



Appeal Decision

Site visit made on 25 August 2020 by G Sibley MPLAN MRTPI

Decision by Chris Preston BA (Hons) BPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 24 September 2020

Appeal Ref: APP/L2820/W/20/3254707

54 Hallwood Road, Kettering, Northants NN16 9RP

- 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 Mrs R Gaziano against the decision of Kettering Borough Council.
 - The application Ref: KET/2019/0717, dated 10 October 2019, was refused by notice dated 16 December 2019.
 - The development proposed is residential development comprising 1No. detached 1-bedroom bungalow and related site development works.
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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. The main issues are:
 - i. The effect of the proposed development upon the character and appearance of the street scene;
 - ii. The impact of the proposed development upon the living conditions of the occupiers of No.54 Hallwood Road and the future occupiers of the proposed dwelling; and
 - iii. The impact of the proposed development upon highway safety.

Reasons for the Recommendation

Character and appearance

4. The site is located at the end of the garden for No.54 Hallwood Road which is a detached two storey dwelling. No.54 is located on a junction and the garden runs alongside Shelley Road. The single storey garage is located at the end of the garden and is accessed from Shelley Road. The appearance of the buildings along Shelley Road varies with the majority of the properties two storey buildings, although there are several bungalows. The dwellings are typically built close to the roadside behind narrow front gardens with low level boundary treatment and on-street parking is prevalent along the road. To the rear most properties benefit from decent sized gardens.

5. The proposed dwelling would be demonstrably smaller than the dwellings within the street scene, even when compared to the other bungalows on Shelley Road, which are generally quite large double fronted properties within spacious plots. The proposed dwelling would appear cramped in comparison and somewhat shoehorned into the available space. Furthermore, the location of the courtyard garden to the side of the dwelling, rather than to the rear, would further emphasise the limited depth of the plot and the cramped appearance of the proposed dwelling.
6. Consequently, whilst there is some variety in the form and appearance of dwellings within the surrounding area the siting and scale of the dwelling would appear cramped and at odds with the scale of development within the street scene and thus would cause harm to the character and appearance of the area. Therefore, the proposed dwelling would be contrary to Policy 8 of the North Northamptonshire Joint Core Strategy 2011-2031 (adopted 2016) (JCS) insofar as it requires development to respond to the site's immediate and wider context and local character to create new streets, spaces and buildings which draw on the best of that local character without stifling innovation.

Living conditions

7. A conservatory has been constructed to the rear of No.54 and the side wall of the proposed dwelling face towards this conservatory. Large patio windows are proposed into the shared living/kitchen area which would face towards the rear elevation of No.54. Nevertheless, an approximately 2m tall brick wall is proposed around the courtyard between the two dwellings which would block views between the two properties. The proposed wall would also ensure the privacy of the occupiers of the other neighbouring dwellings around the site.
8. The garden would be small with limited use for most occupants. It would be bound by brick walls that would be approximately 2m tall and because of the size of the garden these walls would make the garden feel enclosed and the walls would appear overbearing to the occupiers of the proposed dwelling, especially when viewed from the shared living/kitchen area. Having regard to the limited scale of the garden and the overbearing sense of enclosure I am not satisfied it would provide a satisfactory outdoor space having regard to the living conditions of any future occupants.
9. The bungalow is proposed to be used by the appellant who is looking to downsize. Whilst a garden of this size may be appropriate for the appellant's personal circumstances, the bungalow would remain long after the personal circumstances which, though important, would be subject to change. Personal circumstances would scarcely ever justify a permanent building. In any event, I retain reservations about the suitability of the garden for any occupant(s) given the constraints identified above and the personal circumstances of the appellant do not outweigh those general concerns.
10. The appellant has referred to a five dwelling development that was approved by the Council that had similar sized gardens as well as an application for a dwelling without a garden. Other than the site layout plan for the five dwelling development I do not have any further information regarding these applications, so there is insufficient information to determine whether the circumstances of the applications were comparable. It is also important to note that each case must be assessed on their own merits and reference to another

scheme elsewhere would not justify the harm to living conditions in this proposal.

11. For the reasons given above, the proposed development would have a harmful impact upon the living conditions of the future occupiers of the proposed dwelling. Therefore, the proposal would be contrary to Policy 8 of the JCS which requires development to protect amenity by not resulting in an unacceptable impact on the amenities of future occupiers.

Highway safety

12. The existing parking space in front of the garage does not appear to be deep enough for a car to safely park without overhanging the pavement. Most of the dwellings on the road do not have parking spaces and because of this, on street parking is prevalent. The garage itself appears to be large enough to park a car within it. Consequently, the garage, with the driveway in front of it, does provide a single car parking space for No.54.
13. The proposed scheme would create two parking spaces, one for each dwelling. The Northamptonshire County Council's Parking Standards (adopted 2016) notes that a single parking space would be sufficient for the proposed dwelling, but No.54, which is a three bedroom dwelling, should have a minimum of two parking spaces. Nevertheless, No.54 currently has a single parking space and would continue to do so under these proposals, so the parking situation would not be made worse by the proposed development.
14. The two car parking spaces would be located either side of a telephone pole. Because the pole is not particularly wide it would not significantly hinder views of vehicular users exiting either parking bay and it would not block vehicles from getting in and out of either parking bay. Furthermore, the vehicular movements to and from either dwelling would be very limited.
15. Therefore, the proposed development would not result in a reduction in the number of off-street parking spaces available and the parking spaces would be safe and suitable for vehicular users to access. As such, the proposals would not cause an unacceptable impact upon highway safety and would be in accordance with Policy 8 of JCS which requires development to ensure a satisfactory means of access and provision for parking, servicing and manoeuvring in accordance with adopted standards.

Conclusion and Recommendation

16. Therefore, whilst the proposed development would not have an unacceptable impact upon highways safety the proposed dwelling would appear shoehorned into the site causing harm to the appearance of the street scene and given the enclosed and overbearing nature of the proposed outdoor garden, it would have an unacceptable impact upon the living conditions of the future occupants of the dwelling.
17. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be dismissed.

G Sibley

APPEAL 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 too agree that the appeal should be dismissed.

Chris Preston

INSPECTOR