
Appeal Decision

Site visit made on 15 November 2016

by David Troy BSc (Hons) MA MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 06 December 2016

Appeal Ref: APP/V2825/W/16/3158525

754 Obelisk Rise, Northampton, Northamptonshire NN2 8TP

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr and Mrs Byrne against the decision of Northampton Borough Council.
 - The application Ref N/2015/1403, dated 4 December 2015, was refused by notice dated 21 July 2016.
 - The development proposed is a 3-bedroomed dwelling.
-

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposed development on (i) the character and appearance of the area and (ii) highway safety.

Reasons

Character and appearance of the area

3. The appeal site forms part of the garden area at the side of No. 754 Obelisk Rise (No. 754), a detached two storey dwelling on a corner plot on a cul-de-sac. The proposal would involve the construction of a 3 bedroomed, two storey detached dwelling and a new car hardstanding to provide car parking.
 4. Obelisk Rise is a mature well-established residential cul-de-sac, typically characterised by a mixture of two storey semi-detached and detached dwellings behind front gardens/driveways. The properties are relatively evenly spaced, of comparable scale and form, with uniform separation distances between them. Where garages and other structures exist between dwellings, these are very low, clearly subsidiary, and have little impact upon the sense of separation. No. 754 being situated on a corner plot has more expansive grounds, which add to the open character and appearance of the street scene.
 5. The proposed dwelling would be situated in the characteristic open gap between No. 754 and the adjacent highway. Such positioning, on what would be an atypically narrow plot, would compromise the sense of space and openness between the dwelling and the highway and interrupt the established rhythm of development in the area. These shortcomings would be exacerbated
-

by the proposed dwelling's prominent position on a corner plot, where it would be visible from a number of public vantage points along Obelisk Rise. As such I consider that the proposed dwelling would appear as an incongruous and cramped addition to the street scene.

6. I have noted the appellants comments regarding the Council's decision being a matter of personal judgement and that they view the proposed dwelling as not detracting from the overall look of the surrounding area. However, I have considered these matters and I concur with the Council regarding the adverse effects of the proposal for the reasons set out above. I also note the appellants' comment regarding the pre-application advice received from the Council but this arose in a different policy context some time ago.
7. Consequently, I conclude that the proposal would cause harm to the character and appearance of the area. It would conflict with Saved Policy E20 of the Northampton Local Plan and Policies H1 and S10 of the West Northamptonshire Joint Core Strategy. These policies, amongst other things, seek to ensure new development achieves the highest standard of sustainable design that has regard to the characteristics of the surrounding area.
8. In addition, the proposal would not accord with the National Planning Policy Framework (the Framework) that planning should always seek to secure a high quality of design (paragraph 17); that good design is a key aspect of sustainable development (paragraph 56) and should respond to local character (paragraph 58); and that it is proper to seek to promote or reinforce local distinctiveness (paragraph 60).

Highway safety

9. The proposal would involve the construction of a new car hardstanding for a double parking space accessed from the rear of the site onto the adjacent highway where a 30 mph speed limit applies. The road in the vicinity of the access has footpath provision and is bounded by a mature hedge.
10. For this class of road and speed limit, the Local Highway Authority (LHA) recommends a minimum pedestrian visibility splay of 2m x 2m should be provided and a vehicle to vehicle visibility splay of 43m in each direction in accordance with the LHA Standing Advice. The LHA have objected as the proposal does not meet the requirements for the vehicle to vehicle visibility splay and the appellants have not submitted a speed survey to assess the potential for a reduced vehicle to vehicle visibility splay in this cu-de-sac location, where the LHA acknowledges the speeds are likely to be lower.
11. The appellants, however, have questioned the visibility requirements in light of the existing rear access arrangements provided at Nos. 756 and 778 Obelisk Rise, which they consider provide less visibility than at the proposed development. These access arrangements, however, appeared to have been provided some time ago when different standards applied. Nevertheless, I acknowledge that the LHA Standing Advice is only guidance to assess more objectively the impact of the proposed development on highway safety.
12. Paragraph 32 of the Framework states that decisions should only be prevented or refused on transport grounds where the residual impacts of development are severe. In view of the scale of development, it is evident that the impact of the development on highway efficiency would not be severe. However,

paragraphs 32 and 35 of the Framework go on to state that decisions should also take into account whether safe and suitable access to the site can be achieved for all people.

13. From the evidence provided and from my observations on site, I consider that this section of Obelisk Rise is sufficiently safe and suitable to cater for the limited additional traffic movements from the proposal. Due to the current configuration of the site and the proposed access arrangements, vehicles moving into and out of the site would be travelling and manoeuvring at low speeds. The current road conditions on this residential estate road would allow sufficient visibility for vehicles to enter and leave the site safely and minimise any conflicts between traffic and cyclists or pedestrians.
14. Consequently, I conclude that the proposal would not have an adverse effect on highway safety. The proposal would therefore comply with paragraphs 32 and 35 of the Framework, which seeks to ensure that a safe and suitable access to the site can be provided for all people and that a safe and secure layout can be achieved which minimise the conflicts between traffic and cyclists or pedestrians.

Conclusion

15. Notwithstanding my findings on the lack of harm to the highway safety this does not outweigh the harm found to the character and appearance of the area. For the reasons given above, and having regard to all other matters raised, I conclude that the appeal should be dismissed.

David Troy

INSPECTOR