



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: 24 February 2022

Appeal Ref: APP/L2820/W/21/3275955

Formerly 27 Warkton Lane, Kettering NN15 5AB

- 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 Samantha Feely on behalf of Elm Park Homes Ltd against the decision of North Northamptonshire Council.
 - The application Ref NK/2021/0077, dated 25 January 2021, was refused by notice dated 13 May 2021.
 - The development proposed is the substitution of housetype to plot 1 - Detached double garage and conversion of integral garage to a reception room.
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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.

Application for costs

3. An application for costs was made by Elm Park Homes Ltd against North Northamptonshire Council. This application is the subject of a separate decision.

Procedural Matter

4. The Kettering Site Specific Part 2 Local Plan (LP) was adopted on 1st December 2021 and has superseded the saved policies of the Local Plan for Kettering Borough (1995). The policies of the LP will therefore be taken into consideration in this appeal. 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.

Background and Main Issue

5. Planning permission has previously been granted for the demolition of the existing dwelling at 27 Warkton Lane and the erection of two new dwellings with integral garages on the site¹, with alterations to the design of the dwellings being subsequently approved². These dwellings were under construction at the time of my site visit. The appeal proposal seeks to erect a

¹ Planning application ref. KET/2017/0558

² Planning application ref. KET/2020/0571

detached garage to the front of the dwelling of plot 1 and convert the integral garage into a habitable room. The Council has raised no concerns regarding the conversion of the integral garage, and the dwelling on plot 2 would remain unchanged.

6. The main issue therefore is the effect of the garage on the character and appearance of the proposed dwellinghouse and wider street scene.

Reasons for the Recommendation

7. The appeal properties are a two-storey detached dwellings on the north-western side of Warkton Lane. With the exception of No 33, the properties in this part of Warkton Lane are set back from the road with generous front gardens and driveways and the buildings follow a strongly defined building line. Most of the front boundaries have hedges of various heights and, overall, this part of Warkton Lane has a green and spacious character.
8. The driveway area of the appeal property would contribute positively to the spacious character of the area. The proposed garage would be positioned adjacent to the front boundary and therefore would be forwards of the predominant building line of the road and would have a minimal set back from the road. The garage would add clutter to the front of the property and would therefore be an unsympathetic addition to the immediate street scene. Furthermore, it would be at odds with the prevailing character due to its position forward of the established building line. Consequently, the structure would detract from the green and spacious character of the street.
9. Whilst the materials and design seek to reflect the character of approved dwellings, those matters do not mitigate for the impact on the open character of the street frontage arising from the unsympathetic location of the structure, as described above.
10. The properties at 16, 17, 19 and 21 Warkton Lane, 11 Constable Drive and 1 Hogarth Drive, to the south of the appeal site, all have garages to the front of the dwellings, however it is unclear when these garages were built and no details of any planning permissions for the garages have been provided. Nevertheless, these garages are all set away from the highway to various extents and some are of a smaller scale than the proposed garage. As such they have less of an impact on the street scene and are not directly comparable to the proposal before me.
11. To the north of the appeal site there is a left-hand bend in Warkton Lane and beyond this bend there are other properties that also have garages to the front of the dwellings. However, these properties are not directly visible from the appeal site, and as such the garages at these properties have no bearing on the street scene at the appeal site.
12. Thus, whilst there may be numerous properties containing front garages within the wider area, they do not dominate the immediate context. Conversely, the proposed garage would be in a prominent position and would significantly reduce the openness and available garden space to the front of the dwelling in contrast to the generally spacious feel of the area
13. For the reasons given, the proposed garage would cause harm to the character and appearance of the proposed dwellinghouse and wider 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. The proposal would also fail to comply with paragraph 130 (a) and (c) of the National Planning Policy Framework (the Framework), which requires development to add to the overall quality of the area and to be sympathetic to local character.

Recommendation

14. 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

15. 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