

Background

1. This appeal arises from the non-determination of planning applications for a proposal falling partly within the jurisdiction of Daventry District Council (DDC) and partly within the jurisdiction of West Northamptonshire Development Corporation (WNDC).

Extent of the proof

2. My proof deals with general planning issues relating to the appeal. The proofs of evidence prepared by Iwan Richards, Michelle Bolger, Rachel Booth and Simon Bowers cover other aspects of the appeal, namely strategic planning policy; landscape; cultural heritage; and planning obligations, respectively.

The context for the appeal proposals

3. My main proof begins by describing the site and its surroundings and gives an outline of Daventry's growth over the last 40 years or so. A broad indication of the nature and geographical disposition of the town's principal residential and employment areas and facilities is also provided. I also give a brief description of Borough Hill.

The appeal application process

4. I then describe the process by which the appeal application was considered by DDC and the outcome of that process. At different times, DDC considered both the originally-submitted scheme and the later, amended scheme. On both occasions, the resolution of DDC's Planning Committee was the same, namely that the application in the jurisdiction of DDC should have been refused and that WNDC should have been advised that the application in their jurisdiction should also have been refused.

Appeal proposals and planning history

5. Before examining the conclusions of the Planning Committee in more detail, my proof describes the nature of the appeal proposals and, particularly, the amendments that have been submitted to the original scheme. I then go on to look at the planning history of the site, in terms of both applications and a range of policy documents.

6. In relation to the latter, I explain that part of the site was considered as a potential site and included in the deposit draft local plan. As part of the local plan inquiry in 1994/5, the Inspector considered the appropriateness of the site and despite there being a need to find sites to meet the housing requirement, concluded that the allocation of the site would not be appropriate because of its isolation from Daventry by virtue of Borough Hill. He therefore recommended that the site be deleted from the local plan. The relevant development plan considerations are then set out.

The Council's case

7. Section 7 of my main proof sets out the Council's case. My evidence addresses Reason for Refusal (1) and Reason for Refusal (2), in part only. Other witnesses will cover the remainder of Reason (2) and the rest of the Reasons.

Reason for Refusal (1)

8. My evidence demonstrates that there is a significant lack of connectivity between the appeal site and the existing built-up area. This lack of connectivity can be expressed in both physical and qualitative terms. My proof examines both of these aspects:
 - Physical – a number of factors that lead to separation between the site and the existing built-up area are examined, including the presence of open land between the two.
 - Qualitative – I examine the routes available to pedestrians and cyclists using existing roads, and around and across Borough Hill, and conclude that they have significant deficiencies. I then examine the extent to which public transport would offer a viable alternative for journeys and find existing services and the appellant's proposals to be wanting in various respects.
9. I then set out how Borough Hill acts as a significant physical and psychological barrier to connectivity and how the lack of integration of the appeal site with the existing town has an impact on the open countryside and nearby villages. I conclude that, overall, there is a significant lack of connectivity to, and integration with, the existing form and fabric of the town and its facilities, contrary to policy.

Reason for Refusal (2)

10. In relation to this reason, I examine, first, the role of Borough Hill, past and present, including its current country park status and its function as a place for “quiet enjoyment”. I then go on to set out how the appeal proposals would impact adversely on Borough Hill, in terms of:
- Pedestrian movement.
 - Views from Borough Hill.
 - Views of Borough Hill.
11. I conclude that the harm to Borough Hill arises fundamentally from the location of the appeal site directly adjacent to the hill. That geographical relationship cannot be changed and therefore the fundamental harm cannot be mitigated.
12. The remaining Reasons for Refusal are then briefly described and I set out the respective responsibilities of other witnesses for dealing with each of the Reasons.

Conclusion

13. In conclusion, I consider that the appeal should be dismissed. However, in the event that the Secretary of State was minded to allow the appeal, the Council would wish this to be on the basis of (1) there being an appropriate Section 106 agreement in place, as described in the proof of Simon Bowers, and (2) subject to appropriate conditions which, it is anticipated, will be the subject of separate discussion at the inquiry.