



Appeal Decision

Site visit made on 4 August 2020

by Chris Forrett BSc(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13 October 2020

Appeal Ref: APP/G2815/W/20/3249448

42 London Road, Raunds, Wellingborough, Northamptonshire NN9 6EJ

- 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 Nigel Streames against the decision of East Northamptonshire District Council.
 - The application Ref 19/01986/FUL, dated 18 December 2019, was refused by notice dated 28 February 2020.
 - The development proposed is the erection of a detached single storey dwelling with associated access to highway.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the development on the character and appearance of the area, and on the living conditions of the occupiers of the existing and proposed dwellings with particular regard to the level of garden space.

Reasons

Character and appearance

3. The appeal site is located to the rear of 42 London Road which consists of a bungalow with a hipped roof. From my site visit I saw that there is a mixture of bungalows, dormer bungalows and two-storey properties in the immediate vicinity of the site.
4. The new bungalow would be accessed off Dryden Street which largely consists of two-storey semi-detached and terraced dwellings with relatively steep pitched roofs. That said, there is a notable exception to this character, as there is a dormer bungalow opposite the appeal site. In my view, this development forms part of the overall character of the area and given the location of the appeal site opposite this property, I consider that the principle of a new detached dwelling at the appeal site is not objectionable.
5. In coming to that view, I acknowledge that this property was built some years ago under a different set of planning policies. Nevertheless, the resultant building does now form part of the streetscene and therefore, the key to the success of the appeal proposal is how it would fit in with the streetscene as a whole.

6. The appeal bungalow itself would be a simple design and would have a shallow pitched roof with a gable end fronting onto Dryden Street. Given the roof pitches in the area, and the width of the gable wall, this would be clearly at odds with that prevailing character of the existing buildings in the area, including the dormer bungalow opposite.
7. Taking this into account, the proposal does not respond in a positive manner to the overall character and appearance of the area. This is particularly the case as it does not relate well to any of the surrounding development in the area, nor is it of a design which reflects local distinctiveness.
8. In coming to the above view, I am also conscious of the extension works being carried out at 40 London Road which includes a single storey extension along the Dryden Street frontage. However, this does not justify the proposal before me.
9. For the above reasons the proposal would harm the character and appearance of the area and would be in conflict with Policy 8(d) of the North Northamptonshire Joint Core Strategy 2011-2031 (2016) (NNJCS) and Policies R2 and R3 of the Raunds Neighbourhood Plan (2017) (RNP) which amongst other matters seek to ensure that development is of a good design which responds to the sites immediate and wider context. It would also conflict with the overarching design aims of the National Planning Policy Framework (the Framework).

Living conditions

10. The appeal development would be situated on part of the rear garden area to No. 42 and as such would result in the loss of a large part of the current garden space. That said, both the existing and proposed dwelling would have a reasonable area of garden which would serve the occupants of the respective dwellings.
11. To my mind, and in the absence of any guidance from the Council in terms of what size would be acceptable, I consider that the size of the garden area for both the existing and proposed bungalows would be sufficient to meet the reasonable expectations of the occupiers of these properties. That is to say the spaces would be of a size to allow the occupiers to carry out all the domestic activities one would normally expect for the size of the dwelling.
12. I have also had regard to the concerns raised from the representations in respect of privacy and loss of light. However, I consider that the proposal would not give rise to any significant harm in these respects.
13. For the above reasons, the proposal would provide for a sufficient level of private amenity space for the occupiers of the new dwelling and would leave an adequate level of rear garden area for the occupiers of the existing dwelling. The proposal would therefore accord with Policy 8 of the NNJCS and Policy R2 of the RNP which amongst other matters seek to ensure quality of life by protecting the amenity of the occupiers (and future occupiers) of neighbouring properties. In this respect, it would also accord with the overarching aims of the Framework.

Other matters

14. The Appellant has advanced a case that a large building could be built in the rear garden of the host property without planning permission by virtue of Schedule 2, Part 1 Class E of the Town and Country Planning (General Permitted Development) (England) Order 2015 (the GPDO).
15. Whilst this may be possible, providing that such a building was required for a purpose incidental to the enjoyment of the dwellinghouse, it is significant that this would not provide the type of accommodation for which the appeal proposal seeks.
16. Additionally, there is little indication in the application or appeal documentation that, in the event of this appeal failing, such a domestic outbuilding would be required for the purpose set out in the GPDO or would be constructed. In this sense, there does not appear to be more than a theoretical prospect that such a development would take place. Given the differences in use between the appeal proposal and the fallback position building, I consider that such a development is unlikely to occur.
17. My attention has also been drawn to an appeal decision at 10 Belmont Gardens¹ which also considered a fallback position. However, from the limited information before me it is unclear whether the circumstances of this case are similar to the proposal before me. Moreover, each proposal must be considered on its individual merits.
18. Taking all of the above into account, I consider that whilst the fallback position could also result in harm to the character and appearance of the area, in my view, this does not provide for a compelling reason why planning permission should be granted for an otherwise unacceptable development.
19. The Council has set out that they have a five-year supply of housing and the Appellant has provided little evidence to dispute this. In the absence of any real evidence to suggest that there is not such a supply, I consider that the tilted balance from paragraph 11d) of the Framework does not apply.
20. Finally, from the evidence before me, the appeal site is located in the zone of influence of the Upper Nene Valley Gravel Pits Special Protection Area (SPA) which is a European designated site. The Council have indicated that a financial payment of £269.44 is required to secure mitigation against recreational disturbance as any intensification of activities could lead to further disturbance in accordance with the Upper Nene Valley Gravel Pits Special Protection Area Supplementary Planning Document (2015). With that in mind, the Appellant has already made such a payment directly to the Council.
21. Notwithstanding that, I am conscious of the requirement to undertake an 'Appropriate Assessment' of the effects of the development on this designated site. However, given that I have found harm in respect of the effect of the development on the character and appearance of the area (and that there are not any other material planning considerations which indicate that permission should be granted) it is not necessary for me to consider this matter in any further detail.

¹ Reference APP/G2815/W/19/3222089

Conclusion

22. Taking all matters into consideration, I conclude that the appeal should be dismissed.

Chris Forrett

INSPECTOR