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## Appeal Decision

Site visit made on 21 March 2017

**by John Morrison BA (Hons) MSc MRTPI**

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

**Decision date: 29 March 2017**

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**Appeal Ref: APP/L2820/W/16/3158712**

**6 Station Road, Desborough, Kettering NN14 2RL**

- 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 M Crick against the decision of Kettering Borough Council.
  - The application Ref KET/2016/0086, dated 1 February 2016, was refused by notice dated 11 July 2016.
  - The development proposed is described as '2no. two bedroom dormer bungalows'.
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### Decision

1. The appeal is dismissed.

### Procedural Matter

2. The proposed development seeks outline planning permission with some matters sought for approval. The description of development is shown above as it appears on the planning application form. However, I consider that it is better described in more detail on the Council's decision notice which refers to '2 no. two bedroom semi-detached dormer bungalows with access, appearance, layout and scale considered'. I have proceeded on this basis.
3. Since the determination of the application, the North Northamptonshire Joint Core Strategy (JCS) has been adopted. Both the Council and the appellant make mention of the JCS in their evidence. The Council refer to the JCS as emerging Policy on their decision notice. For clarity, the JCS now forms part of the adopted development plan, replacing the North Northamptonshire Core Spatial Strategy (CSS). It is therefore under the policy regime of the JCS that I determine this appeal, specifically with regard to Policy 8.

### Main Issues

4. There are two main issues. These are the effect of the proposed development on a) the living conditions of both existing and future occupiers and b) the character and appearance of the area.

### Reasons

#### *Living Conditions*

5. The appeal site is the garden located to the side of Number 6 Station Road. It abuts the rear garden boundaries of a cluster of detached and semidetached bungalows. These are set back behind the car park to the adjacent public
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house to the south. There is an area of overgrown and unkempt industrial land to the north.

6. The proposed development would utilise the existing vehicular access from Station Road to No 6. It would then turn left into the site and provide access and parking on a long and narrow strip of land that would run the length of the rear boundaries to Nos 12, 10 and part of No 8 Station Road. Due to its location and proximity, the operation of the access would introduce noise disturbance to users of the gardens from the coming and going of vehicles. This effect would be exacerbated by the restricted size of the gardens. No 12 would be most affected since its garden would become hemmed in by vehicular access tracks when the existing is taken into account.
7. When taken as a whole, the garden to each dwelling would be commensurate with that afforded to the neighbouring bungalows. However, their shape and siting would be affected by having to provide access, parking and turning for vehicles. The remaining usable spaces would be to the side and rear of the dwellings in narrow strips effectively wedged between the sides of the buildings and boundary treatments in each case. As a result they would be of a poor quality.
8. In my view, the living conditions of the dwelling closest to No 6 Station Road would be further diminished by noise disturbance arising from residents and visitors to the other dwelling. All vehicle and pedestrian traffic would pass very close to the front elevation and part of the side garden. This would give rise to harm in a similar manner that I have described above.
9. The layout of the proposed development means that the ground floor windows would look towards the boundaries of the site. In the case of the front elevations, they would look directly onto high sided close boarded timber fencing. I accept that visual improvements to boundary treatments could be made but to ensure privacy for the rear garden space, some form of visual barrier would be necessary. In respect of both elevations therefore, the outlook from ground floor windows would be poor, significantly constrained as it would be by their close proximity to the boundaries of the appeal site.
10. When taking all of these matters together, and whilst I accept that the privacy of neighbours would not be harmed, it is clear that the proposed development would be harmful to the living conditions of both existing and future occupiers. Consequently, and with regard to this main issue, it would conflict with Policy 8 of the JCS. This Policy seeks to ensure, amongst other things and along with one of the core principles of the Framework<sup>1</sup> that new development protects amenity and does not result in an unacceptable impact on the amenities of future occupiers or neighbouring properties.

#### *Character and Appearance*

11. The appeal site is narrow and built form would cover a substantial proportion of it. Indeed, the prevailing character of the area in the wider sense is of terraced dwellings situated to the front of elongated plots. Nonetheless, the proposed development would be read in the context of both the modern design and compact plot arrangement of the bungalows situated between the appeal site and the car park to the public house. Whilst on the higher side of density for

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<sup>1</sup> The National Planning Policy Framework 2012

the size of the plot overall, the proposed development would not necessarily be cramped. Particularly in light of my findings above on the overall size of the garden afforded to each dwelling.

12. Whilst the appeal site is not within the Desborough Conservation Area (DCA), No 6 Station Road and its access is. The proposed development would utilise this access. Since there would be no significant changes to the access or the nature of its use as part of the proposed development, I am satisfied that there would be no harm to the character or appearance of the DCA. The character and appearance of the DCA would therefore be preserved.
13. For these reasons, as well as the fact that the dwellings would be largely obscure in the public realm, the proposed development would not cause harm to the character or appearance of the area. In respect of this main issue therefore, there would be no conflict with Policy 8 of the JCS. Amongst other things and alongside section 7 of the Framework, Policy 8 seeks to ensure that new development should be of a high quality design and appearance and respond to a site's immediate context and local character.

### **Other Matters**

14. I accept that the appeal site is within easy reach of a range of highly accessible local services which future residents would likely use and help sustain. The proposed development would also assist in providing employment in the construction industry if it came forward. There is nothing before me to suggest that the scheme would not be deliverable and new housing is positive for growth overall. Whilst some of these matters weigh in favour of the proposed development, they would not be sufficient to overcome the harm that I have identified.
15. The appellant has advanced that the proposed development would help meet an identified need. Reference is made to the recent Strategic Housing Market Assessment (SHMA) which was part of the evidence base for the now adopted JCS. The SHMA points to a potential shortfall of smaller dwellings, with a high percentage of new dwellings suggested to be delivered as 1 and 2 bedroom units. Whilst this may be the case, a given development proposal for a 1 or 2 bedroom unit would also have to be acceptable in other respects, it would not give rise to harm on a site specific basis and thus comply with the development plan. This is not the case in respect of the proposed development as I have set out above.

### **Conclusion**

16. Whilst I have not found harm in respect of the character and appearance of the area, the proposed development would give rise to harm to the living conditions of both existing and future occupiers. Having regard to all other matters raised, it is for this reason that the appeal is dismissed.

*John Morrison*

INSPECTOR