
Appeal Decision

Site visit made on 7 November 2017

by Rachael A Bust BSc (Hons) MA MSc LLM MEnvSci MInstLM MCMI MRTPI

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

Decision date: 30 November 2017

Appeal Ref: APP/G2815/W/17/3180483

1 Rectory Lane, Woodford, Kettering NN14 4HS

- 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 N Bowditch of Eventine Property Management Ltd against the decision of East Northamptonshire District Council.
 - The application Ref 16/02224/FUL, dated 15 November 2016, was refused by notice dated 15 February 2017.
 - The development proposed is a two bedroomed cottage.
-

Decision

1. The appeal is dismissed.

Preliminary and Procedural Matter

2. The description of development was changed at appeal stage to "Demolition of existing garage and erection of two bedroom dwelling and associated access."

Main Issues

3. The main issues are the effect of the proposal on:
 - the character and appearance of the site and surrounding area, including whether it would preserve or enhance the character or appearance of the Woodford Conservation Area; and
 - the living conditions for future occupiers, with particular regard to amenity space.

Reasons

Character and appearance

4. No 1 Rectory Lane is located within the Woodford Conservation Area (WCA). I have not been provided with a copy of the Conservation Area Appraisal. However, the significance can be drawn from the pattern of development with open spaces and narrow lanes. The pattern of built development adds to the area's special historic and architectural interest by contributing to its character and appearance through their form, style and use of materials. There are a range of locally distinctive materials used within Woodford. These include, for example, roughly coursed limestone rubble masonry; steeply pitched roofs with exposed gables covered with clay pantiles or slates; and limestone rubble boundary walls with clay pantile copings. On a proportion of dwellings, including No 1, more modern painted render has been used.

5. No 1 is 2-storey property facing Rectory Lane with a double garage and garden area to the west and forming the corner of Rectory Lane and Addington Road. The appellant suggests that since the house has been sub-divided into two, 2-bedroom properties, (Nos 1 and 1A) the garden area is now superfluous.
6. The appeal site is the garden and driveway with double garage to No 1 and presently has an unmanaged appearance. It is located to the west of No 1, bounded to the north by the prominent side elevation of a roughly coursed limestone rubble masonry stone barn. A limestone rubble boundary wall defines the southern and western boundaries.
7. The proposed 2-storey dwelling would be sited immediately adjacent to the footway along the Addington Road, thereby removing a substantial proportion of the existing boundary wall. Whilst there are barns nearby with their external wall forming the boundary with the highway, the dwellings immediately surrounding the appeal site are generally set back from the highway.
8. I have had regard to the undated historic plan submitted by the appellant which he suggests shows a similar sized building in exactly the same place on the site. The plan illustrates very few buildings within Woodford. It indicates a completely different layout of buildings on both the appeal site and the site of No 1. I have no further details about this plan or the uses of these buildings; as such it limits the weight that I can give to this in my decision making.
9. Any development within a corner position has the potential to be prominent. There would be limited views from the north, given the presence of the stone barn which projects slightly further into the highway than the appeal site boundary wall. The proposed dwelling would be noticeable when approaching from the east, along Rectory Lane. The siting of the 2 car parking spaces for the proposed dwelling would provide limited relief to the increased sense of enclosure which would be created by the presence of new built development at the junction of Rectory Lane and Addington Road.
10. The most prominent views would be gained from the southern approach along Addington Road. The built form of Woodford is less dense when approaching from the south. The topography slopes down to the east, which allows the dwellings on the eastern side of Addington Road to blend into the landscape and creates a sense of openness. The undeveloped nature of the appeal site contributes to the sense of openness. The siting and scale of the proposed dwelling would introduce a built form which would draw the eye towards it and harm the open character of Woodford when approaching from the south. I do not find that the proposed dwelling would satisfactorily integrate into the existing development pattern. It would adversely affect the southern gateway into Woodford. The scale, bulk and massing of the proposed dwelling would represent an over intensive form of development for the site.
11. I find the proposed siting and scale of the 2-storey dwelling to be harmful to the character and appearance of the site and the surrounding area. Accordingly it would conflict with Policy 3 of the North Northamptonshire Joint Core Strategy (2016) (JCS), which seeks, amongst other things, that new development protects the landscape setting. There would be conflict with Policies 8 (d) and 11 (2) (b) of the JCS, which seek, amongst other things, that new development would respond to the overall form and the site's immediate and wider context, and local character. Conflict would also arise with Policy 2(c) of the Rural North, Oundle and Thrapston Plan (2011) which seeks,

amongst other things, that new development accords with the character and satisfactorily integrates into the settlement and the surrounding area.

12. I have had regard to the statutory duties set out in s72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990. For the reasons above the development would fail to preserve the character and appearance of the WCA. This harm would be less than substantial when considered against paragraphs 132 and 134 of the National Planning Policy Framework (the Framework). However, there are no public benefits that would outweigh the harm to the WCA in this case.
13. The proposed materials would be in keeping with the surroundings. However, this does not outweigh the harm that I have identified.

Living conditions for future occupiers

14. The proposed layout plan illustrates a small amenity area incorporating a patio and some landscaping enclosed within a 1.2 metre high stone wall. Given that the proposed dwelling would have 2 bedrooms there is an expectation that there could be up to 4 persons occupying the property. The proposed dwelling would be surrounded by car parking provision for up to 6 cars which would serve the proposed dwelling and also Nos 1 and 1A. Although the Council has no minimum amenity space standards I find that the proposed amenity area is unreasonably small for the dwelling proposed. Access to private outdoor amenity space is a factor which contributes to quality of life.
15. I find that the restricted plot size which has been achieved through the severance of the former garden area to No 1, together with the need to provide sufficient car parking, has resulted in an unduly small private amenity space for the dwelling which would harm the living conditions for future occupiers. Accordingly, it would conflict with Policy 8e of the JCS, which seeks, amongst other things, to ensure quality of life and protect the amenity of future occupiers.

Other matters

16. I note that the appeal site lies within zone of influence of the Upper Nene Valley Gravel Pits Special Protection Area (SPA). Policy 4 of the JCS and the Council's SPA Supplementary Planning Document requires a financial contribution to be made towards the mitigation measures for the recreational disturbance impacts to the bird population for which the SPA has been notified. The Council has confirmed that this financial payment has already been made by the appellant.
17. I have had regard to the concerns raised by interested parties relating to the traffic generation, highway safety and visitor parking. I note that the Highway Authority has not raised any concerns on these matters that could not be overcome by appropriate planning conditions. In particular I observed the width of Rectory Lane on my site visit. However I have no substantive evidence before me that would persuade me that this is such a concern that in isolation it would justify withholding permission.
18. Several interested parties and the Council have made reference to the planning history of the site, including the refusal of permission¹ for a detached dwelling

¹ Planning application reference 08/02111/FUL

which was subsequently dismissed on appeal.² I have not been provided with any details of this previous proposal. In any event, each application and appeal are judged upon their own individual merits and the submitted evidence.

19. I note the comments made in relation to the need for smaller properties in village locations. Be that as it may, I have no cogent evidence before regarding the specific local housing needs with Woodford. Consequently, this generalised matter can be given limited weight in my determination of this appeal.
20. I have had regard to the indication of support for the proposal from the Parish Council in relation to the visual improvement of the site. However, the condition of a site is rarely a determinative factor.

Conclusion

21. Taking all matters into consideration, I conclude that the development would conflict with relevant local and national planning policies, and the development plan when taken as a whole. Consequently, the appeal is dismissed.

Rachael A Bust

INSPECTOR

² Planning appeal decision reference APP/G2815/A/09/2100939