
Appeal Decision

Site visit made on 3 January 2017

by D. M. Young BSc (Hons) MA MRTPI MIHE

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

Decision date: 26 January 2017

Appeal Ref: APP/H2835/W/16/3160043

Land adjacent to 33 Doddington Road, Earls Barton, Northampton NN6 0NF.

- 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 Shane Scriviner against the decision of Borough Council of Wellingborough.
 - The application Ref WP/16/00338/FUL, dated 26 May 2016, was refused by notice dated 17 August 2016.
 - The development proposed is the erection of 1 No detached dwelling.
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Decision

1. The appeal is allowed and planning permission is granted for the erection of 1 No detached dwelling at Land adjacent to 33 Doddington Road, Earls Barton, Northampton NN6 0NF in accordance with the terms of the application, Ref WP/16/00338/FUL, dated 26 May 2016 subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 16.022.01 and 16.0022.03.
 - 3) No development shall take place until details of the materials to be used in the construction of the external surfaces of the building hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.
 - 4) The dwelling shall not be occupied until the improvements to the access road and the off-street parking spaces shown on the approved plans have been constructed. The access road and off-street parking shall be retained thereafter.

Preliminary Matters

2. The Council has confirmed that a payment of £269.44 has been made by the appellant to mitigate the impact of the development on the Upper Nene Valley Special Protection Area.

Main Issues

3. The main issues are, firstly, the effect of the development on the character and appearance of the area and, secondly, the living conditions of neighbouring occupiers with particular regards to outlook.
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Reasons

Character and appearance

4. The host property is a traditional 2-storey, rendered, end-terrace property occupying an elevated location which is offset some distance from the northern flank of Doddington Road. The front garden has been paved over for parking and is served by a short private driveway which rises up to the property.
5. The appeal property is set within a wider residential area comprising of short rows of terrace properties and pairs of semi-detached dwellings most of which address Doddington Road. However, whilst buildings are generally of a similar scale and share a common relationship with the public highway, there is a wide range of building forms and styles. The prevalence of rendering to properties and the widespread loss of front gardens to paved parking areas has compromised the distinctiveness of the area. Therefore, whilst not unattractive, there is nothing inherently sensitive about the appeal site or its surrounds that would preclude the principle of new development.
6. The appeal scheme seeks to erect a single detached dwelling to the side of No 33. Its proportions, design and footprint would closely match those of the host property. In an attempt to address the difference in set-back between No 33 and No 35, it is proposed to set the dwelling slightly forward of No 33. Off-street parking would be provided to the frontage with private amenity space to the rear.
7. Whilst it would be preferable for the dwelling to align with No 33, there is nothing in the policies cited by the Council which is preventative of a staggered approach. Moreover, there is already an inconsistent building line along this side of Doddington Road. I accept there would be a reduction in the gap between No 33 and its neighbour, however, this would only be noticeable in a small number of views and in any event the area is not notable for consistent or generous spacing between dwellings.
8. Given the set-back of the proposed dwelling relative to those properties to the east, it would not be readily apparent from Doddington Road particularly when approaching from the east. When approaching from the west views would be filtered by existing landscaping, boundary treatments and steep banking at the back of the footway. Public views of the development are therefore likely to be fleeting and confined to those from Doddington Road in the immediate vicinity of the access. Even from here the development could not reasonably be described as prominent.
9. Overall there would be some change to the street scene, however, for the reasons given above, I find that the degree of change would be modest and not at a level to bring the proposal into conflict with the Development Plan. I therefore conclude that the proposed development would not cause unacceptable harm to the character and appearance of the area. There would thus be no conflict with Policies 8 (d) i of the North "*Northamptonshire Joint Core Strategy 2016*" (the JCS), Policy EB.GD1 the "*Earls Barton Neighbourhood Plan*" (the EBNP) and saved Policy G4.2 of the "*Borough Council of Wellingborough Local Plan Saved Policies*". Amongst other things these seek to ensure that development is of a high quality and responds to its immediate and wider context.

Living conditions

10. No habitable room windows are proposed to the side (east elevation) facing No 35. As a result there would be no overlooking to side or rear windows of No 35 or the sitting out area to the rear of the property. Whilst the far end neighbouring garden would be visible in views from the first-floor bedroom windows, this is not unusual in built-up residential areas such as this where parts of adjacent gardens will nearly always be visible in views from upper floor windows. Consequently, there would not be any unacceptable loss of privacy to the occupiers of No 35 and no conflict with Policy 8 (e) (i) of the JCS or Policy EB.GD1 of the EBNP. Collectively these seek to ensure new development does not lead to unacceptable loss of privacy to neighbouring occupiers.

Other Matters

11. I have noted the representations made by the occupier of No 31. However, given the distance and orientation of that property to the appeal scheme, there is nothing before me which leads me to conclude there would be an unacceptable loss of light to this occupier. Loss of views, boundary disputes and unauthorised access to neighbouring gardens are not material planning considerations to which I can attribute any degree of weight.

Conditions

12. The Council has recommended 5 planning conditions. I have considered these against the advice in the "*Planning Practice Guidance*" (PPG).
13. I have imposed the standard implementation condition as well as a condition to ensure that the development is carried out in accordance with the approved plans, as these provide certainty. A condition relating to external facing materials is necessary to ensure the satisfactory appearance of the development. The access is already in situ and strip widening is shown on the approved plans. In my view given the small number of traffic movements likely to be generated by a single dwelling, these improvements are sufficient to mitigate any adverse effects on the highway network. I have therefore imposed a condition to ensure the parking and access works are carried out prior to first occupation.

Conclusion

14. For the reasons given above and taking into account all other matters raised, I conclude that the appeal should succeed.

D. M. Young

Inspector