
Appeal Decision

Site visit made on 23 January 2017

by David Murray BA (Hons) DMS MRTPI

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

Decision date: 30 January 2017

Appeal Ref: APP/Z2830/W/16/3160045

The Nook (Plot 1) Land rear of 33 Hartwell Road, Roade, NN7 2NU.

- 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 Clayson Country Homes against the decision of South Northants District Council.
 - The application Ref. S/2016/0923/FUL, dated 21 March 2016, was refused by notice dated 13 June 2016.
 - The development proposed is the erection of new timber gates.
-

Decision

1. The appeal is allowed and planning permission is granted for the erection of new timber gates at The Nook (Plot 1) Land rear of 33 Hartwell Road, Roade, NN7 2NU, in accordance with the terms of the application, Ref. S/2016/0923/FUL, dated 21 March 2016, and the plans submitted with it, 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: Drawing No. 2156/19.
 - 3) The proposed gates shall be timber finished with a clear wood preservative or oiled.
 - 4) The proposed gates shall be hung to open inwards only and shall be retained as such thereafter.

Main Issue

2. The main issue is the effect of the proposed gates on the character and appearance of the area.

Reasons

Background

3. The appeal site forms the garden of a large house set in a relatively wooded area to the rear of properties fronting a main street in the village of Roade. It is apparent that the new house on this plot has been constructed relatively recently as there is a special temporary surface on the driveway to the site no doubt to protect the root system of existing trees from the passage of construction vehicles. The original submitted plans show four new houses

served off this driveway. It is proposed to erect two piers and timber gates towards the end of the driveway to plot 1 now named 'The Nook'.

Policy context

4. The development plan for the area includes saved policies in the South Northamptonshire Local Plan (1997) and the West Northamptonshire Joint Core Strategy (2014). The Local Plan predates the National Planning Policy Framework (NPPF) but the saved policies referred to as G3 and EV1, respectively, set out general criteria for development to be considered acceptable; and the need to have regard to specific key elements of design, are broadly consistent with the provisions of the NPPF. This has a core principle of ensuring high quality design and a good standard of amenity in new development. The policies should therefore be afforded significant weight.

Effect on character and appearance

5. I note that the site lies outside the village boundary but the appeal site is much contained by other residential development and this residential character will be further evident when the other houses are completed. Therefore, I consider that the site lies in a village setting rather than a 'rural' one as judged by the Council. Nevertheless the area around the appeal site has a verdant quality largely formed by the woodland setting. The Council also refers to the area having an open quality but I also noted at my visit that the front post and rail boundaries of this plot have been enclosed by new hedge planting and the side boundary with the existing residential development is also enclosed by timber fencing about 1.8m high and hedge planting.
6. In my judgement the proposed gates are of a simple and appropriate design and scale which would give a feeling of quality and would not be 'grandiose' in their setting as the Council alleges. The gated entranceway would complement the new landscaping enclosures and would enhance the setting of the property. The form of the piers and gates are therefore appropriate for the site and would meet the requirements of the saved Local Plan policies mention in paragraph 4 above.
7. The Council is concerned about the proposal setting a precedent in that the gates could be replicated at the front of the other units. Nevertheless, I have borne in mind the precedent set and do not consider that a cumulative harm would result which would change adversely the emerging character around this new development.
8. I have also borne in mind the guidance in the NPPF which encourages good design in new development and where paragraph 60 says that planning decisions should not attempt to impose architectural styles or particular tastes or stifle innovation, but can seek to promote local distinctiveness. I am satisfied that the proposed gates and piers are of a quality design.
9. Overall I find that the proposal will not harm the character and appearance of the area and generally accords with the provisions of the development plan and national guidance and this is not outweighed by any other consideration. I will therefore allow the appeal.
10. In terms of conditions, the Council recommends four are imposed on any permission. In addition to the statutory condition on the timing of development, I agree that one specifying the plans that are approved is

reasonable and necessary and that the development should be undertaken in accordance with these plans. To maintain the appearance of the area I also agree that a condition specifying the treatment of the gates is appropriate, and in the interests of not impacting on the use of the driveway/highway, a condition should be imposed to ensure that the gates open inwards only.

Conclusion

11. For the reasons given above I conclude that the appeal should be allowed.

David Murray

INSPECTOR