



Appeal Decision

Site Visit made on 12 January 2021 by John Gunn DipTP Dip DBE MRTPI

Decision by R C Kirby BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 5 February 2021

Appeal Ref: APP/Z2830/W/20/3260687

Chestnut View, School Lane, Quinton, NN7 2EA

- 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 Chalcraft, Georgian House Developments, against the decision of South Northamptonshire Council.
 - The application Ref S/2020/1276/FUL, dated 21 July 2020, was refused by notice dated 15 September 2020.
 - The development proposed is erection of 2no. dwellings.
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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 effect of the proposed development upon: 1) the character and appearance of the area, and 2) the living conditions of the occupiers of Rosebank and Tenerife, with particular regard to outlook and light.

Reasons

Character and appearance

4. The appeal site comprises a regular shaped plot of land fronting School Lane. At the time of my site visit it contained a three bedroom detached dwelling with associated garage, sited adjacent the northern boundary, within open gardens devoid of any significant landscaping.
5. School Lane, within the vicinity of the appeal site is characterised by individually designed detached bungalows and houses, on spacious landscaped plots, set a modest distance back from the highway, which make a positive contribution to the area, giving it an attractive, spacious appearance.
6. The proposed development would introduce 2 buildings of similar dimensions, set back a comparable distance from the road to the immediate neighbours at Rosebank and Tenerife. There would be small gaps between the proposed dwellings, and to the common boundaries with neighbouring gardens, and in this regard the new dwellings would not reflect the spacious pattern of development nearby. Compared to nearby dwellings they would appear

cramped upon their plots and as a consequence they would significantly erode the spacious qualities of this part of School Lane. Whilst there is no dispute with regard to the individual design of the dwellings, this matter does not offset the identified harm that would be caused to the character and appearance of the area.

7. I acknowledge that there are instances along School Lane, towards the centre of the village, where there are small gaps between properties. However, the examples provided by the Appellant are not typical of the character and appearance of the area near to the appeal site. Furthermore, whilst there is an isolated instance of a smaller plot at The Oaks, to the west of School Lane, which is close to its neighbours, I am not aware of the circumstances that prevailed at the time the dwelling was permitted, and in any event this property is the exception to the otherwise spacious character of this part of School Lane. It does not provide justification for development that would fail to add to the overall quality of the area.
8. The proposed development would result in the provision of an additional vehicular access and parking provision fronting School Lane. If the appeal was allowed, the visual impact of this could be mitigated by additional landscaping at the front of the appeal site similar to other properties in the locality. A condition could secure its provision. The appeal does not fall on this matter.
9. For the reasons set out above, I conclude that the proposed development would be out of keeping with, and harmful to the character and appearance of the area, in conflict with Policies SS2 and LH1 of the South Northamptonshire Part 2 Local Plan 2011-2029 (SNLP), Policies H1 and R1 of the West Northamptonshire Joint Core Strategy Local Plan (Part 1) (WNJCSLP) which jointly seek to protect and enhance the built environment and deliver developments that are of high quality design that reflect and integrate with the surrounding area. These policies are in broad conformity with the National Planning Policy Framework (Framework) which requires developments to be sympathetic to local character and add to the overall quality of the area, amongst other matters.

Living conditions

10. According to the Council's delegated officer report the northern elevation to the proposed dwelling on Plot 1 would be approximately 13.5 metres from the southern elevation of Tenerife. This property contains 2 windows serving habitable rooms in its southern elevation that would face the proposed dwelling on Plot 1. Although located in a southerly direction to this property, it is unlikely that the new dwelling on plot 1 would have a noticeable impact on the amount of light that the rooms and garden of Tenerife receive. As such I find that the proposal would be unlikely to make the rooms that the windows serve and garden area less pleasant to use. The living conditions of the occupiers of this property would be preserved.
11. Moreover, whilst the proposal would result in a changed outlook from the south facing windows of Tenerife, I am satisfied that the new dwelling would be located sufficiently far away to ensure that it would not be overbearing or intrusive in the outlook from these windows, or the garden to the side of the dwelling, to a degree that would cause harm to its occupiers' living conditions.

12. The northern elevation of Rosebank is at a slight angle to the southern elevation of the proposed dwelling on plot 2, with a separation distance of between 10 and 11 metres according to the Council officer's delegated report. It contains a number of windows, including a bedroom window. The current layout of the appeal site results in the outlook from Rosebank being largely open and unobstructed with good levels of daylight in the habitable rooms being available.
13. The proposed development on plot 2 would introduce a building of significant height and depth within close proximity to the common boundary with Rosebank, which would result in an intrusive, overbearing feature in the outlook from the bedroom window. Moreover, the new dwelling on plot 2 would have a significant enclosing effect on the rooms closest to the party boundary of Rosebank, and as a consequence they are likely to receive reduced levels of light which would make them less pleasant to use.
14. I acknowledge that extensions to the existing dwelling on the appeal site could be provided without the need for planning permission, however I have been provided with only limited details of what these might amount to, so am unable to make an assessment of these compared to the proposal before me. Consequently, I give this matter only limited weight.
15. In conclusion whilst I have found that the proposal would not adversely affect the living conditions of the occupiers of Tenerife, it would have a harmful effect upon the living conditions of the occupiers of Rosebank in terms of outlook and light. Consequently, the proposed development is contrary to Policy SS2 of the SNLP and Policy H1 of the WNJCSLP which jointly seek to protect the amenities of occupiers of neighbouring properties. There would also be conflict with the amenity aims of the Council's Design Guide. These policies are consistent with the Framework which requires that developments create places with a high standard of amenity for existing and future users.

Conclusion and Recommendation

16. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be dismissed.

J Gunn

APPEAL PLANNING OFFICER

Inspector's Decision

17. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is dismissed.

RC Kirby

INSPECTOR