
Appeal Decision

Site visit made on 27 February 2017

by **Chris Forrett BSc(Hons) DipTP MRTPI**

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

Decision date: 21st March 2017

Appeal Ref: APP/G2815/W/16/3161416

**Land adjacent to 47 The Crescent, Chelston Rise, Caldecott,
Northamptonshire NN9 6AU**

- 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 Mr Mark Hamway against the decision of East Northamptonshire District Council.
 - The application Ref 16/01323/OUT, dated 28 June 2016, was refused by notice dated 17 August 2016.
 - The development proposed is described on the application form as an outline application for the erection of a detached dwelling on land at Chelston Rise.
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Decision

1. The appeal is allowed and planning permission is granted for the erection of a detached dwelling at land adjacent to 47 The Crescent, Chelston Rise, Caldecott, Northamptonshire NN9 6AU in accordance with the terms of the application, 16/01323/OUT, dated 28 June 2016, subject to the conditions set out in the schedule to this decision letter.

Procedural Matters

2. The appeal proposal was submitted in outline with the means of access being considered at the outline stage. The address of the appeal site on the application form is stated to be The Crescent, Chelston Rise, Caldecott, whereas the Council have described the site as land adjacent to 47 The Crescent. I also note that the Council have omitted part of the description of development by deleting "on land at Chelston Rise". Given that the address of the site includes reference to Chelston Rise, the Council's description of the site and the proposal reflect the sites location and the proposed development and I have dealt with the appeal on this basis.
3. Since the Council have determined the application, the examiner's report on the Chelveston cum Caldecott Neighbourhood Plan has been received which recommends that Policy LGS2 is deleted. Given that the Council's reason for refusal was reliant on that policy they consider they can no longer defend the decision to refuse planning permission. Furthermore, the Council consider that the appeal should be allowed and have provided a list of suggested conditions.

Main Issue

4. The main issue is the effect of the proposed development on the character and appearance of the area.
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Reasons

5. The appeal site is located on The Crescent, which includes around 50 residential properties which are surrounded by areas of greenspace. From the evidence before me the properties were formally used by the United States Air Force, but were transferred to civilian use in 2010. My attention has also been drawn to two recent outline planning permissions¹ for residential development on land at The Crescent, one of which is located to the west of the appeal site.
6. Policy 11 of the North Northamptonshire Joint Core Strategy 2011-2031 (2016) (CS) outlines that small scale infill development will be permitted on suitable sites within villages where this would not materially harm the character of the settlement.
7. The appeal proposal would increase the extent of the built form in the area, and would result in a small loss of greenspace. However, the development would follow the form of the existing and already permitted development and as such would not be out of character with the existing and other proposed dwellings in the area. Furthermore, the illustrative plans indicate that it would be possible to develop the site in a manner which would not represent an overdevelopment of the site or the wider settlement.
8. For the above reasons, the proposed dwelling would not harm the character and appearance of the area and would accord with Policy 11 of the CS which amongst other matters seeks to protect the character of the area.

Other matters

9. I have also had regard to the other matters raised in the representations including parking and highway safety, infrastructure, air quality, noise and loss of privacy.
10. Although only an outline application, the supporting documentation states that provision will be made for on-site parking for the new dwelling. However the exact detail of this would be considered at the reserved matters stage. Given the limited nature of the development, and the surrounding highway network, the proposal would not give rise to any significant highway safety matters. In respect emergency access to the land to the rear, this would still be possible alongside the site. I acknowledge that there would be a heavy reliance on the private motor vehicle owing to the lack of public transport, but given the extent of the existing development, I consider that this is not a determinative issue.
11. Although concern has been raised in relation to drainage, water pressure, electrical outages, internet speeds, and the state of the current infrastructure I have no evidence to suggest that the development would have any adverse impact on these matters. I therefore give these matters little weight in my decision.
12. In respect of privacy concerns, the illustrative plans show the proposed dwelling broadly in line with 47 The Crescent, which does not have any habitable room windows on the side elevation. Given the likely position of the dwelling, relative to No 47 and the development opposite, it would not result in any significant levels of overlooking or loss of privacy.

¹ 16/00180/OUT & 16/00218/OUT

Conditions

13. Other than the standard reserved matters conditions, it is also necessary to ensure that the development is carried out in accordance with the approved plans for the reason of certainty.
14. Details of the existing and proposed site levels (including finished floor level) are appropriate in the interest of the character and appearance of the area. A condition relating to boundary treatment is also necessary in the interests of the character of the area and the living conditions of the future occupants of the dwelling.
15. In relation to the highway related condition, I consider the aspects relating to the gradient and drainage are not necessary owing to the existing site levels (and that the site slopes away from the highway). Given the characteristics of The Crescent vehicle turning facilities are not required.
16. In respect of visibility splays, the vehicular splays would fall within the existing grass verges/existing accesses so as such these are not necessary. Given the location of the surrounding pedestrian routes on The Crescent it is necessary to ensure that there is no obstruction to visibility across the entire plot frontage at a distance of 2 metres back from The Crescent. This detail can be set out in the Reserved Matter relating to layout.
17. The suggested conditions relating to the external materials and landscaping (including the implementation and any replacement planting) are not necessary as they would form part of a subsequent reserved matters submission or are matters relating to such.
18. In respect of a construction management plan, given the scale of the development, and the size and location of the site, I consider that such a plan is not necessary.

Conclusion

19. Taking all matters into consideration I conclude that the appeal should be allowed.

Chris Forrett

INSPECTOR

SCHEDULE OF CONDITIONS

- 1) The Details of the layout, scale, appearance and landscaping (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the local planning authority before any development begins and the development shall be carried out as approved.
- 2) Application for approval of the reserved matters shall be made to the local planning authority not later than three years from the date of this permission.

- 3) The development hereby permitted shall begin not later than two years from the date of approval of the last of the reserved matters to be approved.
- 4) The development hereby permitted shall be carried out in accordance with plans 05a (site location plan) and 04 (Site Block Plan insofar as it relates to the access).
- 5) The details submitted for approval as part of the reserved matters submission shall include drawings showing the finished floor levels of the dwelling in relation to the existing and proposed levels of the site and surrounding land. The dwelling shall be constructed in accordance with the approved details.
- 6) The details submitted for approval as part of the reserved matters submission shall include drawings showing a minimum access and driveway width of 3 metres for the first 5 metres from the sites boundary with The Crescent and that there shall be no obstructions or boundary treatment within 2 metres of the sites boundary with The Crescent. The approved scheme shall be fully implemented prior to the first occupation of the dwelling and retained for the life of the development.
- 7) Prior to the first occupation of the dwelling, a scheme of boundary treatment shall be submitted to and approved in writing by the local planning authority. The approved scheme shall be fully implemented prior to the first occupation of the dwelling and retained for the life of the development.