



Appeal Decision

Site visit made on 9 August 2022

by A Berry MTCP (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 21 September 2022

Appeal Ref: APP/M2840/W/22/3296018

Land to the rear of 14 Copelands Road, Desborough NN14 2QF

- 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 John Castledine against the decision of North Northamptonshire Council.
 - The application Ref NK/2021/0790, dated 20 September 2021, was refused by notice dated 18 November 2021.
 - The development proposed is described as “proposed 3-bedroom bungalow to the rear of No. 14 Copelands Road, Desborough”.
-

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 surrounding area.

Reasons

3. Copelands Road comprises a residential street that terminates where it meets a railway line to the north. Detached and semi-detached dwellings front both sides of the road and are set back by a similar sized front garden/parking area which creates two defined rows. Each dwelling has a large, long rear garden. An exception to this character is No 10 Copelands Road, which comprises a detached bungalow set within the rear garden of No 12 Copelands Road. This bungalow is positioned a substantial distance from the road but is visible from the street due to the width of the shared driveway.
4. The proposed bungalow would be sited within the rear garden of No 14 Copelands Road, in a similar position to the bungalow at No 10. An existing detached garage located in the rear garden of No 14 would be demolished to create an access to the proposed bungalow and the plot would be sub-divided to create a separate garden and parking area for each dwelling.
5. The bungalow at No 10, due to its siting to the rear of No 12, forms an incongruous form of backland development that is contrary to the prevailing character of the street. It appears as an anomaly. The proposed bungalow seeks to draw on this anomaly rather than responding to the street’s defining character, which would further erode the predominant form of frontage development. This contrast would harm the character and appearance of the surrounding area.

6. The Council raises concern regarding the massing of the proposed bungalow relative to its plot size and considers that it would lead to a cramped and confined form of development. Whilst the house to plot ratio of the proposed bungalow would be smaller than the majority of those along Copelands Road, it would be similar in size to No 10 and an adequate level of private garden space together with the necessary off-street parking and turning areas can be accommodated. I therefore do not agree with the Council that the proposed development would comprise a cramped form of development.
7. The appellant has drawn my attention to the variety of styles and sizes of existing properties and buildings along Copelands Road and that the proposed dwelling would have a similar impact on the street scene as the appellant's detached garage. I observed the mixed appearance of the dwellings on Copelands Road during my site visit however, it is not the design, appearance or visual appearance of the proposed dwelling that is contrary to the prevailing character, but its siting. Furthermore, the proposed bungalow would be sited a significant distance from the garage to be demolished and therefore its appearance from the street would differ.
8. In respect of the main issue, the proposed development is contrary to Policy 8 of the North Northamptonshire Joint Core Strategy, adopted July 2016 (NNJCS), which amongst other things, seeks to create a distinctive local character by responding to a site's immediate and wider context and local character to create new buildings which draw on the best of that local character without stifling innovation.

Other Matters

9. The appellant considers that No 10 Copelands Road is similar to the appeal proposal and that it has set a precedent for other similar developments on the street. No 10 was approved by the Council on 1 April 2003. The NNJCS was adopted by the Council in July 2016, whilst the first edition of the National Planning Policy Framework (NPPF) was published on 27 March 2012. Whilst I agree that there are similarities between the appeal proposal and No 10, No 10 was approved against different local and national policies that were in place at the time. I therefore give this example limited weight.
10. My attention has been drawn to a previous appeal decision¹ for a bungalow at the appeal site that was dismissed in May 2018 against the same policy in the NNJCS. The planning inspector in that appeal determined that the siting of the proposed bungalow would harm the character and appearance of the area. The appellant considers that the character of the area has significantly changed since this appeal was determined and has drawn my attention to a residential annexe at No 31 Copelands Road and detached outbuildings at No 49 and No 54 Copelands Road that have subsequently been approved. I was able to view these examples from the street during my site visit.
11. None of these examples are for the provision of a new dwelling and are therefore not directly comparable to the appeal proposal. Whilst the detached outbuildings are prominent from the street, the prominence or otherwise of the proposed bungalow is not a matter of contention for the Council. Other than photographs, no details have been provided in respect of the annexe at No 31 and therefore I am unable to ascertain whether this example is of direct

¹ APP/L2820/W/18/3193192

relevance to the appeal. Notwithstanding this, the visual appearance of the annexe from the street also differs from the appeal proposal, as it is joined to the host dwelling and appears as an extension. I do not consider that these developments have significantly altered the character and appearance of Copelands Road. In any event, each application must be decided on its own individual merits.

12. My attention has also been drawn to examples of backland developments that have been approved by the Council, including 21-23 Church View Road and a dwelling at Breakleys Road, which the appellant considers are similar to the appeal proposal. These sites are not located within the vicinity of the appeal site. Furthermore, according to the Officer Report, the land at Church View Road was previously a vacant plot that was formerly used as allotments and is therefore not directly comparable to the appeal site. Therefore, I do not agree with the appellant that the Council has been inconsistent in its consideration of backland development in this regard. No details have been provided in respect of the example at Breakleys Road and therefore I am unable to establish the circumstances surrounding how this development was built and whether it is directly comparable to the appeal proposal. I therefore afford these examples limited weight.
13. The appellant has indicated that they intend to inhabit the proposed bungalow, which would allow them to remain in the area in which they have lived since 1975, whilst meeting their own personal needs both now and in the future that cannot be met by their existing dwelling. However, the proposed bungalow would be an open-market dwelling with no mechanism in place to control who would occupy it. Furthermore, no information has been provided as to why the appellant's existing dwelling is no longer acceptable or why the proposed bungalow would be more appropriate for their needs. The appellant has provided details of two bungalows currently for sale within Desborough as evidence that there are few bungalows available to purchase in the area. However, to the contrary, this evidence indicates that there are two bungalows available to buy that would allow the appellants to remain within Desborough. From the information before me, the personal circumstances of the appellants amount to no more than a desire and I therefore attach limited weight.
14. I note the letter of support from the occupiers of No 16 Copelands Road and the appellant's willingness to incorporate energy efficiency measures within the proposed bungalow. However, these do not outweigh the harm I have identified in respect of the main issue.
15. I have had regard to third party objections comprising, but not limited to, the effect of the proposed development on the living conditions of neighbouring properties from noise and disturbance and a loss of light, inadequate parking and turning facilities, the use of land outside of the appellant's ownership, and potential damage to the road from delivery vehicles. As I am dismissing the appeal, I have not addressed these matters further.

Conclusion

16. The other matters raised are insufficient to outweigh my conclusions on the main issue and that the development plan as a whole would not be complied with. The appeal is therefore dismissed.

A Berry

INSPECTOR