



Appeal Decision

Site visit made on 11 August 2025

by A Hickey MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 29 September 2025

Appeal Ref: APP/W2845/W/25/3362460

Slade Farm, Buckingham Road, Evenley, West Northamptonshire NN13 5SB

- 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 David and Heather Arrowsmith and Claire and Rebecca van Arrowsmith against the decision of West Northamptonshire Council.
 - The application Ref is 2024/1823/FULL.
 - The development proposed is Erection of 2 no. dwellings for self and custom build with associated landscaping, habitat creation and works to facilitate the development.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The third reason for refusal set out in the Council's decision notice related to a lack of a completed legal agreement, which is necessary to secure the delivery of the development as self and custom build dwellings. As part of the appeal submission, the appellants have submitted a planning obligation (UU) which seeks to secure the development as self or custom build. I return to this matter later in my decision.

Main Issue

3. The main issue is whether the proposed development would be in a suitable location for housing with regard to the local development strategy and accessibility to services and facilities.

Reasons

4. Policy S1 of the West Northamptonshire Joint Core Strategy Local Plan (LPP1) seeks to focus development primarily towards the principal urban area of Northampton, with some development at Daventry town and the rural service centres. It indicates that development in rural areas will be limited, with an emphasis on enhancing and maintaining the distinctive character and vitality of rural communities, as well as shortening journeys and facilitating access to jobs and services, among other things.
5. Policy SS1 of the South Northamptonshire Local Plan Part 2 (LPP2) supports the delivery of housing beyond settlement confines where it would comply with relevant housing policies. Of these, Policy LH1 of the LPP2 indicates that residential development will not be acceptable unless one of a list of specified circumstances applies.

6. LPP2 Policy LH5 confirms that proposals for two or more self or custom build sites immediately adjoining the confines of Rural Service Centres, Primary or Secondary Villages (A) as defined in policy SS1 of this plan will normally be permitted where they help to meet demand as demonstrated by part 1 of the Council's Self and Custom Housebuilding Register.
7. The Council's latest delivery position on self and custom builds is set out in the Self and Custom Build Annual Monitoring Report 2024 (SCBR 2024). The appellants raise concerns that not all the referenced planning permissions have in fact been delivered as self and custom builds. Having regard to the guidance in the National Planning Policy Framework (the Framework), Planning Practice Guidance, the evidence presented by both the main parties and the findings of the Inspector in the Piddington appeal¹, there is no substantive evidence to demonstrate that all of the planning permissions referred to in the SCBR 2024 would be delivered as self-build or custom housing. I therefore find that it is not sufficiently clear whether there have been enough grants of planning permission for self-build and custom plots to ensure the need is being met.
8. The appeal site lies near a small number of existing residential properties. The nearest defined settlement is Evenley, which is classified as a small village fourth category under Policy SS1. Evenley lies over 2.5km or 1.25km as the crow flies from the appeal site. There is a dispute between the main parties in regard to whether the site can be considered to be immediately adjoining Evenley with my attention being drawn to the Corbett v Cornwall Council case² (Corbett case).
9. The Corbett case confirmed that it is a matter of planning judgement whether a proposal is immediately adjacent or not and that the extent of the existing settlement, and how the site and proposal relate to it, are quintessentially matters of fact and judgement for the decision-maker.
10. The site lies in an area with only a small grouping of dwellings nearby. It is beyond any settlement boundary and is physically detached from the settlement of Evenley by the intervening fields. When completed, the proposal would appear, along with the existing nearby dwellings, as a group of houses built beyond any settlement, in an area of open countryside where the dwellings are less frequent and more dispersed. As such, the scheme would not be read as part of a settlement and would, consequently, not relate well to it. In my judgement, the proposed development would not lie immediately adjacent to, or next to or very near to, any settlement. In planning policy terms, it is therefore within the countryside.
11. Even if the appeal site were to be located immediately adjoining Evenley, it would still fail to accord with Policy LH5 2. as Evenley is not designated as a Rural Service Centre, Primary or Secondary Village (A) but falls within the small village fourth category.
12. The submitted UU to secure the development as self or custom build dwellings does not contain an accompanying plan which defines by reference the proposed site or evidence of title deed for the appeal site. Consequently, with reference to Planning Practice Guidance³ I am not satisfied that the obligation is legally sound

¹ APP/W2845/W/24/3353512

² William Corbett v Cornwall Council and Dympha Wilson [2022] EWCA Civ 1069

³ Guidance Planning obligations: good practice advice Updated 5 February 2025

or complete, and so it carries no weight in my determination. Without a completed and sound UU, I cannot be sure the scheme would secure the dwellings as self-build or custom builds.

13. Matters relating to planning obligations for other self-build schemes falls outside the scope of this appeal. In any event, I have identified a need for self-build schemes exists within the authority area.
14. I have already identified above that the appeal scheme would be detached from any nearby settlements. Some services and facilities are available in Evenley, including public transport to access a broader range of day-to-day services in other nearby settlements. However, due to the distances and lack of footways, it is unlikely these services and facilities would be accessible by foot. Cycling could be possible, but access would be via narrow country lanes with no street lighting or via the busy A43, making them unattractive options in poor weather conditions and during the hours of darkness. Therefore, future occupiers would be reliant on the use of a private vehicle to access the necessary services and facilities, including for onward travel. Although there is a public right of way to the north, it is only accessible via the routes identified above and does not provide a realistic alternative.
15. While home working and home delivery are becoming more common, these only represent a limited reason to travel amongst many others. Additionally, I acknowledge that the appellants are seeking to consolidate family ties to this area. However, these are primarily private benefits that carry limited weight in favour of the scheme. In any event, both personal circumstances and occupiers inevitably change, such that these matters, in my view, do not constitute exceptional circumstances as set out in LPP1 Policy R1.
16. For the reasons set out above, whilst I have found a need for self and custom build dwellings within the authority area, the appeal scheme would not secure the dwellings as self or custom build. It would not be in a suitable location with regard to services and facilities. It would also be contrary to the development plan for homes in the countryside. It would therefore conflict with LPP1 Policies SA, S1 and R1 and LPP2 Policies SS1, LH1 and LH5. Collectively, amongst other things, these policies seek to limit development in the open countryside other than in specific circumstances that are not met by the appeal scheme which would also fail to shorten journeys which facilitate access to jobs and services.

Other Matters

17. The Council and appeal decisions cited relate to different locations, application types and schemes, including for an agricultural worker. Based on the limited evidence before me, they did not share the same concerns regarding access to services using the same routes. Whilst there are some similarities with regard to self and custom build dwelling provision, the appeal scheme fails to secure the dwellings in this manner. Therefore, they are materially different to this appeal which I have considered on its own merits.
18. There is no dispute between the main parties that the Council can demonstrate a five-year supply of deliverable housing sites. However, this does not preclude the delivery of additional housing. The provision of two additional homes, built to high standards of sustainable construction, carries weight in line with the Government's objective to significantly boost the supply of housing through small and medium-

sized sites, as set out in the Framework. However, as the Council has a sufficient housing land supply this therefore limits the weight I attribute to this matter in favour of the appeal scheme.

19. There would be small general economic and social benefits from the construction and occupation of the two dwellings. Additional environmental benefits would also be created through biodiversity net gain. However, given the small scale of the development these benefits collectively would only attract modest weight in favour of the proposal.
20. Taking all of the above into account, whilst the material considerations advanced by the appellants are relevant, they do not outweigh the substantial weight that must be given to the conflicts with the development plan found above.

Conclusion

21. For the above reasons, the proposed development would conflict with the development plan when considered as a whole and there are no material considerations, including the Framework, that indicate that the development should be determined otherwise than in accordance with it. For these reasons, the appeal should be dismissed.

A Hickey

INSPECTOR