



Appeal Decision

Site visit made on 27 January 2021

by Mr Ben Plenty BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 4th February 2021

Appeal Ref: APP/L2820/W/20/3259306

3 Blackwell Road, Barton Seagrave NN15 6UN

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission under section 73A of the Town and Country Planning Act 1990 for the development of land carried out without complying with conditions subject to which a previous planning permission was granted.
 - The appeal is made by Mr G Sula against the decision of Kettering Borough Council.
 - The application Ref KET/2020/0015, dated 9 January 2020, was refused by notice dated 26 June 2020.
 - The application sought planning permission for one dwelling and associated access without complying with a condition attached to planning permission Ref KET/2017/0244, dated 24 May 2017.
 - The condition in dispute is No 2 which states that: The development hereby permitted shall not be carried out other than in accordance with amended plan numbers; Location Plan KET/2017/0244/1 received by the Local Planning Authority on 21/03/17; Proposed Elevations 02A and Proposed Floor Plans 01A received by the Local Planning Authority on 26/04/17.
 - The reason given for the condition is: In the interests of securing an appropriate form of development in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.
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Decision

1. The appeal is dismissed.

Procedural matters

2. The proposal relates to development that has already taken place, but that has not been undertaken in accordance with the 'approved plans' listed at condition 2. I shall consider the appeal on this basis.

Main Issue

3. The main issue is the effect of the alterations to the approved development on the character and appearance of the site and surrounding area.

Reasons

4. Blackwell Road consists of a short cul-de-sac. It is beyond the junction of Gotch Road and Brighton Drive. Gotch Road slopes downhill from the east and reveals Blackwell Road at its terminus. This vista provides views of the open and distant countryside beyond through the space between the dwelling the subject of this appeal and 159 Manor Road (No 159). Manor Road connects to the end of Blackwell Road by a footpath. Consequently, the appeal site stands at the end of built form framing views of the countryside beyond. A public footpath

runs to the side and rear of the dwelling. This increases the exposure of the appeal site to public views resulting in the site being relatively prominent. Dwellings on the south side of Gotch Road and Blackwell Road mostly consist of semi-detached properties. Due to the gradient these gradually step down the hill towards the site.

5. The ridge and eaves of the roof are around 1.2 metres higher than the approved plans. Consequently, whilst the appeal site is on lower land than No 3, it is taller with a higher eaves and ridge line. As a result, the scale of the building is out of keeping with the prevailing character of the area and local building heights. Furthermore, the front elevation includes a substantial mass of brickwork, above the first-floor windows, that is a further discordant feature of the dwelling. These elements together result in an elongated building that appears to have been stretched vertically to unconventional proportions.
6. A recently completed housing estate, opposite the site on Manor Road, consists of two and three-storey development. Due to various styles of built form and local topography, this new estate includes varied roof lines and building heights. This variety is nevertheless successfully integrated with the surrounding area. Furthermore, the dwelling of No 159 is set away from properties of Blackwell Road. Therefore, whilst different in style, form and height to its neighbour its relationship and design is sympathetic to its surroundings. Moreover, although the proposal consists of red brick that may well emphasise the prominence of the dwelling, such variety should not be avoided and adds interest to a street. Nevertheless, the scale and discordant features identified above are out of keeping with the generally positive contribution made to the area by local built form. As such, the proposed alterations to the approved plans are not appropriate, within this relatively prominent location. Consequently, the alterations result in a dwelling that is harmful to the character and appearance of the site and the surrounding area.
7. Accordingly, the proposal would fail to satisfy policy 8 of the North Northamptonshire Joint Core Strategy 2011-2031 (2016). This seeks, amongst other things, for development to respond to its immediate and wider context and local character to create buildings that draw on the best of the local character. This policy is generally consistent with the National Planning Policy Framework which seeks development that is sympathetic to the local character.

Other matters

8. The Appellant describes a number of possible alterations that could be made to the dwelling within his Statement of Case. However, it is not within the scope of an appeal to evolve a proposal. Consequently, such revisions would need to be explored primarily with the Council.

Conclusion

9. For the above reasons, the appeal is dismissed.

Mr Ben Plenty

INSPECTOR