latest available housing needs information. In that regard, I have been directed to the Housing Needs Survey Report for Napton Parish Council (March 2018) (HNSR), which identified a need for additional 1-3 bedroomed properties in the village to meet local needs, rather than the larger dwelling proposed.
16. However, housing needs change over time. Indeed, the Developer Requirements SPD notes that housing needs surveys are an inexact science that represent a snapshot in time. Therefore, that the HNSR did not identify a specific need for a dwelling of the type and scale proposed, does not preclude a need arising. Moreover, whilst it is referred to in the SPD, I have not been directed to any adopted policy that necessitates express support from the Parish Council to demonstrate a local need, and there is no substantive evidence to indicate the appellant does not have a local connection to the village, as defined in the SPD.
17. Nonetheless, local needs schemes are not the only type of housing that is supported on sites adjacent to the village. Policy 3 of the NP, which post-dates the CS, also provides support for self-build homes on such sites where certain criteria

are met, and there is no requirement within Policy 3 for self-build schemes to meet the needs identified in the HNSR.

18. The Self-Build and Custom Housebuilding Position Statement Period to 30th October 2024 shows there is an ongoing need for self-build plots across the area, many of which are required by 30 October 2025. The appellant is included on the Council's self-build register and is actively seeking a self-build plot in the village. Consequently, even if the proposal would not meet an identified local need as referred to in Policies CS.15 and AS.10 of the CS and Policy 1 of the NP, there is clear local evidence of a local need for the housing proposed, and it would be supported as a matter of principle in this location through Policy 3 of the NP.
19. However, whilst the appellant has indicated a willingness to enter into a S106 Agreement, there is no planning obligation or other effective mechanism before me through which matters relating to the occupation and ownership of the dwelling could be secured and enforced. It follows that there is no guarantee that the dwelling would be developed and occupied as a self-build property, and this reduces the weight that can be afforded to the delivery of self-build housing.
20. Moreover, the support given to community-led and self-build schemes in Policies CS.15 and AS.10 of the CS and Policies 1 and 3 of the NP is predicated on any such schemes being appropriate to the local landscape setting and the form and integrity of the settlement. I have already found the proposal would cause harm to the character and appearance of the area for the reasons set out above. It follows that there would be conflict with Policies CS.15 and AS.10 of the CS and Policies 1 and 3 of the NP when read as a whole.

Other Matters

21. The site lies within the setting of the Grade II listed The Old Bakery and Attached Bakehouse. The significance of the listed building lies, in part, in its architecture as well as its former use, which reveals the commercial past of the village. The Council did not identify any harm would be caused to the listed building due to the intervening distance between the designated asset and the site. Based on the evidence and my own observations, I see no reason to take a different view. Therefore, the setting and significance of the listed building would be preserved.
22. The proposals would incorporate a range of energy efficiency measures, including renewable energy. These measures would carry support from the Framework, which seeks to ensure developments adapt to and mitigate climate change. However, the benefits carry limited weight given the small-scale of the proposal.
23. The design of the dwelling has taken account of the personal and accessibility needs of the appellant's family, and it would allow multiple generations to reside together. Whilst acknowledging these circumstances, there is no substantive evidence before me to indicate there are exceptional personal needs that could only be met by the proposed development and not by other, potentially less harmful, means. Consequently, I attach limited weight to these matters.
24. The proposal has evolved following the Council's concerns about previous iterations of the development, and I note the appellant has expressed frustration about the lack of engagement on the scheme. However, I have necessarily considered the appeal scheme on its own merits, and the relationship between the appellant and the Council falls beyond the scope of this appeal.

Conclusion

25. The proposal conflicts with the development plan and the material considerations do not indicate a decision should be made other than in accordance with it. Therefore, for the reasons given above, the appeal should be dismissed.

E Catcheside

INSPECTOR