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## Appeal Decision

Site visit made on 11 February 2026

by **Chris Baxter BA (Hons) DipTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 23 March 2026

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**Appeal Ref: APP/M2840/W/25/3363516**

**Darsdale Home For The Blind, Chelveston Road, Raunds NN9 6DA**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a failure to give notice within the prescribed period of a decision on an application for planning permission.
  - The appeal is made by Mr Dipak Patel of Darsdale Care Home Ltd against North Northamptonshire Council.
  - The application Ref is NE/21/01369/FUL.
  - The development proposed is for 36 new retirement residential apartments with communal facilities.
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### Decision

1. The appeal is dismissed and planning permission for 36 new retirement residential apartments with communal facilities is refused.

### Applications for costs

2. An application for costs has been made by Mr Dipak Patel of Darsdale Care Home Ltd against North Northamptonshire Council. This application is the subject of a separate Decision.

### Main Issues

3. The main issues are the effect of the proposal on the character and appearance of the surrounding area with reference to backland development; the effect of the proposal on the living conditions of occupiers of neighbouring properties in terms of light, privacy and waste management; the effect of the proposal on highway safety with regards to access, parking and drainage; the effect of the proposal on trees; and whether the proposal provides adequate affordable housing provision.

### Reasons

#### *Character and appearance*

4. The area surrounding the appeal site is characterised predominantly by residential properties. The residential properties in the immediate locality are mainly detached and of two storey design although there are some three storey units which are generally designed with the third floor being incorporated into the roof space. It is this built form of modest scale residential properties that contributes positively to the character of the surrounding area.
5. The proposal would be a large bulky form of development that would appear as a dominant structure. The building would be three storeys in height with a large roof structure that would appear out of keeping with the size and heights of other buildings in the near locality. Due to its height, scale and massing, the proposed

development would be an excessively large structure that appears as an incongruous building that would compromise the character and appearance of the surrounding area.

6. The appellant has referred to advice offered by the Council as well as referencing documents such as the Councils Sustainable Design Supplementary Planning Document, Building for Life and Building for a Healthy Life. The proposed building has been designed as a contemporary response to the housing needs of an ageing population whilst also taking design cues from Darsdale House being a larger building within a landscaped setting. The proposed development would have multiple vertical separations in the façade, with alternating gable and pitched roofs, balconies, mix of brick, render, glazing and roof tiles, as well as a landscaped garden incorporating established trees and hedgerows as well as new planting. These particular design features would not outweigh the harm that would be caused by the large expanse of built development dictated by the proposals size, massing and overall height that would be jarring and at odds with the size of the surrounding buildings and modest built form of the area.
7. Accordingly, the proposal would have a harmful effect on the character and appearance of the surrounding area. The proposal would not accord with Policy 8 of the North Northamptonshire Joint Core Strategy (NNJCS), Policy EN11 of East Northamptonshire Local Plan Part 2 (ENLP), and Policy R2 of the Raunds Neighbourhood Plan (RNP) which seeks development to integrate positively within the surrounding area, respond to the site's immediate and wider context and local character, and promote good design.
8. The Council are concerned that the proposal would be a form of backland development and refer to Policy EN2 of the ENLP. Policy EN2 states that infill development within a built-up area will be supported where bounded by existing or committed development on at least two sides, which should be adjoined by a highway and such that developing it would not extend the built form away from a highway to create a "backland" form of development. As the appeal site is not adjoined by a highway, the proposal would be classed as backland development given the definition in Policy EN2 and therefore would not accord with this Policy. That being said, and notwithstanding my comments above on the effects of the proposal on character and appearance, the site is surrounded by built development and clearly within an established settlement therefore I do not consider the proposal would compromise any spatial planning strategies.

#### *Living conditions*

9. The proposed development would be located within close proximity to residential properties to the south of the site. There would be windows into habitable rooms and balconies that would overlook existing properties and their private garden areas. Due to the position and proximity of these windows and balconies, in relation to neighbouring dwellings, there would be overlooking issues that would result in the loss of privacy to occupiers of these properties immediately south of the site.
10. Due to the excessive height and massing of the proposal, as well as its siting, orientation and proximity to the properties to the south, the proposed building would appear as an excessive amount of built development. It would be a

dominating feature that would be overbearing and result in the loss of light to the neighbouring properties to the south.

11. There would be trees and hedgerow located between the proposed development and the properties to the south. Given the scale of the proposal, the size and location of the trees and hedgerow, these would not completely screen the proposed development and there would still be overlooking and loss of light. I also note appellants comments that the scheme could be altered to remove balconies, although this would not alleviate concerns about overlooking from windows or the matter of the proposal being overbearing.
12. My attention has been brought to an appeal decision<sup>1</sup> in which reference was made to separation distances. I do not consider this appeal to be directly comparable to the scheme subject of this appeal particularly with regards to location of development and relationship with surrounding properties. In any case, I have determined this appeal on its own merits.
13. The proposed development would have a harmful effect on the living conditions of occupiers of neighbouring properties with regards to light and privacy. The proposal would be contrary to Policy 8 of the NNJCS and Policy R2 of the RNP which seeks development to protect amenity of neighbouring properties by reason of loss of light or overlooking.
14. The Council have raised concerns with regards to waste collection. The appellants have indicated that waste will be managed via an internal refuse room. I am satisfied that a suitable planning condition would ensure the collection of waste can be adequately managed and this matter would not result in any adverse effects to living conditions.

#### *Highway safety*

15. The Council indicate that given the number and type of flats proposed, there is a requirement for 54 parking spaces. The proposal would provide 41 parking spaces which results in a shortfall of 13 spaces. The lack of sufficient parking provision would lead to inconsiderate parking of vehicles either within the site or on the street which could result in obstructions and requiring unconventional vehicle manoeuvres that would have an adverse effect on the safety of highway users.
16. I have had regard to the highway position on the application at Oundle. However, there is insufficient evidence to determine whether the appeal site and the site in the Oundle application are directly comparable in terms of their locations as "market towns", and subsequently their proximity to public services and therefore whether future occupants are less likely to own a vehicle. The appellant raises matters such as the tenure of the proposed development and the awareness of future occupants, however, minimal compelling justification has been provided on these specific matters to convince me that the under provision of parking spaces on the site would not lead to future occupants not been able to park within the site. The appellant has also suggested that a condition for a Travel Plan would address the parking matter. No convincing evidence has been provided in relation to a Travel Plan to provide assurances that a planning condition would ensure that there would be no harm created by an under provision of parking on the site.

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<sup>1</sup> Ref: APP/M2840/W/22/3313850

17. Amended plans have been provided showing that 54 parking spaces can be achieved by using spaces at the adjacent care home. These parking spaces would not be within the appeal site and should the ownership of the care home and the appeal site separate this would likely result in the loss of parking provision for the proposed development resulting in the parking problems as described above.
18. A highways statement and access drawings have been provided which illustrate suitable visibility splays and satisfactory vehicle tracking movements which indicates larger vehicles are able to enter and leave the site in a forward motion. The proposed development would be accessed via a long private road. The width of this access road would range from 3.7 metres wide to 4.8 metres wide. Smaller vehicles would be able to pass each other at the wider parts of the road, however, larger vehicles such as delivery vans or refuse trucks would have problems passing other vehicles. The appellant indicates that retirement flats usually generate a lower level of vehicle movements although this scheme is for over 55's and therefore may not be accommodated exclusively by retired people. Given the length of the access, it would not be unlikely for vehicles to meet each other on the access and if they are not able to pass this would lead to a vehicle having to perform a hazardous manoeuvre and reversing either back into the site or onto the public highway which would be dangerous for highway users. My concerns above regarding lack of parking could also result in parking of vehicles in areas of the site that could create obstructions to the access and free movement of vehicles.
19. The Council and the appellant disagree on when an access is required to be brought to an adoptable standard. From what I witnessed at my site visit, the residential property of Bilsdale appears to have a separate access however, it is unclear from the evidence before me whether the occupants of Bilsdale can still use the access which is proposed for the development. It is clear though, that whilst the development is one large building, the proposal is for 36 individual residential units that would be accessed from one access.
20. It has been indicated that the Council require 36 secure and covered cycle parking spaces for this development. The appellant indicate that cycle store for 20 cycles would be provided along with storage for six mobility scooters. There is minimal explanation for the undersupply of secure and covered cycle parking.
21. The Council are concerned that the proposal does not provide adequate drainage solutions at the site access. A lack of suitable drainage could lead to surface water on the access or running onto the public highway that could result in hazardous conditions that would be detrimental to highway safety.
22. Accordingly, the proposed development would be harmful to highway safety with regard to access, parking and drainage. The proposal would be contrary to Policy 8 of the NNJCS which seeks development to ensure satisfactory access, parking provision and servicing.
23. I have had regard to the email correspondence<sup>2</sup> relating to highway matters, although I acknowledge that the Council still have objections on highway grounds. Nevertheless, this email correspondence does not alter my findings above and the harm that is found to highway safety.

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<sup>2</sup> Appendix 1 of the Appellants Statement of Case

### *Trees*

24. A Tree Survey Report (TSR) dated August 2025 has been submitted which includes an Arboricultural Impact Assessment and plans detailing tree constraints and protection. The TSR assesses the quality of the trees on site and considers which are suitable to be retained and which could be removed. It provides details of tree protection barriers/fencing for ensuring trees are protected during construction and 'no-dig' systems are proposed for areas of the parking and access. From the evidence submitted, I am satisfied that the proposed development would not have an adverse effect on trees.

### *Affordable housing*

25. Policy 30 of the NNJCS would require the proposed development to provide 30% of the scheme to be affordable housing provision which equates to 11 units. Policy 30 further states that affordable housing should be provided on site unless the developer can demonstrate exceptional circumstances which necessitate provision on another site, or the local planning authority is satisfied that off-site delivery or an equivalent financial contribution for affordable housing.
26. The proposal does not incorporate any affordable housing provision with the appellant stating that it is a viability issue and subsequently a Financial Viability Assessment Report dated August 2025 (FVAR) has been submitted. This FVAR concludes that the net residual is -£1,553,000 and therefore the development cannot viably sustain a contribution towards affordable housing.
27. Whilst I note that the Council have not commented on this FVAR, from all the evidence before me which includes the FVAR from August 2025, it indicates that exceptional circumstances have been demonstrated and the scheme would not be viable with the inclusion of affordable housing. The proposal would therefore accord with Policy 30.

### *Other matters*

28. A legal agreement has been submitted which would provide for commuted sums towards Strategic Access Management and Monitoring measures, libraries and the NHS. These contributions would all be to mitigate the introduction of additional people into the area and on this basis, I attribute neutral weight to these matters.
29. The proposal would bring social, economic and environmental benefits as it provides a specific type of housing for older people, located close to existing services with the proposal being an efficient use of land, that would also contribute to the local economy both during and after construction stage. I would attribute moderate weight to these matters given the number of units that are proposed within the scheme.
30. The appellant contends that in terms of biodiversity the proposal would result in 8.33% uplift in habitat units and 21.76% uplift in hedgerow units. The scheme would also incorporate measures to ensure high standards of resource, energy efficiency and reduction in carbon emissions. These are environmental benefits, and given the scale of the development, I attribute minimal weight to this benefit. The proposed development would also not have any adverse effects in terms of archaeology and flooding.

31. I note that pre-application advice was sought prior to the submission of the application and that there has been some criticism of how the planning application has been dealt with including on timescales for a determination. I have determined this appeal on the evidence that has been submitted and these matters do not alter my findings on the main issues.

### **Conclusion**

32. I have found that the proposal would not have an adverse effect on waste management and trees, and that exceptional justification has been submitted for not providing affordable housing provision at this time. However, these matters and the benefits described above would not outweigh the significant harm I have identified regarding the effect on the character and appearance of the area, the living conditions of neighbouring occupiers and highway safety.
33. The proposal would conflict with the development plan as a whole and there are no other considerations, including the provisions of the National Planning Policy Framework, which outweighs this finding.
34. For the reasons given above, I conclude that the appeal should be dismissed and planning permission is refused.

*Chris Baxter*

INSPECTOR