



Appeal Decision

Site visit made on 30 August 2022

by K Ford MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 24th October 2022

Appeal Ref: APP/W2845/W/22/3300030

Woodbrooke, 253 Billing Road East, Northampton NN3 3LG

- 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 Saeed against the decision of West Northamptonshire Council.
 - The application Ref WNN/2022/0281, dated 6 March 2022, was refused by notice dated 13 May 2022.
 - The development proposed is house in the grounds of 253 Billing Road East including shared drive.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - a. The effect on the character and appearance of the area.
 - b. The effect on the living conditions of the occupants of No 253 Billing Road East and the proposed dwelling.

Reasons

Character and Appearance

3. The appeal site is the end of the rear garden of 253 Billing Road East, a corner plot where Billing Road East meets Park Avenue South. The proposed dwelling would front onto Park Avenue South which is characterised by large detached properties of varying styles with large gardens and are set back from the road in a consistent building line.
4. In comparison, the proposal would be a very small dwelling with a small garden that would stand forward of the nearest neighbouring dwelling on Park Avenue South. The scale and positioning of the dwelling within the small plot would create an incongruous addition at odds with the predominant character of the area. Any benefit from the removal of existing parking on the edge of the site would not overcome the harm created.
5. The proposal would harm the character and appearance of the area and as such would conflict with Policy S10 and Policy H1 of the West Northamptonshire Joint Core Strategy (Core Strategy). Amongst other things, these policies require new development to incorporate the highest standards of design and

have regard to the location and setting of the site, existing character and the density of the local area. It would also conflict with the part of Policy E20 of the Northampton Local Plan (Local Plan) which requires the design of new buildings to reflect the character of its surroundings in terms of siting, scale and form.

Living Conditions

6. The separation distance between the proposed dwelling and No 253 would be unacceptably close causing No 253 to have an overbearing and overshadowing effect on the proposed dwelling.
7. There would be direct views from the first floor windows of No 253 into the living space window and main garden area of the proposal in close proximity which would have an unacceptable harmful impact on the privacy of the occupiers of the new dwelling. The proposed 1.8m fence would do little to overcome this harm. Similarly, the level of garden amenity space provided does not compensate for the harm identified.
8. The proposal would harm the living conditions of the occupants of No 253 and the proposed new dwelling and therefore would conflict with the part of Policy H1 of the Core Strategy which requires new development to have regard to the living conditions of future residents and the impact on the amenities of occupiers of neighbouring properties. It would also conflict with the part of Policy E20 of the Local Plan which requires new development to be designed, located and used in a manner that ensures adequate standards of privacy and daylight.

Other Matters

9. The appellant says that under current arrangements cars have to reverse onto Park Avenue South generating an accident risk which would be overcome as a result of the development. There is little before me to demonstrate that the existing arrangements have generated any accidents or near misses such that it poses a significant risk to highway safety. The benefits of the scheme in terms of enabling cars to enter and exit the site in a forward moving gear do not outweigh the harm I have identified.

Conclusion

10. For the reasons given and taking into account all other matters, including the absence of local objection, I conclude that the appeal should be dismissed.

K Ford

INSPECTOR