



Appeal Decision

Site Visit made on 24 May 2021

by Mr Ben Plenty BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 02 June 2021

Appeal Ref: APP/U2805/W/21/3268448

152 Studfall Avenue, CORBY NN17 1LF

- 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 E Susuri against the decision of Corby Borough Council.
 - The application Ref 20/00272/DPA, dated 7 July 2020, was refused by notice dated 17 September 2020.
 - The development proposed is to demolish the existing garage and erect a new two-storey dwelling with associated access and landscaping.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. Since the determination of the planning application, the subject of this appeal, Corby Borough Council merged with other Councils to form North Northamptonshire Council. The Council's Planning Officer's report and decision notice references the North Northamptonshire Joint Core Strategy – Part 1 2011-2031 (2016) (CS) and the Corby Borough Local Plan (1997) (LP). Irrespective of the merger, my consideration of this appeal has been based on the policies of the adopted development plans as detailed on the decision notice.

Main Issue

3. The main issue is whether the proposed dwelling would preserve or enhance the character or appearance of the Lloyds Conservation Area (LCA).

Reasons

4. The Lloyds Estate consists of a series of predominantly residential development blocks. These are arranged in a grid pattern, with each block providing access to further dwellings within them. Houses at junctions are semi-detached and, in plan form, stand at 45 degrees to both roads. These form a visual symmetry that helps define the corners. The majority of corner dwellings have clear gaps to their sides. This is a pattern of development repeated throughout the estate. The corners contribute to the sense of spaciousness within the estate formed by the size of the generous gardens as identified within the LCA Management Plan (2008). The appeal site is a corner plot with a modest gap to its side. The site therefore makes a positive contribution to the spaciousness of the surrounding estate.

5. The site is within the LCA. The statutory requirements¹ entail that special attention be paid to the desirability of preserving or enhancing the character and appearance of a conservation area. Furthermore, paragraph 193 of the National Planning Policy Framework (the Framework) requires great weight to be given to an asset's conservation when considering the impact of a proposal on its significance. The LCA largely consists of semi-detached housing and short terraced rows of three and four units. The house types are grouped into 5 main styles, by the Council's LCA Character Appraisal (2008), which excludes detached housing. The significance of the conservation area seems to derive from its regimented settlement pattern, well defined front building lines and sense of spaciousness, especially as noted on corner plots.
6. The proposed dwelling would be located within the side and rear garden of the existing dwelling. Its front elevation would align with the defined front building line of adjacent development. However, the majority of its mass would be behind the rear elevation of the host dwelling and its neighbour. The proposal would be of brick construction, with a hipped roof and window form that matches the style of local examples. However, it would be a slim detached dwelling that would not complement existing house types within the estate. Therefore, due to its position and style the proposal would not integrate well with the local streetscene. Its cramped appearance would therefore be a harmful intervention to the streetscene and an incongruous feature of the area.
7. The side garden is only marginally larger than other nearby corner plots and therefore cannot be readily severed from the existing dwelling without creating a constrained development. The crowding form of the proposal would reduce the sense of spaciousness of the plot. This would exacerbate the effect of the loss of the gap on local built form. In contrast, the removal of the existing garage and store would only result in a limited visual improvement.
8. Consequently, the proposal would not preserve or enhance the character or appearance of the LCA. Accordingly, the proposal would not comply with policies 2 and 8 of the CS which seeks development to conserve the historic significance of a heritage asset and respond to the local character. These policies are broadly consistent with the Framework that requires development to be sympathetic to the local character.
9. However, the proposed dwelling would comply with saved policy P6(R) of the LP which requires new dwellings in gardens to have no adverse effects on the amenity and privacy of occupiers of existing dwellings and to provide adequate vehicular access.
10. The harm identified to the LCA would be 'less than substantial'. Paragraph 196 of the Framework, states that where harm to a heritage asset would be 'less than substantial' this should be weighed against the public benefits of a proposal. However, no public benefits have been identified in evidence for me to undertake such a balancing exercise.

Other Matters

11. Demand for housing in Corby may be high, as advanced by the appellant. This potential need accords with the Framework's general requirement for decision makers to boost the supply of housing. Also, the proposal would make use of

¹ Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990

previously developed land and would be within close proximity of public transport and services. However, the substantial harm caused to the character and appearance of the area, and the great weight to be applied to that harm, would outweigh these limited merits.

12. The appellant refers to recent allowed appeals in the area, but has not provided specific details to enable me to find any commonality. In any event, each case must be considered on its own merits, as I have in consideration of the merits of this proposal.

Conclusion

13. The proposed dwelling would not preserve the character or appearance of the LCA and would conflict with the development plan when taken as a whole. There are no material considerations that indicate the decision should be made other than in accordance with the development plan. Therefore, for the reasons given, I conclude that the appeal should not succeed.

Mr Ben Plenty

INSPECTOR