



Appeal Decision

Site visit made on 5 November 2019 by L Wilson BA (Hons) MA

Decision by Chris Preston BA (Hons) BPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 22 November 2019

Appeal Ref: APP/H2835/W/19/3236232

39 Fairfield Road, Isham, Kettering, NN14 1HF

- 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 Martin Evans against the decision of Wellingborough Borough Council.
 - The application Ref WP/19/00356/FUL, dated 13 June 2019, was refused by notice dated 22 August 2019.
 - The development proposed as described on the application form is: Proposed 2-bedroom single-storey dwelling with off road parking and amenity space.
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Main Issues

3. These are the effect of the proposal upon: (1) the character and appearance of the street scene; and (2) the living conditions of existing and future occupants, having regard to amenity space.

Reasons for the Recommendation

Character and Appearance

4. No.39 is a two-storey detached dwelling. The site forms a corner plot at the junction between Fairfield Road and Ryehill Close. The area is residential in character and there are a mix of bungalows and two-storey dwellings.
5. The appeal property faces Fairfield Road whereas the frontage of the new dwelling would face Ryehill Close. The existing gap between No.39 Fairfield Road and No.1 Ryehill Close, along with the boundary hedge, make a positive contribution to the character of the area as they provide a sense of spaciousness and greenery. The appellant highlights that the site is not located within a formally designated area, such as a conservation area, and Isham does not have a made neighbourhood plan. Nevertheless, Ryehill Close has a strong pattern of built development due to the properties being positioned around the turning circle.

6. The design of the proposed roof would be similar to that of No.36 and 38 Fairfield Road which are directly adjacent to one another. However, the bungalow would be seen within the context of Ryehill Close. The bungalows within Ryehill Close display a strong uniform character and have roof ridges which run side to side, parallel to the road, rather than the front to back ridge which is proposed.
7. The proposed bungalow would respect the siting of No.39 and 41 Fairfield Road but it would not reflect the arrangement of the existing dwellings within Ryehill Close. The development would be a dominant addition to the street scene because the bungalow would sit further forwards than the existing properties within the close. No.41's garage has impacted the character of the close, nonetheless the scale of the proposal would be significantly larger and therefore cannot be directly compared. Whilst the dwelling would not be disproportionate to the size of the plot, the scheme would compromise the character of Ryehill Close on account of the design and location of the property which would appear at odds with the carefully planned established pattern of development.
8. For these reasons, I find that the proposed development would be visually harmful to the character and appearance of the street scene. Consequently, the scheme would conflict with Policies 8 (d)(i) and (ii) and 11 (2)(b) of the North Northamptonshire: Joint Core Strategy 2011-2031 (2016) (CS) and the National Planning Policy Framework (the 'Framework').

Living Conditions

9. The development would reduce the size of No.39's garden. A small area of private amenity space would be provided to the rear of the proposed bungalow. Policy 8 (e)(i) of the CS seeks to protect amenity of future and existing occupants. The Council has confirmed, in their statement of case, that the scheme would not have any unacceptable impacts on the amenity of neighbouring properties. Furthermore, the Council did not include noise and disruption, during construction, in the reasons for refusal. I have no reason to disagree with that position.
10. The Council state that as a general rule of thumb 13.7 metres is required as a minimum acceptable distance between properties which are positioned rear to side. However, the Council has not referred me to any specific policy requirements or standards to support this approach. Likewise, they recognise that they do not have any specific standards for private amenity space.
11. The appellant has referred to other approved developments which have a similar dwelling to land percentage to that proposed. I do not have the full details of these cases and so cannot determine whether the circumstances are comparable to the scheme before me.
12. The proposed dwelling would be situated approximately 13.1m from the original rear elevation of No.39. The property has been extended to the rear, thus the proposed dwelling would be situated approximately 10m from the conservatory and 7.5m from the flat roof extension. Whilst the garden areas would be small, they would be appropriate for the existing three-bedroomed house and proposed two-bedroomed dwelling. The space would be of a size and configuration which would provide a flexible outdoor area, including sufficient space for recreation and hanging washing.

13. Consequently, the proposal would not cause significant harm to the living conditions of existing and future occupants, having regard to amenity space. Accordingly, it would accord with CS Policy 8 (e)(i).

Other Matters

14. The appellant considers that the proposal would form a sustainable form of development and would comply with Paragraph 59 and 68(d) of the Framework. Whilst the scheme would not exceed the capacity of local infrastructure and services, one new dwelling would not have a significant impact upon the supply of housing and thus this has little bearing on the planning merits of the case. Paragraph 68(d) of the Framework relates to large sites and therefore is not relevant to this appeal.
15. The appellant highlights that they could build a garage under permitted development rights, similar to that of No.41 Fairfield Road. A garage would be less harmful than the proposal as it would be smaller in scale. Similarly, whilst the internal floor area would be acceptable, the local highway authority did not object to the proposal and the scheme has been designed to provide an affordable, wheelchair friendly, retirement bungalow; these are not considerations that outweigh the harm caused by the development.
16. I appreciate the appellant's frustration regarding the determination of the planning application, but this is matter for the Council and has little bearing on the planning merits of the case.

Conclusion and Recommendation

17. I have found that the proposal would not have an adverse effect upon the living conditions of existing and future occupants, but the scheme would cause harm to the character and appearance of the street scene. I therefore recommend that the appeal should be dismissed.

L M Wilson

APPEALS PLANNING OFFICER

Inspector's Decision

18. I have considered all the submitted evidence and the Appeal Planning Officer's report, and, on that basis, I agree and conclude that the appeal should be dismissed.

Chris Preston

INSPECTOR