
Appeal Decision

Site visit made on 3 May 2017

by Andrew Owen BA(Hons) MA MRTPI

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

Decision date: 12 May 2017

Appeal Ref: APP/H2835/W/17/3168634

**Rear of Pioneer House, 10 Wellingborough Road, Isham,
Northamptonshire NN14 1HR**

- 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 J Cornwell against the decision of the Borough Council of Wellingborough.
 - The application Ref WP/16/00467/FUL, dated 26 July 2016, was refused by notice dated 16 November 2016.
 - The development proposed is a dormer house with integral garage.
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Decision

1. The appeal is allowed and planning permission is granted for a dormer house with integral garage at the rear of Pioneer House, 10 Wellingborough Road, Isham, Northamptonshire NN14 1HR in accordance with the terms of the application, Ref WP/16/00467/FUL, dated 26 July 2016, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Site Location Plan, 01b, 02A, 03A, 04A, 05A, 06A, 07A, 08 and 09.
 - 3) No development shall take place until samples of all external facing materials have been submitted to and approved by the local planning authority in writing. The relevant works shall be carried out in accordance with the approved sample details.
 - 4) No development shall commence until there shall have been submitted to and approved in writing by the local planning authority a scheme of landscaping. The scheme shall include the retention of the cedar tree within the garden of No 10 Wellingborough Road, indications of all other existing trees and hedgerows on the land and identify those to be retained. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out prior to the occupation of the dormer house and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.
 - 5) No development shall take place until a scheme for the protection of the retained trees (the tree protection plan) and the appropriate working
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methods (the arboricultural method statement) in accordance with paragraphs 5.5 and 6.1 of British Standard BS 5837: Trees in relation to design, demolition and construction - Recommendations (or in an equivalent British Standard if replaced) shall have been submitted to and approved in writing by the local planning authority and implemented as approved.

- 6) The development shall not be occupied until the vehicular means of access has been constructed as shown on drawing no 01b. The access shall be retained thereafter.
- 7) The development shall not be occupied until measures have been installed to prevent surface water from draining onto the highway from the vehicular means of access.

Main Issue

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

Reasons

3. The appeal site is wholly within the garden of 10 Wellingborough Road with the proposed access running along the southern boundary of the existing property. The garden is separated from the open fields to the south and west by a low wooden fence.
4. The openness of the site's southern boundary means that the site is seen from some distant viewpoints along Wellingborough Road south of the site, and to some extent it is seen as transitional land between the open countryside to the south and west and the built up parts of the village to the north and east. However its character is more heavily influenced by its domesticated nature and visual separation from the adjacent fields. Consequently the proposal would primarily be perceived in the context of the neighbouring dwellings and not the countryside.
5. I acknowledge the access is outside the village boundary line. However, from my site visit it was clear that the southern boundary of the existing property, in practical terms, acts as a strong and definitive boundary to the village, notwithstanding what is shown on the proposals map. Therefore the proposal would not represent encroachment into the open countryside.
6. Policy 11 of the North Northamptonshire Joint Core Strategy (NNJCS) advises that infill development is the development of vacant or under used land within the main built up area of the village which is bounded by existing built curtilages on at least two sides. I consider the proposal would meet all these criteria and hence can be considered an infill development.
7. In summary, the setting of the village and the character and appearance of the area would be unharmed by the proposal. Therefore the development would comply with Policy 11 of the NNJCS and saved Policy G4 of the Borough of Wellingborough Local Plan which both seek to maintain the character of villages.

Other matters

8. I note the concerns regarding the potential for overlooking to the adjacent property. Though there would be windows at first floor level which would face the neighbouring land to the north, the neighbouring house is some distance from the boundary and the part of their property which would be mostly affected is the rearmost part of their garden which contains several trees and no sitting out area. As such I do not consider the development would have any harmful impact on the occupiers of this property in terms of their privacy.

Conditions

9. I have considered those conditions suggested by the Council against the requirements of the Planning Practise Guidance (PPG) and the National Planning Policy Framework (the 'Framework'). Where necessary, in the interests of clarity and precision, I have altered the conditions to better reflect this guidance.
10. In accordance with the advice in the PPG and the Framework I have imposed the standard condition relating to the commencement of development and a condition specifying the relevant plans in order to provide certainty. I have also attached conditions relating to finishing materials and landscaping so as to preserve the character and appearance of the area, a condition requiring the provision of a suitable surface water drainage system in order to ensure the satisfactory drainage of the development, and a condition relating to the vehicular access in the interests of highway safety. Some conditions require compliance prior to the commencement of development so that the effects of the proposal are properly mitigated in order to make it acceptable.

Conclusion

11. For the reasons given above, and taking account of all other considerations, I conclude that the appeal should be allowed.

Andrew Owen

INSPECTOR