
Appeal Decision

Site visit made on 6 August 2019

by S D Castle BSC(Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 30th December 2019

Appeal Ref: APP/L2820/W/19/3229390

Holmfield, 254 Barton Road, Barton Seagrave NN15 6RZ

- 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 S Leahy against the decision of Kettering Borough Council.
 - The application Ref KET/2019/0122, dated 15 February 2019, was refused by notice dated 28 March 2019.
 - The development proposed is erection of 2no. dwelling houses, detached garages, layout parking and private amenity space.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposal on:
 - the character and appearance of the area;
 - the living conditions of the occupiers of 38 Yateley Drive, with particular regard to outlook.

Reasons

Character and Appearance

3. The appeal site is located within an established residential area at the southern end of Barton Road, adjacent to junction 10 of the A14. There is an existing vehicular access to the site off the western side of Barton Road. The western side of Barton Road, in the vicinity of the site, is characterised by predominantly two storey, detached dwellings that are set back from the highway along a relatively consistent building line. There is, however, no prevailing architectural vernacular, dwelling type or plot size in the area. Whilst a limited number of dwellings on Barton Road include garages set forward of the front elevations, the street scene is generally characterised by open frontages behind boundary walls and hedging.
4. Existing boundary treatments to the site include closed boarded fence to the north and south, with a mature high hedge to the Barton Road frontage. The site appeared to be being used, at the time of my visit, as a construction compound related to an adjacent development of dwellings immediately to the west of the site. A mix of open landscaped space and a modern run of dwellings on Yateley Drive are located to the south of the site. A pathway

provides access to the front of these properties on Yateley Drive, whilst their rear gardens and vehicular access is located to the north.

5. The proposed dwellings are of a significant scale and would be clearly visible from public viewpoints to the south and to the east along Barton Road. The proposed design details, including pitched roofs, projecting gables, and brick and render finishes would appropriately complement the surrounding built form. Furthermore, the proposed dwellings would be sited broadly in line with the existing building line of large detached dwellings on Barton Road to the north. There is significant variation in the scale, footprint and space around dwellings in the surrounding area. In this context, I find the proposed main dwelling buildings would integrate effectively with their surroundings, forming a continuation of the residential development along Barton Road.
6. The proposed detached garages would be located to the front of the proposed dwellings, have a ridge height of approximately 5.3 m, and would present blank gable ends to the Barton Road Frontage. As a result, the proposed garages would harmfully dominate the front of the dwellings and would detract from the street scene. Whilst I note that there are a limited number of existing garages set forward of their associated dwelling's front elevations on Barton Road, they are not a defining characteristic of the street scene. Rather it is the set back of dwellings and open frontages that provides the prevailing character. The blank gables of the proposed garages would result in a poor relationship between the development and the public frontage.
7. I note that boundary planting to soften the visual impact of the garages is proposed to be retained, however, such boundary treatments may change over time. I also note that significant highway infrastructure works in the surrounding area have commenced. Nevertheless, completion of these works would not lessen the impact of the proposal on the character and appearance of the area.
8. For the reasons above, the proposal would fail to respond to the site's immediate and wider context and local character contrary to policy 8 (d) of the North Northamptonshire Joint Core Strategy (2016). Furthermore, the proposal would not accord with chapter twelve of the National Planning Policy Framework (the Framework) which seeks well designed places and to deliver good design that is sympathetic to the local character.

Living Conditions

9. The side elevation of the southernmost proposed dwelling would be located in close proximity to the shared boundary with the rear garden of 38 Yateley Drive. Whilst a wooden close boarded fence forms the boundary between the two properties, the proposed side elevation, at approximately 9 m high and 9.8 m in width, would rise far above it. This would result in a harmfully overbearing impact on users of the garden of 38 Yateley Drive. The garden would become uncomfortably enclosed. According to the Council, the proposed side elevation would be approximately 12 m away from the facing rear elevation of 38 Yateley Drive. This relationship, by virtue of the scale, proximity and largely unbroken appearance of the proposed side elevation, would also have a harmfully overbearing impact on the north-facing habitable rooms of 38 Yateley Drive.
10. I note the appellant's assertion that the proposed relationship between the side elevation and 38 Yateley Road is typical of the area, with particular reference

to the development currently under construction to the west of the site¹. However, I have not been provided with details of the background to that development and cannot, therefore, be certain of the full circumstances in which it was permitted. From the limited information before me, and based on my site visit, the development referred to by the appellant has resulted in the side elevation of a dwelling immediately adjacent to an access drive rather than a rear garden. As such, it is materially different to the current proposal. Notwithstanding this, I have considered the appeal on its own merits.

11. For the above reasons, the proposal would be harmful to the living conditions of the occupiers of 38 Yateley Drive contrary to policy 8 (e) of the North Northamptonshire Joint Core Strategy (2016) which requires development to ensure quality of life by not resulting in an unacceptable impact on the amenities of neighbouring properties. It would also conflict with similar guidance contained within chapter 12 of the Framework that guides development should create places with a high standard of amenity for existing and future users.

Other Matters

12. The appellant has drawn my attention to the planning history of the appeal site, including an unimplemented and now expired planning permission for two dwellings². I have not been provided with full details of the background to that permission. I cannot, therefore, be certain of the full circumstances in which it was permitted. Notwithstanding this, I have considered the appeal on its own merits.
13. I acknowledge that the proposal would contribute towards housing supply and future occupants of the dwellings would provide support for local services. Being for two dwellings, however, it would only make a very limited contribution and this significantly limits the weight I attach to this consideration.
14. Overall, there are no material considerations, either individually or in combination, of sufficient weight to outweigh the conflict with the development plan, nor do they indicate that the proposal should be determined other than in accordance with the development plan.

Conclusion

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

S D Castle

INSPECTOR

¹ Planning reference: KET/2018/0891

² Planning reference: KET/2015/0333