



Appeal Decision

Site visit made on 9 November 2021 by Darren Ellis MPlan

Decision by Chris Preston BA (Hons) BPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 8 February 2022

Appeal Ref: APP/L2820/D/21/3278990

1 Chase Hill, Geddington, Kettering, Northamptonshire NN14 1AG

- 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 Kevin Higgins against the decision of North Northamptonshire Council.
 - The application Ref KET/2020/0909, dated 22 December 2020, was refused by notice dated 22 April 2021.
 - The development proposed is a two storey side extension with attached single storey double garage and first floor rear.
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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.

Procedural Matter

3. The Kettering Site Specific Part 2 Local Plan (LP) was adopted on 1st December 2021 and has superseded the saved policies of the Local Plan for Kettering Borough (1995) (LPKB). At the time of the determination of the original application the Council afforded moderate weight to the LP policies given the status of the LP at the time. However, now that the LP has been adopted the LP policies are now afforded full weight and will be taken into consideration in this appeal accordingly. Both parties have been given the opportunity to comment on the new policies and therefore I feel that no party would be prejudiced by this approach.

Main Issue

4. The main issue is the effect of the garage on the character and appearance of the existing building and the street scene.

Reasons for the Recommendation

5. The appeal property is a two-storey detached dwelling on Chase Hill. The properties on the western side of Chase Hill, including the appeal property, are set back from the street with generous front gardens and driveways. The appeal property is part of a group of five dwellings that follow a strongly defined building line, with Nos 9 and 11 Chase Hill set slightly further back
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from the street. The front boundaries have fences, walls and hedges of various heights and, overall, the properties and street scene have a pleasant and spacious character. The properties on the opposite side of Chase Hill are set back from the street at varying distances but share the front boundary characteristics of the other properties in the street and as such they contribute positively to the spacious character of the street.

6. The proposal is for a two-storey side extension with an attached single-storey garage to the front and a first-floor rear extension. However, it appears that the Council's concerns are focussed on the garage.
7. The garage would project approximately 9m from the front elevation of the dwelling and would be in close proximity to the front boundary. It would therefore be forwards of the predominant building line of the properties on the western side of the street. The garage would add clutter to the street scene and would therefore be an unsympathetic addition to the street scene. Furthermore, it would be at odds with the prevailing character due to its scale and position forward of the established building line and, overall, the structure would detract from the spacious character of the street. In addition, the property is in a prominent position close to the junction with Queen Eleanor Road and the proposed garage would be highly visible to those entering Chase Hill, which would increase the visual impact of the garage.
8. Whilst the proposed materials of the garage, and the materials and design of the proposed two-storey side extension and first-floor rear extension, seek to reflect the character of surrounding houses, these matters would not mitigate for the impact on the open character of the street frontage arising from the unsympathetic location of the garage, as described above.
9. The dwellings at Nos 9 and 11 have double garages to the front of the dwellings, however it is unclear when these garages were built and no details of any planning permissions for these garages have been provided. However, Nos 9 and 11 are set behind the building line of the other dwellings along the western side of Chase Hill and as such the garages at these properties do not project forwards of the building line as much as the proposed garage would, nor do they impinge on the open character of the street frontage. Furthermore, Nos 9 and 11 are sited at the end of the cul-de-sac and as such are in a far less prominent position than the appeal property. For these reasons the garages at Nos 9 and 11 have a significantly reduced impact on the street scene than the appeal proposal before me.
10. A previous proposal for a two-storey side extension, which included a two-storey front projection, and a wall and railings to the front boundary¹ was refused and dismissed at appeal in 2020, on the grounds that the proposed extension and wall would dominate the host property and would be at odds with the appearance of the properties and the spacious nature of Chase Hill. The proposal before me is an amendment of this previous scheme, with the first-floor front projection and the wall and railings removed in an attempt to reduce the impact on the character and appearance of the street. However, whilst the proposed garage would be single-storey, it would project further and occupy a larger footprint than the front extension of the previous scheme and, as a result, does not overcome the previous concerns regarding the openness of the street scene.

¹ Planning application ref. KET/2019/0858; Appeal ref. APP/L2820/D/3253027

11. For the reasons given, the proposal would cause considerable harm to the character and appearance of the existing building and the street scene. The proposal would therefore be contrary to Policy 8 of the North Northamptonshire Joint Core Strategy (July 2016), which requires development to respond to the site's immediate and wider context and local character, and with policy RS1 of the LP which requires, amongst other things, for the development to be sympathetic to the existing form and character of the village. The proposal would also fail to comply with section 12 of the National Planning Policy Framework, which requires amongst other things for development to add to the overall quality of the area and to be sympathetic to local character. I further note that paragraph 134 of the Framework states that development that is not well designed should be refused.
12. The Council states that policy RS5 of the then-emerging LP 'is not supportive of development in villages where the development does not reflect the height, scale and mass of neighbouring properties and does not enhance the character of the settlement.' However, in the document that was submitted by the Council with the now-adopted policies of the LP, this wording or similar is not part of policy RS5, which sets out general development principles in the rural area. Based on the evidence before me, the proposal does not conflict with policy RS5 of the LP.
13. The appellant states that the proposal would accord with policy GED1 (f) and (g) of the LP which have regards to materials and fenestration respectively, and LP policy RS5 (i) which refers to parking and highways. Based on the evidence before me I have no reason to disagree, however this would not mitigate the policy conflicts identified above. The appellant also states that the proposal would accord with policy RA3 (v) of the LPKB, however the LPKB has been superseded by the LP and as such the LPKB policies are no longer in force.

Other matters

14. I understand the appellant's desire to provide security for their vehicles. However, as set out above, the current proposal does not overcome the concerns raised by the previous Inspector in terms of the prominent location of the proposal to the front of the dwelling. There is no evidence that an alternative scheme to provide a secure garage on the site in a less conspicuous and harmful location, to the side of the dwelling for example, has been considered and I therefore attach limited weight to this matter. Consequently, this would not outweigh the harm that has been identified above.
15. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be dismissed because of the conflict with the development plan and there being no material considerations which indicate that a decision should be made other than in accordance with the development plan.

Darren Ellis

APPEAL PLANNING OFFICER

Inspector's Decision

16. I have considered all the submitted evidence and the Appeal Planning Officer's report and, on that basis, I agree with the recommendation and shall dismiss the appeal.

Chris Preston

INSPECTOR