



Appeal Decision

Hearing (Virtual) Held on 25 May 2021

Site Visit made on 26 May 2021

by M Russell BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 25 June 2021

Appeal Ref: APP/Z2830/W/20/3265715

Land South of Station Road, Blisworth, Northamptonshire NN7 3DN

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Land Allocation Ltd against the decision of South Northamptonshire Council.
 - The application Ref S/2020/0930/MAO, dated 20 May 2020, was refused by notice dated 6 October 2020.
 - The development proposed is described as 'Outline Planning Application for up to 35 (maximum) residential dwellings including access with all other matters reserved'.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The appeal scheme seeks outline planning permission including access. Matters of appearance, landscaping, layout and scale are all reserved for subsequent approval. Therefore, other than access, I have considered the remaining details shown on the plans on the basis that this information is shown for indicative purposes only.
3. South Northamptonshire Council (SNC) ceased to exist on 1 April 2021. SNC and other neighbouring Councils have merged to form West Northamptonshire Council (WNC). My decision will be issued to the new Unitary Authority WNC. It was also confirmed at the hearing that the West Northamptonshire Joint Core Strategy Local Plan (Part 1) (2014) (JCS) and the South Northamptonshire Part 2 Local Plan (2020) (LPP2) referred to in the Council's decision notice still comprise the development plan relevant to the appeal before me and I have assessed the appeal on that basis.
4. The Council confirmed at the hearing that based on the findings of two other recent appeals at Middleton Cheney¹ that WNC can demonstrate a 5.14 year housing land supply. The Government also published its Housing Delivery Test (HDT) results on 19 January 2021 which confirmed that the Council has exceeded its housing targets over the last 3 years with a HDT measurement of 118% when the number of homes required is compared with the number delivered over that period. The appellant does not dispute this and confirmed at the hearing that they are not suggesting that paragraph 11 (d) of the

¹ APP/Z2830/W/20/3259839 & APP/Z2830/W/20/3261483

National Planning Policy Framework (the Framework) is engaged. From the evidence before me I have no reason to take a different view.

5. It is common ground between the parties that the appeal site is not within or next to a Conservation Area. Therefore, Policy HE6 (Conservation Areas) which is referred to on the Council's decision notice has not been material to my assessment of the appeal.

Main Issues

6. The main issues are:

- (i) whether the appeal site would be a suitable location for the proposed development, having regard to the development plan and national policy;
- (ii) the effect of the proposal on the character and appearance of the area, including landscape character;
- (iii) whether the proposal would preserve the setting of the Grade II Listed Building at Nos 25 – 27 Grafton Villas, Northampton Road; and
- (iv) whether the proposal makes adequate provision for any additional need for affordable housing, education, public open space, refuse / recycling, libraries and healthcare arising from the development.

Reasons

Location

7. There is no dispute between the main parties that the appeal site is located outside the defined development limits of Blisworth. Accordingly, there is agreement that the site is situated in the countryside for decision making purposes.
8. Policy SA of the JCS and the Framework set out a presumption in favour of sustainable development. Policy S1 (The Distribution of Development) of the JCS confirms amongst other things that development will be concentrated primarily in and adjoining the principal urban area of Northampton, followed by the sub-regional centre of Daventry and then the development needs of the rural service centres of Towcester and Brackley. The policy confirms that limited development will take place in the rural areas.
9. Policy S3 (Scale and Distribution of Housing Development) of the JCS sets out amongst other things that rural areas within the South Northamptonshire area will account for about 2,360 dwellings. Policy R1 (Spatial Strategy for the Rural Areas) of the JCS makes provision for these dwellings and confirms amongst other things that this development will be guided by a settlement hierarchy.
10. The settlement hierarchy is provided at Policy SS1 of the LPP2 which confirms amongst other things that development will be directed towards the most sustainable locations and within the settlement boundaries identified. This is consistent with the plan-led approach endorsed by the National Planning Policy Framework (the Framework). Blisworth is identified as a Secondary Service Village (A) which are likely to be more suitable for limited development within the settlement boundary than category B service villages.

11. The appellant conceded at the hearing that there is an element of conflict with these policies. Indeed, Policy R1 sets out a list of requirements (A – G), all of which are required to be met for residential development in rural areas. Some of the matters, including those relating to the character of the area and the relationship of the proposal with heritage assets are considered under the other main issues of this decision. However, given the location of the site outside and set away from the identified settlement boundary for Blisworth, the development would clearly fail to meet the requirement at Policy R1 (G) which requires such development to 'be within the existing confines of the village' as well as the objective to direct development to 'within settlement boundaries' in Policy SS1.
12. I have not been presented with any substantive evidence to suggest that there is a specific need for development in this location to enhance or maintain the vitality of the community or that the development would improve the local economy. Therefore, the exceptional circumstances referred to under Policy R1 for development outside the existing confines of villages do not exist.
13. Furthermore, the Council confirmed at the hearing that the housing requirement in the South Northamptonshire area had already been exceeded and this was not challenged. Policy R1 confirms that once the requirement for rural areas has been met, further development will only be permitted where it can be demonstrated it meets one of the exceptions set out at i) – v) of this policy which in the case of the appeal proposal do not apply.
14. Policy SS1 and LH1 (Residential Development Inside and Outside Settlement Confines) support the delivery of housing beyond the settlement confines of Secondary Service Village (A) in a limited number of circumstances including where it is for starter homes, entry level and single plot exceptions sites, self and custom build homes, specialist housing and accommodation needs or residential and nursing care. The proposal would not meet any of these exceptions either.
15. Given the location of the site next to existing dwellings on Station Road and its relative proximity to Blisworth, the site would not be isolated in terms of the definition within the Framework. Even so, this does not mean the development would meet the sustainability aims of the development plan and the Framework.
16. I have seen and heard the evidence provided by the appellant in terms of the relative proximity of the site to the services and facilities in Blisworth. The appellant also proposes to increase the width of the footpath along Northampton Road between the site and Blisworth. Whilst the distances involved are likely to be achievable for some by foot, cycling is unlikely to be an attractive proposition given that the national speed limit applies along Northampton Road.
17. In any case, the level of service provision in Blisworth reflects its status in the Council's settlement hierarchy and would be unlikely to meet all the day-to-day needs of future residents. The site is located well away from locations in the District with a greater range of services and facilities such as supermarkets and secondary schools. Therefore, walking and cycling to these larger settlements is not a realistic prospect. I heard that there is an hourly service from the bus stop opposite the site to Northampton and Towcester. However, a limited bus service alone would be unlikely to dissuade residents from undertaking the

majority of day-to-day trips by private motor vehicle. This further persuades me that development in this countryside location would be unacceptable.

18. I conclude that the appeal site is not a suitable location for the development and would undermine the strategic objectives of Policies SA, S1, S3 and R1 of the JCS and Policies SS1 and LH1 of the LPP2 and the sustainable development principles of the development plan and the Framework.

Character and appearance including landscape character

19. The appeal site relates to grassed paddock land with substantial tree and hedgerow boundaries to Northampton Road and Station Road. The surrounding topography is undulating and there is a distinct change in levels across the site with land falling away from the highest point at the south eastern boundary towards the north and western boundaries. The nearest group of dwellings to the site on Station Road are of a low density ribbon form with the main built footprint of Blisworth located further to the south beyond intervening fields.
20. I have taken into account the appellant's 'Landscape and Visual Assessment' (LVA) which confirms that the appeal site falls within National Character Area 89 known as the 'Northamptonshire Vales' which amongst other things includes an open landscape of gently undulating clay ridges and valleys with occasional steep scarp slopes, overall visual uniformity to the landscape and settlement pattern and a mixed agricultural regime of arable and pasture. The LVA also confirms that the site sits within Landscape Character Area 6a 'The Tove Catchment' in the Northamptonshire Current Landscape Character Assessment (2003) which amongst other things includes arable and pasture farming and numerous villages scattered throughout the area. These characteristics are consistent with what I saw in the locality during my site visit.
21. As set out in the Statement of Common Ground (SOCG) the parties do not disagree that the development would be harmful to the intrinsic character and appearance of the countryside, it is the level of harm that is in dispute.
22. At the hearing the appellant suggested the site is divorced from the open landscape by the railway line to the north. However, there are fields on the rising land to the opposite side of Northampton Road, between the site and the Grand Union Canal to the west and between the main built footprint of Blisworth to the south. Beyond the canal the land rises again and consists of further fields. Consequently, the undeveloped soft landscaped characteristics of the site are consistent with the prevailing rural character of the immediate landscape which surrounds the main built extent of Blisworth.
23. There is the potential to supplement the existing tree and hedgerow boundaries along Station Road and Northampton Road with further planting. On this basis, it is likely that the development would be relatively well contained in terms of its relationship with these road frontages. Whilst this would limit the visual impact of the development, any supplementary planting would take time to mature. Even then, given the anticipated density of the development and the likely necessity to position some of the buildings in relatively close proximity to the external boundaries, it is likely that the development would be perceptible to passers-by in glimpses through the vegetation.
24. The site access on Station Road would allow open views of the site. The appellant's LVA also indicates that the development would likely be visible

through the frontage of the neighbouring dwelling to the south of the site on Northampton Road (Viewpoint 03 of the LVA). In addition, during my site visit I also observed that the higher parts of the site are visible over the roadside hedge boundary of the field to the west on Station Road as illustrated in Viewpoint 04 of the LVA. In these instances, the density of the development would be likely to be perceived as being uncharacteristic of the prevailing low-density built form and soft landscaped setting of the immediate surroundings.

25. In longer distant views, the surrounding topography and intervening vegetation substantially screens the site from many of the local publicly accessible vantage points. However, whilst not evident in Viewpoint 05C in the LVA, my site visit revealed that a large part of the grassed land within the site is visible from the bridge over the Grand Union Canal further along Station Road. From here, the sites' position amongst fields and set away from the main concentration of buildings at Blisworth is appreciable. Viewpoint 07 in the LVA from Gayton Road to the west of Blisworth, also indicates that the development would not be well integrated with the built form of the settlement in views within the wider landscape.
26. I acknowledge that the quantum of development is a maximum and that the layout and scale of the buildings is a matter for consideration under the reserved matters. However, in the instances described, the development would introduce an urbanising built form into the rural landscape. This would detract from the rural characteristics of the land surrounding Blisworth which are significant to the form and character of the village.
27. Overall, I conclude that the development would have a moderate adverse effect on landscape character and would be harmful to the character and appearance of the countryside. In that regard it would conflict with the character, appearance and landscape character requirements of Policies R1(B) (Spatial Strategy for the Rural Areas) and SS2 (General Development and Design Principles) of the JCS and the Framework.

The effect on the setting of 25 – 27 Grafton Villas

28. The Grade II Listed building at Nos 25 -27 Grafton Villas is a fine pair of c19 semi-detached cottages situated on a corner plot at the junction of Station Road and Northampton Road. The building incorporates attractive architectural features and is built in local stone. A Grade II listed railway bridge is situated further to the north on Northampton Road in close proximity to Grafton Villas. The listing description confirms amongst other things that the siting and design of Grafton Villas sought to have a '...Lodge-like effect, and be an ornamental adjunct to the Archway'. Indeed, there was agreement at the hearing between the parties that the significance of Grafton Villas primarily derives from its architecture and it's visual relationship with the listed bridge.
29. I accept that the listed building is unlikely to have been previously experienced as having a functional relationship with surrounding fields. Even so, the listed building has historically been appreciated as sitting within the rural environs of the countryside. The fields and mature soft landscaping that sit in close proximity to the listed building are an inherent part of these established surroundings. Given the general sparsity of the surrounding built environment, more focus is drawn to the listed building particularly when passing by on

- Northampton Road. Consequently, the rural surroundings make a positive contribution to the setting of the listed building, adding to its significance.
30. At the time of my site visit, the substantial mature planting that exists to the external boundaries of the appeal site and the grounds of the listed building restricted open views between the two. However, it is likely that when planting is not in full leaf the open nature of the appeal site and the architecture of the listed building would be appreciated together, particularly in views close to the junction of Station Road and Northampton Road.
31. Even accounting for the potential to set buildings in from the external boundaries of the appeal site and to supplement existing planting with new planting, it is likely that the development would be perceptible from the street including in glimpses through the roadside vegetation. The intensive residential nature of the development would also be evident from the proposed access point on Station Road. Consequently, the development would introduce domestic development of a more urban density which would erode the rural surroundings and distract from the splendour of the listed building.
32. For the above reasons, and in the context of paragraph 196 of the Framework I consider that the development would result in less than substantial harm to the setting of the listed building. In accordance with the Framework this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.
33. Up to 35 dwellings would be provided, albeit be in a location which conflicts with the strategic objectives of the development plan. However, I am mindful that at 5.14 years the housing land supply for the area is only marginally over 5 years and that this should not be taken to be a maximum in accordance with the advice in the Framework. There would be jobs associated with the construction of the development, increased expenditure in the area from future residents as well as additional funding for the local authority through new homes bonus and council tax receipts. I attach positive weight to these matters.
34. The parties do not dispute that the provision of 50% of the dwellings as affordable units carries significant weight as a benefit. Having regard to the findings of the Inspector who dealt with the recent appeal at Paulerspury² which took into account the current shortfall of affordable dwellings across the district, I find no reason to disagree. Even so, as was the case at Paulerspury, this must be considered in the context that there is no convincing evidence to suggest that it would alleviate an unmet need within, or close to, Blisworth.
35. The proposed widened footpath link between the site and Blisworth is likely to be more beneficial to future residents of the development rather than providing significant wider benefits for the existing community at Blisworth. Therefore, the public benefits associated with this would be relatively limited.
36. However, I must attach considerable importance and weight to the desirability of preserving the setting of the Grade II Listed Building at Grafton Villas. I therefore find that the collective weight of the public benefits identified does not outweigh the less than substantial harm to this heritage asset.

² Appeal Ref APP/Z2830/W/20/3261692

37. For the foregoing reasons, the development would not preserve the setting of the Grade II Listed Building at Nos 25 – 27 Grafton Villas. Consequently, in that regard the development would conflict with the requirements which seek to preserve the setting of listed buildings in Policy R1(C) (Spatial Strategy for the Rural Areas) of the JCS and Policies HE1 (Significance of Heritage Assets) and HE5 (Listed Buildings) of the LP and the Framework.

Infrastructure provision

38. A new completed Unilateral Undertaking (UU) (dated 8th June 2021) has been provided by the appellant in line with the timescales specified at the hearing. The UU would secure 50% of the proposed dwellings as affordable units, provision and maintenance arrangements of on-site and off-site public open space, financial contributions towards early years and primary school education, healthcare, libraries, refuse and recycling and towards monitoring of the UU all in accordance with the policy compliant levels set out by the Council. I am satisfied that the UU would provide the necessary assurances to the parties that these justified developer contributions would be secured and that it meets the relevant tests at Paragraph 56 of the Framework and Regulation 122 of the CIL Regulations.

39. I conclude that the UU provided would ensure the infrastructure contributions necessary to make the development acceptable would be provided. Consequently, the development would comply with the affordable housing and infrastructure requirements in Policies H2 (Affordable Housing), INF1 (Approach to Infrastructure Delivery) and INF2 (Contributions to Infrastructure Requirements) of the JCS and Policies LH8 (Affordable Housing), INF1 (Infrastructure Delivery and Funding) and GS1 (Open Space, Sport and recreation) of the LPP2 and the Council's Supplementary Planning Document - Developer Contributions (2010).

Other Considerations

40. I have already concluded that the harm to the heritage assets would not be outweighed by the public benefits of the proposal. In addition, these public benefits would not be of a sufficient magnitude to outweigh the collective harms identified under the first three main issues.

41. Developer contributions would ensure that the impacts of the proposal on local infrastructure would be addressed rather than being a benefit of the development. Given that the proposal is in outline form and no detailed landscape and ecological plans are before me, any biodiversity net gains have not been quantified and I am therefore not in a position to attribute weight to this matter as a benefit.

42. The parties do not dispute that the number of homes delivered would be proportionate to the scale of Blisworth as a secondary village. However, even if I were to accept that the development would meet some of the requirements for residential development in rural areas listed at paragraphs A – G of Policy R1 of the JCS, this does not overcome the conflict with this policy identified under the main issues.

Conclusion

43. In accordance with the requirements of s38(6) of the Planning and Compulsory Purchase Act (2004), the appeal must be determined in accordance with the

development plan unless material considerations indicate otherwise. Paragraph 12 of the Framework specifies that where a planning application conflicts with an up-to-date development plan, permission should not usually be granted unless material considerations in a particular case indicate that the plan should not be followed.

44. I have concluded that the proposed development would not be in an appropriate location, would result in harm to the character and appearance of the area and would not preserve or enhance the setting of the Grade II Listed Grafton Villas.
45. Collectively these matters amount to significant conflict with the development plan as a whole and would not amount to sustainable development. There are no other considerations, including the policies in the Framework that would outweigh this conflict. Therefore, for the reasons given above and taking into account all other matters raised, I conclude that the appeal should be dismissed.

M Russell

INSPECTOR

APPEARANCES

FOR THE LOCAL PLANNING AUTHORITY:

Peter Gittins Principal Planning Officer – West Northamptonshire Council
Andy Murphy Director – Stansgate Planning Consultants Ltd
Mandy Lumb Senior Conservation Officer – West Northamptonshire Council

FOR THE APPELLANT:

Joe O’Sullivan Head of Planning – AAH Planning Consultants
Leanne Richardson Senior Planning Consultant – AAH Planning Consultants
Wendy Wright Principal Landscape Architect – AAH Planning Consultants
Andy Rudge Principal Heritage Consultant – Lanpro Services

INTERESTED PARTIES:

Greg Hutton Observer on behalf of Davidsons Developments Ltd

DOCUMENT SUBMITTED AT THE HEARING

1. Letter from Northamptonshire County Council dated 30 June 2020 regarding planning obligation requirements.

DOCUMENT SUBMITTED AFTER THE HEARING

1. Planning Obligation dated 8 June 2021