



Appeal Decision

Site visit made on 28 June 2019

by J Somers BSocSci (Planning) MA (HEC) MRTPI IHBC

an Inspector appointed by the Secretary of State

Decision date: 30th July 2019

Appeal Ref: APP/U2805/W/19/3226483

Land adjacent to No111 Corby Road, Weldon, Northants NN17 3HU

- 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 & Mrs K Mitchell against the decision of Corby Borough Council.
 - The application, ref. 18/00738/DPA, dated 29 October 2018, was refused by notice dated 4 January 2019.
 - The development proposed is a severance plot development to create a new three bedroom detached dwellinghouse including the creation of a new vehicular access to the existing dwellinghouse.
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Decision

1. The appeal is dismissed.

Preliminary matter

2. I have taken the description for the proposed development which is detailed on the appellant's appeal application form and the Council's Decision Notice as this more accurately reflects the nature of the development.

Main issues

3. The main issues are the effect of the proposed development upon:
 - the character and appearance of the locality; and
 - the living conditions of the neighbouring property at No113, with particular regard to outlook and separation between the property.

Reasons

Character and appearance

4. The appeal property is located to the side and rear garden of No111 Newtown and is proposed to be accessed from the current driveway that runs to the side of No111, whilst a new vehicular accessway and drop kerb would be created in front of No111 to serve this dwelling.
5. The dwellings situated along the street are a mix of ages and design, however are predominantly detached and semi-detached. Despite this, there is an overall consistency in form and layout where dwellings are positioned to address the

street and have spacious setbacks between front and side boundaries, with well vegetated front gardens and a mix of boundary treatments. Due to the setback of properties, there is an open undeveloped aspect to the side and rear of plots where the gaps between properties carry views to the dense woodland behind the properties along this side of Corby Road. To me, this spacious character and open and well vegetated aspect helps to inform the character and appearance of the area.

6. I acknowledge comments that there has been an amount of infill to the side of plots along this street¹, however most of these dwellings are not positioned to the rear, but are in line with the other properties along Corby Road. Whilst 127b is positioned further back from the continuous setback, this is an exception and historic, where the garage is positioned forward of the building to be in line with dwellings on either side. No135 is the other anomaly from the consistent setback, however as the road curves at this point and the setback varies, with this dwelling being placed at the mid point between the setbacks at either side which fits in with the surrounding character. As such, I do not consider the appeal scheme analogous with these examples and therefore afford the examples little weight.
7. Unlike the surrounding context, the proposed building would introduce a large built form to the rear of the plot which has little relationship to the character and appearance of the street scene. The dwelling would not adhere to the consistent setback and spacious quality of dwellings surrounding and would be experienced as a discordant backland development that intrudes into the open and undeveloped aspect of rear gardens along this street. When combined with the minimal setback from the side boundary, the appeal scheme would also be at odds with the development surrounding and in my view, would be cramped and incongruous to its locality.
8. The layout of the appeal site would not make provision for a front garden area unlike the surrounding properties which would mean that the area to the front of the proposed dwelling would be dominated by vehicular parking. The same would also occur to the new parking configuration to No111, the front garden of which would also be dominated by vehicular parking which gives a poor appearance and detracts from the vegetated and spacious character and appearance of the surrounding area.
9. Given my above reasoning, the proposed scheme would cause significant harm towards the character and appearance of the area. The scheme would therefore be contrary to Policy 8 of the North Northamptonshire Joint Core Strategy (CS), which amongst a number of design principles, seeks that new development responds to the site's immediate and wider context and locational character. I note that the Council's Decision Notice refers to Policy 13 of the CS, however this policy relates to rural exception sites within the open countryside which is not relevant to this particular case.

Living Conditions

10. The main concerns regarding the appeal property arise from the proposed dwelling and its height and proximity to the shared boundary to No113. Whilst there is already a garage in this location on the appeal site, the proposed

¹ Nos 117, 115a, 127a, 127b, and 135 Corby Road
<https://www.gov.uk/planning-inspectorate>

dwelling would be significantly taller and contain a much larger footprint and visual massing.

11. The Council estimates the height to the eaves would be 3.8 metres tall and of 7.9 metres in overall height, which would stretch for almost the entire length of the rear garden of No113. Although the dwelling would be setback 0.65 metres from the boundary, the building would still be very close to the boundary of No113 and would introduce a considerable amount of visual bulk to the rear garden area. This would result in the loss of open aspect to one side of the garden with the proposed building giving a sense of enclosure to the rear garden of No113 which would have a dominant and overbearing presence compared with the existing situation.
12. The height and positioning of the proposed building would further erode the sense of openness experienced by the rear garden of No113 and cause further enclosure of the garden space of this property. Consequently, to me, the proposed building would create an unacceptable visual intrusion which would be overbearing and detrimental to the enjoyment of the rear garden of this neighbouring property.
13. That said, the proposed dwelling would not comply with Policy 8 of the CS, which amongst a number of design principles, seeks development that does not result in an unacceptable impact on the amenities of neighbouring properties. I note reference to Policy 13 of the CS in the Decision Notice, however this involves rural exception sites which is not relevant to this determination on living conditions.

Other Matters

14. I note a letter has been submitted from the resident of No113 who does not have any objections to the proposed scheme. Whilst this may be the case, there is also the need to base the judgement not only on current occupiers, but of future occupiers of No113. As such, the submission of this letter does not change my view that the proposal is inappropriate in this respect.
15. I note that the Framework encourages the development of small sites and making effective use of urban land in accessible locations. Whilst this favours the scheme it does not outweigh the harm I have identified.

Conclusions

16. For the reasons given above, the appeal is dismissed.

J Somers

INSPECTOR