



---

## Appeal Decision

Site visit made on 8 September 2025

**by A Hickey MA MRTPI**

an Inspector appointed by the Secretary of State

**Decision date: 19 November 2025**

---

**Appeal Ref: APP/W2845/W/25/3366269**

**Land adjacent to 28 High Street, Astcote, Towcester NN12 8NW**

- 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 Curtis Downs against the decision of West Northamptonshire Council.
  - The application Ref is 2024/4472/FULL.
  - The development proposed is described as proposed self-build dwelling.
- 

### Decision

1. The appeal is allowed and planning permission is granted for proposed self-build dwelling at land adjacent to 28 High Street, Astcote, Towcester NN12 8NW in accordance with the terms of the application, Ref 2024/4472/FULL subject to the conditions in the attached schedule.

### Applications for costs

2. An application for costs was made by Mr Curtis Downs against West Northamptonshire Council. This application is the subject of a separate Decision.

### Preliminary Matters

3. During the appeal process, the appellant has provided an appeal for land to the east of Forest Road, Piddington<sup>1</sup> (Piddington appeal) which the Council have had the opportunity to comment on. I have therefore considered the findings of the Inspector in the Piddington appeal, insofar as it related to the Council's self-build figures.
4. The appellant has submitted a revised planning obligation dated 14 November 2025 (UU) which seeks to secure the development as self or custom build. Regulation 122 of the Community Infrastructure Levy Regulations 2010 (as amended) (CIL Regulations) and paragraph 58 of the National Planning Policy Framework (the Framework) set out three tests that planning obligations must meet.
5. I am satisfied that the UU is necessary to make the development acceptable in planning terms to secure a self-build dwelling. It is directly related to the development proposal and is fairly and reasonably related in scale and kind to the development. I am therefore satisfied that the UU would meet the requirements of the CIL Regulations and the Framework and have taken it into consideration as part of the determination of the appeal.

---

<sup>1</sup> APP/W2845/W/24/3353512

## **Main Issue**

6. The main issue is whether the appeal site is a suitable location for the proposed development, having regard to the development plan policies.

## **Reasons**

7. West Northamptonshire Joint Core Strategy Local Plan Part 1 (LPP1) Policy S1 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.
8. The evidence before me indicates that a bus route serving the appeal site runs at various times of the day from early morning to the evening between Northampton Bus Interchange and Brackley. I also observed on the site visit that nearby services and facilities, including a church, parish hall and primary school, were easily accessible on foot. Over longer walking and cycling distances, future occupiers would be able to access some additional albeit limited services and facilities in Eastcote and Pattishall.
9. Recognising that opportunities to maximise sustainable transport solutions will vary between urban and rural areas, some services and facilities are accessible from the appeal site via sustainable transport modes, including public transport, walking or cycling. On this basis, future occupiers of the proposed dwelling would not be wholly reliant on the private car, and sustainable travel options would provide alternatives to a private vehicle. As such, the proposal would not conflict with the overall aims and objectives of LPP1 Policy S1.
10. Policy R1 of the LPP1 sets out the spatial strategy specifically for rural areas and states that development in the rural areas will be guided by a rural settlement hierarchy. South Northamptonshire Part 2 Local Plan (LPP2) Policy SS1 supports the delivery of housing beyond settlement confines where it would comply with relevant housing policies. Of these, Policy LH1 of the LPP2 states that residential development will not be acceptable unless one of the specified circumstances listed applies.
11. LPP2 Policy LH5 supports proposals for single self or custom build sites immediately adjoining the confines of Rural Service Centres, Primary, Secondary (A and B) and Small Villages as defined in Policy SS1 of this plan. It further states that such development will normally be permitted where it helps to meet demand, as demonstrated by Part 1 of the Council's Self and Custom Housebuilding Register and is compliant with other policies of this plan.
12. In terms of the first strand of Policy LH5 1. The Council is of the view that the appeal site adjoins the village confines of Astcote, a Secondary Village (B) under Policy SS1. I see no reason to disagree, as the development, when complete, would appear as a natural extension of the village on this side of the road.
13. Turning to whether this would meet the demand, as demonstrated by the Council's SCB Register, 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 appellant raises concerns that not all the referenced planning permissions have, in fact, been delivered as self and custom builds.

14. The Council have identified that after the appeal at Cogenhoe<sup>2</sup> it has reviewed its methodology in relation to counting self-build dwellings. However, having regard to the guidance in the Framework, Planning Practice Guidance and the evidence presented by both the main parties, including the more recent Piddington appeal, 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. In this regard, I conclude that the appeal scheme would also meet the second strand of LH5 1, as a demand appears to exist still.
15. As the appeal site is located within the open countryside, the proposal would fail to comply with the strategic Policy R1 of the LPP1. However, as it would deliver self-build homes adjacent to the confines of a Secondary Village B, the proposal would meet the demand for this type of housing and thus comply with the exceptions set out in LPP2 Policies LH1 and LH5. I therefore conclude that the appeal site is a suitable location for the proposed development, having regard to the development plan policies.
16. The proposal would comply with Policies LH1 and LH5 of the LPP2. It would meet the aims and objectives of Policies SA and S1 of the LPP1. There would also be compliance with the Framework insofar as it seeks to maximise sustainable transport solutions, offering a genuine choice of sustainable transport modes.

### **Other Matters**

17. As the submitted UU would secure the development as a self or custom build dwelling, it would result in the development being exempt from the mandatory Biodiversity Net Gain of 10%. As such, the appeal scheme would not conflict with LPP2 Policy NE5.
18. The proposed dwelling is of a modest size in relation to the curtilage of the property. As such, there would be sufficient space to accommodate on-site biodiversity enhancements. Therefore, subject to a suitably worded condition to provide biodiversity enhancements, the proposal would not conflict with LPP1 Policy BN2.
19. An interested party raises concerns that the grant of permission would set a precedent for other similar developments. However, no directly similar or comparable sites to which this might apply are identified. In any case, each appeal must be determined on its own individual merits.
20. There is a varied appearance to dwellings near the appeal site. Given the largely traditional design of the scheme, it would assimilate with the variety of styles of dwellings found in the area, thereby avoiding any harm to the character and appearance of the area.
21. The location of windows and distances from nearby properties would ensure the appeal scheme avoids any detrimental overlooking or loss of privacy for existing nearby occupiers.

---

<sup>2</sup> APP/W2845/W/23/3323851

## Conditions

22. The Council has suggested conditions which I have considered against the advice in the Framework and Planning Practice Guidance. I have accordingly modified the wording or form of certain conditions without altering their fundamental aims.
23. In addition to the standard time limit, a condition listing the approved plans is necessary in the interests of certainty.
24. A condition on working hours is appropriate in order to protect the amenities of occupiers of nearby properties during construction. To ensure the development functions as intended, details are required of the construction materials/detailing and drainage measures. Conditions on ecology and external lighting are also required in the interests of biodiversity.
25. The Council has suggested conditions removing permitted development rights for a range of householder developments. However, I have not been provided with any cogent justification for such restrictions or evidence of why the limitations imposed by the legislation on the exercise of these permitted development rights would not be sufficient to avoid any significant harm. The PPG advises that blanket removal of freedoms to carry out small-scale domestic and non-domestic alterations that would otherwise not require an application for planning permission are unlikely to meet the tests of reasonableness and necessity. For these reasons, I have found the proposed conditions would fail the tests, so I have not imposed them.

## Conclusion

26. The proposal would accord with the development plan as a whole, and there are no material considerations that indicate a decision should be made other than in accordance with it. Therefore, I conclude that the appeal should be allowed and planning permission be granted, subject to the conditions set out in the accompanying schedule.

*A Hickey*

INSPECTOR

## Schedule of Conditions

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with drawing nos and supporting documents:
  - Site Plan: Drg.no. 2406.10
  - Proposed Elevations – Floor Plans: Drg.no. 2406.11
  - Sketch Street View: Drg.no. 2406.14
  - Location Plan
  - Noise Impact Assessment 06 September
- 3) No development above slab level shall take place until full details of the materials to be used in the construction of all external surfaces of the development hereby permitted have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.
- 4) Notwithstanding the details shown on the approved plans, further details of the architectural detailing of the exterior of the dwelling, including the windows and doors (and their surrounds), together with the eaves and verge treatment, shall be submitted to and approved in writing by the Local Planning Authority prior to the construction of the building above slab level. The development shall thereafter be carried out in accordance with the approved details.
- 5) No development above slab level shall take place until full details of a scheme for the location of bat, bird and invertebrate boxes have been submitted to and approved in writing by the Local Planning Authority. Thereafter and prior to the occupation of the dwelling, the boxes shall be installed on the site in accordance with the approved details.
- 6) Details of any external lighting to be installed both during the construction stage and installed on the approved dwelling thereafter shall be submitted to the Local Planning Authority prior to installation.
- 7) Before any above-ground works commence, a scheme for the provision and implementation of foul and surface water drainage shall be submitted to and approved in writing by the Local Planning Authority. The drainage works shall be constructed and completed in accordance with the approved plans before the first occupation of the dwelling hereby approved.
- 8) The scheme hereby approved shall be carried out in accordance with the Ecological Appraisal dated August 2024.
- 9) No construction work, including site clearance and delivery of materials, shall be carried out except between the hours of 07.30 to 18.00 Monday to Friday and 08.00 to 13.00 on Saturdays and at no time on Sundays, Bank and Public Holidays.

End