



Appeal Decision

Site visit made on 5 November 2025

by Graham Wraight BA(Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 05 December 2025

Appeal Ref: APP/W2845/W/25/3371177

Plot of land situated along Mill Lane, Whitfield NN13 5TQ

- 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 Ms Valerie Budd against the decision of West Northamptonshire Council.
 - The application Ref is 2024/5748/FULL.
 - The development proposed is a new self build dwelling, garage and associated works on vacant land.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. Reason for refusal one refers to a conflict with two strategic planning policies, namely Policies S1 and R1 of the Joint Core Strategy 2014 (JCS). The appellant does not dispute that the location of the appeal proposal is in conflict with those policies, but their case is predicated on the appeal scheme providing a self-build dwelling in the context of other development plan policies. It is not therefore necessary to assess the matters arising from reason for refusal one.
3. A completed unilateral undertaking has been provided which would secure the proposed dwelling as a self build dwelling. This overcomes reason for refusal three which refers to the absence of an obligation to secure the delivery of the proposed dwelling as such.

Main Issue

4. The main issue is whether the location of the proposed development is acceptable, with reference to the policies of the development plan that refer to self and custom build housing.

Reasons

5. The appeal site is located outside, but immediately adjacent to, the confines of Whitfield, which is defined as a small village in the development plan. On such sites, Policy LH5 of the South Northamptonshire Local Plan Part 2 (LPP2) is permissive of a single self or custom build dwelling which helps to meet demand as demonstrated by Part 1 of the Council's Self and Custom Housebuilding Register. The policy also requires that householders occupying such a dwelling be able to demonstrate a local connection, but that is not a requirement that is set out in the legislation which defines what are self and custom build dwellings. It is not

therefore a factor in establishing whether the Council is meeting its statutory duty with respect to self and custom building.

6. The Self and Custom Build Annual Monitoring Report 2024 (MR) identifies 45 entrants on the South Northants Area register for the relevant base period. The Council sets out in the MR that it considers that it has granted permissions which considerably exceed in number that demand. However, the appellant has reviewed the MR and in their view planning permission has only been granted for 42 dwellings. Thus, the appellant finds there to be a deficit of 3 units. My attention is also drawn to two previous appeals¹ where the appointed Inspectors made comment on the Council's methodology for defining planning permissions that are for self and custom build dwellings.
7. The appellant's assessment removes a number of planning permissions that are either for the conversion of an existing building, for the creation of a residential unit via the prior approval process or are dwellings for rural workers. A great many of these have had a Community Infrastructure Levy (CIL) exemption part 2 form submitted. In that regard, the Planning Practice Guidance² states that one of the ways in which a suitable self and custom build permission might be recorded is those permissions where a CIL exemption has been granted. There is nothing before me to indicate that having followed the exemption process through to part 2, that the permissions in question ultimately should not be considered self and custom build.
8. There is also nothing substantive before me to support the appellant's proposition that the type of developments referred to cannot reasonably be considered to be self and custom build. For example, my attention has not been drawn to anything that is supportive of the notion that the conversion of an existing building cannot fall within the parameters of being such development. A rural workers dwelling could meet the requirements of self and custom build in exactly the same way that any other newly built dwelling could. It is to my mind reasonable to, at the least, include all of those types of permissions where a CIL part 2 form has been submitted. This means that the Council is meeting the demand as set out on Part 1 of its Self and Custom Housebuilding Register.
9. Whilst I acknowledge the findings in the two previous appeals, the MR post-dates both of those reports. The Council states that it has addressed the comments of the other Inspectors when producing its most recent MR. But in any event, it remains that having analysed each of the permissions set out in the MR, the appellant has specified the ones that it contends are not self and custom build. I have set out above why I consider that the inclusion of many of those disputed permissions is reasonable, which has led to my conclusion that the Council has successfully demonstrated that it is meeting its obligations. Although the proposal could be considered a 'windfall' site, in the absence of demand this does not weigh in its favour.
10. In conclusion, it has not been demonstrated that the Council is failing to meet the demand for self and custom build housing as established by its Part 1 register. This means that Policy LH5 of the LPP2 does not support the provision of a new dwelling in this location. Consequently, the proposal also fails to accord with

¹ APP/W2845/W/23/3334513 & APP/W2845/W/23/3323851

² Paragraph: 038 Reference ID: 57-038-20210508

Policies SS1 and LH1 of the LLP2 alongside Policies S1 and R1 of the JCS, where collectively they set out the spatial strategy for the area of the development plan.

Other Matters

11. The appellant sets out a number of other considerations, which include that the proposal would not cause harm to the intrinsic character and beauty of the countryside, that it would not be isolated, that it would be close to facilities in Whitfield and Brackley, that it would not impact upon the wider landscape, that it would not generate additional traffic movement of any material consequence and that it would not result in the loss of agricultural land.
12. Whilst I have no reason to disagree with any of those conclusions, the development plan establishes where new development will be permitted and the criteria that it must meet in order to be allowed. Owing to its conflict with the spatial policies of the development plan, the proposal fails to accord with the plan taken as a whole. The absence of any other harm does not justify the permitting of the appeal proposal in the face of this.

Conclusion

13. For the reasons given above, the appeal should be dismissed.

Graham Wraight

INSPECTOR