
Appeal Decision

Site visit made on 28 June 2021

by Gary Deane BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12 July 2021

Appeal Ref: APP/V2825/D/20/3263364

111 Booth Lane South, Northampton NN3 3EY

- 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 Miss Ginette Fraher against the decision of Northampton Borough Council.
 - The application Ref N/2020/0731, dated 29 June 2020, was refused by notice dated 21 October 2020.
 - The development proposed is described as follows: to put a driveway onto the front garden of our property for our x2 cars; there is limited space on the main road for parking and the road is very busy and dangerous for our children when they are exiting the car onto a main road; the children have nearly been knocked over resulting in a near miss; the cars also travel and do not allow enough space to get in and out of the car if a car is passing. We have also had our cars damaged by passing traffic and buses.
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Decision

1. The appeal is dismissed.

Main issue

2. The main issue is the effect of the proposed development on the character and appearance of the local area.

Reasons

3. The proposal is to introduce a new vehicular crossover and driveway along part of the highway frontage to the appeal property, which is a detached dwelling that fronts Booth Lane South. It would provide access from this highway to an area in front of the main house for off-street vehicle parking. To do so, a section of the existing low-level front boundary wall of No 111 would be removed to form an opening. The new driveway would cross the wide grass verge and footway between the site and the edge of the carriageway.
4. To my mind, the grass verge alongside the highway and the front gardens of properties that address the same side of the road as No 111 add to the street scene and the local area. They do so by establishing a sense of openness next to the road; by visually softening the existing built form; and by forming a unifying feature in the streetscape. By replacing a significant area of grass with hard surface and severing the grass verge to form a clear physical and visual break, the proposal would significantly diminish its positive contribution to the character and qualities of the street scene. As the only example of a property along this stretch of Booth Lane South with direct access from the

road, the proposal would draw the eye as an obtrusive, incongruous and uncharacteristic feature within the local area.

5. On the main issue, I conclude that the proposed development would cause significant harm to the character and appearance of the local area. It is, therefore, contrary to Policy S10 of the West Northamptonshire Joint Core Strategy Local Plan (Part 1). This policy aims to ensure that new development, amongst other things, protects, conserves and enhances the built environment. The proposal is also at odds with the National Planning Policy Framework (the Framework), which states that development should respond to local character and add to the overall qualities of an area.
6. That the proposal would be a more accessible, convenient and safer alternative to on-street vehicle parking for the appellant and her family is not in doubt. These are important matters given the instances of near collisions while getting into and out of the car especially with children and the recorded incidents of vehicle damage and vandalism. I am sympathetic to this desire. However, personal circumstances seldom outweigh more general planning considerations.
7. I observed that Booth Lane South is a busy road and that on street parking in the vicinity of the site, which is opposite Weston Favell Academy, is well used. That the appellant and a supporter of the proposal consider that the proposal would improve the safety for people crossing the road and enhance the free flow of passing traffic including buses by reducing on street parking is noted. Reference is also made to the difficulties of using the existing garage and the access to the rear of the property and the risks to personal safety in doing so. However, these matters, taken individually or collectively, do not outweigh the significant harm that I have identified.
8. Some drivers choose to park on the green areas next to the road that can damage the grass, as the appellant's photographs clearly show. However, that is insufficient reason to permit what would be an unacceptable form of development. I also observed that other properties further along Booth Lane South have vehicular access directly to the highway although few details are before me to explain the background to these cases. Consequently, I cannot be certain that their circumstances are the same or very similar to those of the appeal scheme. In any event, each development should be assessed on its own merits, as I have done. To reiterate, it is the harmful effect of introducing a new driveway and dropped kerb along this particular section of Booth Lane South that is objectionable.
9. I acknowledge that the application was made in the light of investigations to establish the Council's requirements for new driveways and that the opinions of neighbours were also sought at an early stage. A survey of the appeal property supported the application. I agree that vehicles using the new access would be unlikely to obstruct other footway users or present a danger to them. The Council appears to raise no objection on highway safety grounds and from the evidence presented neither do I.
10. Other interested parties raise additional objections to the proposal including its effect on highway safety particularly for school children and have queried whether it meets the Highway Authority's standards for new accesses. These are all important matters and I have taken into account all of the evidence before me. However, given my findings on the main issue, these are not matters that have been critical to my decision.

Conclusion

11. For the reasons set out above, I conclude that the appeal should be dismissed.

Gary Deane

INSPECTOR