
Appeal Decision

Site visit made on 31 March 2026

by N Duff BSc (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 03 July 2026

Appeal Ref: APP/W2845/W/25/3376419

Churchwood, 47 Sywell Road, Overstone, West Northamptonshire NN6 0AG

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant outline planning permission.
 - The appeal is made by Mr Michael McGuire and Mrs Andrea McGuire against the decision of West Northamptonshire Council.
 - The application Ref is 2025/2754/OUT.
 - The development proposed is outline planning application for the erection of 1no. self-build dwelling with all matters reserved aside for access.
-

Decision

1. The appeal is dismissed.

Preliminary Matters

2. The proposal has been made in outline form with access being considered as part of this appeal. The matters of layout, scale, appearance and landscaping are reserved matters and do not form part of this proposal.
3. A unilateral undertaking has been submitted following the initial appeal documents to secure the proposed development as self-build, together with an appeal decision provided to support the appellant's case. The Council has been given an opportunity to comment upon these documents, therefore I am satisfied that the Council would not be prejudiced by my taking them into account.

Main Issue

4. The main issue of the appeal is the effect of the proposed development on the character and appearance of the area.

Reasons

5. The appeal site is an L-shaped area of land associated with the property Churchwood on Sywell Road. The land is a large parcel which is physically connected to the garden of Churchwood, a large, detached dwelling. The land sits to the rear of several gardens of properties along Sywell Road, Overstone. The appeal site has dedicated access that runs between Churchwood and the neighbouring dwelling to the west. The site has garden boundary treatments surrounding it. Together with hedgerows and a dense area of mature vegetation to the west with paddocks to the south.
6. Overstone is a modest sized, linear settlement which extends along Sywell Road on both sides. The shape of the settlement is focused along the main road and has

a strong linear pattern. However, some housing development has taken place at greater depth along the southern side of the road.

7. The proposal is for outline planning permission for a single dwellinghouse on the land and seeks to determine access only. The property would have dedicated car parking spaces and a large garden surrounding it.
8. The proposed dwelling, as shown on the plans, would be situated behind existing development along Sywell Road. The proposed dwelling would be accessed off Sywell Road.
9. I have been provided with an appeal decision¹ for a previous proposal for a dwelling on the appeal site which was dismissed in 2025. The Inspector found harm regarding the character and appearance of the area, furthermore that it would be acceptable with regards to living conditions and found harm regarding biodiversity. Since that decision, the issue of biodiversity has been resolved, and the Council has raised no objection regarding living conditions of neighbouring occupiers. The Inspector considered the lawful development certificate² at the site. Whilst the Inspector did consider housing land supply, the proposal before me differs as it is for a self-build dwelling, therefore although not a matter in dispute, additional evidence regarding this is a material consideration and is considered later in my decision.
10. The Council, Overstone Parish Council and interested parties have raised concerns over the effect of the proposal on the linear character of the village. The appellant's evidence highlights examples of development further south of Sywell Road that extend beyond the prevailing linear form including development off Church Walk, and developments to the east, and considers that there is a precedent for such development. However, these developments are generally located within areas where the settlement has expanded in larger clusters. In contrast, the proposed development site lies within a part of the south side of Sywell Road where the prevailing character is defined by properties set within long plots, with gardens extending back to countryside or countryside uses beyond. This pattern reinforces a strong linear form of development, distinguishing it from other sections of Sywell Road, particularly to the east, where estate roads introduce more consolidated clusters of development.
11. Due to its position of the proposed development, it would be at odds with the surrounding character of development, and would harm the form, character and historic linear character of this part of Overstone.
12. The position of the building is shown on the plans as being tucked behind the dwellings fronting Sywell Road, however, glimpses of supporting infrastructure and paraphernalia could be gained from Sywell Road. The area is heavily landscaped along the western boundary, with mature trees and Church Walk beyond. Therefore, the visual impact of the dwelling would be limited from public vantage points. However, the proposed dwelling would be visible from neighbouring properties. Due to this, together with the activity associated with a dwelling, I consider that it would be apparent that development has extended further to the south, affecting the strong linear pattern that exists nearby.

¹ Appeal Ref: APP/W2845/W/24/3354483 detached bungalow, dismissed 25th February 2025

² Lawful Development Certificate ref: 2024/3796/LDP Lawful development certificate (proposed) for proposed pool house and gym approved .

13. I have been provided with a decision relating to a planning permission³, whereby a dwelling was approved in a rear garden. However, this decision relates to a different location, and I do not have detailed information relating to the scheme. I therefore, do not consider that it is directly comparable to the scheme before me.
14. I note that the full detail of the proposed dwelling is not before me, therefore a high-quality design could be put forward at the reserved matters stage in accordance with a requirement of Policy R1 of the West Northamptonshire Joint Core Strategy (JCS). In addition, I am satisfied based on the information before me and my observations that the access to the site would be acceptable.
15. Nevertheless, for the reasons set out above, I conclude that the proposed development would have a harmful effect on the character and appearance of the area. As such, the proposal would fail to accord with Policies S10 i), H1a) and b), and R1 B) i) and iii) of the JCS. Which in combination seek to protect, conserve and enhance the built environment; ensure development responds appropriately to the site's location, setting and the existing character of the area; safeguard land of particular importance to the form and character of the village; result in environmental improvements, including the reuse of previously developed land and proposals informed by effective community engagement.
16. The proposal would also fail to comply with Policies SP1 G), RA3 C) iii and iv, ENV10 A.i) of the Settlements and Countryside Local Plan Part 2 (LP) which in combination seek to protect and enhance the built and natural environment, and to protect the form, character and setting of the village and protect open land that makes an important contribution to the form, character and setting of the settlement and reinforce local distinctiveness.
17. In addition, the proposal fails to comply with Policy 6 1.b) and 1.h) of the Overstone Neighbourhood Development Plan (NP) which seeks to ensure that development proposals do not affect open land which is of particular significance to the form and character of the village and should preserve Overstone's distinct and historical linear character.

Other Matter

18. An interested party has stated that this proposal could set a precedent for this type of development which cumulatively could change the character of the area. My decision has been made based on the evidence provided and the individual merits of the case set out in the reasoning above and does not have any bearing on future applications that may be heard by the Council.

Planning Balance

19. In accordance with the Government's objective of significantly boosting the supply of homes, the National Planning Policy Framework sets out the importance of providing sufficient amount and variety of land for housing where it is needed. The proposed development would provide one, self-build property. The appellant has provided detailed evidence relating to the Council's delivery of self-build properties, including reasons why the appellant considers that certain permissions do not qualify as self-build properties, together with appeal decisions to support the appellant's position which I have considered.

³ Planning application ref: DA/2013/0013 Excavation of part of rear garden and insertion of retaining walls to facilitate construction of 2 storey split level dwelling with lower ground floor. Erection of replacement Eastern Boundary fence.

20. A benefit of the proposal would be the provision of one dwelling. The proposal would contribute to the Council's housing land supply which according to the evidence provided is a 5.5 year supply. Due to the small scale of the proposal by contributing one net dwelling, it attracts only modest weight.
21. Under the Self Build and Custom Housebuilding Act 2015, local authorities are required to keep a register of those seeking to acquire serviced plots in the area for their own self-build and custom housebuilding. The Planning Practice Guidance⁴ states that relevant authorities must give suitable development permission to enough suitable serviced plots of land to meet the demand of self-build and custom housebuilding in their area. The level of demand is established by reference to the number of entries added into an authority's register during a base period.
22. The appellant has considered that many of the permissions in its table titled 'Critical Review of Claimed Permissions (Daventry Area)' do not qualify as self-build for reasons such as the permission not being restricted to self or custom build, no CIL exemption for self or custom build being sought and CIL self-build claim form not being submitted. The PPG sets out how authorities can record suitable permissions⁵. However, I do not have sufficient evidence before me to demonstrate that discounting permissions on these bases is exhaustive, or conversely that the permissions would be delivered as self or custom build housing. The Council's evidence states that the Council's Self and Custom Build Annual Monitoring Report demonstrates that in the most recent Base Period (no.9) the number of plots granted planning permission for custom and self-build exceeds the number of entrants registered in this base period. However, the Council has not disputed the evidence provided by the appellant with regard to its critical review of claimed permissions.
23. It is not clear to me that the Council has met its targets regarding self and custom build housing, and the appellant's evidence shows a significant shortfall in permissions. The appellant has provided an appeal decision⁶ for a development determined in September 2025 within West Northamptonshire where the Inspector concluded similarly. Therefore, this is a material consideration in this case.
24. I consider that the proposal would contribute to the Council's targets regarding self-build homes, where there appears to be a shortfall. A legal agreement in the form of a Unilateral Undertaking has been provided by the appellant to secure this, which the Council considers functioning and would result in an enforceable self-build plot, and I see no reason to disagree. I have been provided with an appeal decision⁷ whereby the Inspector afforded substantial weight to the provision of self-build custom housing. However, in this case, I note that this was in relation to a development for up to 5 dwellings. For this reason, the case is not directly comparable to the case before me. Therefore, due to the small scale of the proposal for one dwelling, this would only make a very modest contribution to self-build provision, however due to potential level of shortfall, this matter attracts moderate weight in favour of the development.

⁴ Paragraph: 023 Reference ID: 57-023-201760728

⁵ Paragraph: 038 Reference ID: 57-038-20210508

⁶ Appeal Decision APP/W2845/W/25/3363035

⁷ Appeal Decision APP/Y2620/W/25/3368039

25. The appellant has referred to a lawful development certificate which has been granted at the site for the pool house and gym, which based on the information before me was determined prior to the previous appeal at the site. The building is of a considerable size and would be in a comparable position on the site as the proposed dwelling, based on the plans before me which give an indication of where the dwelling may be located. Whilst there is a reasonable prospect of the development going ahead, and it would introduce built development onto the site, it nevertheless is for a domestic outbuilding therefore it is not directly comparable to the proposal due to its different use and character. Accordingly, this matter attracts modest weight in favour of the development.
26. The village of Overstone is a sustainable location for the proposed development, due to the presence of local services within walking distance, and is considered to be well connected in terms of public transport. Whilst this is a benefit of the proposal, it carries modest weight due to the small scale of the proposed development.
27. The Council has raised no objections to the proposal regarding nearby listed buildings. There is a Grade II listed Church⁸, Church of St Nicholas near to the site to the south, accessed off Church Walk, given the reasonable separation distance and intervening vegetation between the Church and the appeal site, I am satisfied that the proposed development would preserve its significance as a heritage asset, insofar as it relates to its setting.
28. Having regard to the Grade II Listed Overstone Gate⁹ on Sywell Road, given the reasonable separation distance, together with built development and mature trees separating it from the appeal site, I am satisfied that the proposed development would preserve its significance as a heritage asset insofar as it relates to its setting.
29. The Council did not find harm or development plan conflict in relation to several other matters including, ecology, environmental health matters, matters relating to designing out crime, fire safety, highways, flood risk, and the effect of the proposal on the living conditions of neighbouring occupiers, with many issues able to be dealt with at reserved matters stage or by condition. However, even if I were to agree with the Council on these points, the absence of harm would be a neutral matter which would not carry weight in favour of the proposal.
30. A benefit of the scheme relates to improvements for biodiversity which would be brought forward through an appropriate landscaping scheme which would be secured by condition. However, this benefit would attract modest weight due to the small scale of the site.
31. The development would provide one, self-build dwelling and there are a number of benefits accruing from the scheme as outlined above and considerations that weigh in favour of the development. However, the proposal would have an adverse effect on the character and appearance of the area. This adverse element of the scheme would be such that the harm and related policy conflicts should weigh to a substantial extent against the proposal and would not be outweighed by the benefits.

⁸ List Entry Number:1075356

⁹ List Entry Number:1075361

Conclusion

32. The proposal conflicts with the development plan and the material considerations do not indicate that the appeal should be decided other than in accordance with it. For the reasons given above the appeal should be dismissed.

N Duff

INSPECTOR