



Appeal Decision

Site visit made on 20 September 2022

by K Ford MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 31ST October 2022

Appeal Ref: APP/M2840/W/22/3299344

Land adjacent 24 Durban Road, Kettering NN16 0JA

- 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 SDP Real Estates Ltd against the decision of North Northamptonshire Council.
 - The application Ref NK/2022/0224, dated 24 March 2022, was refused by notice dated 9 May 2022.
 - The development proposed is one dwelling.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - The effect on the character and appearance of the area
 - The effect on the living conditions of No 24 Durban Road.

Reasons

Character and Appearance

3. The appeal site is a narrow rectangular plot located at the end of a terraced row of 2 storey Victorian dwellings which are slightly staggered in height to reflect the sloping topography of the land. To the west of the site is a single storey bungalow and opposite the site is a former factory building and some more modern terraced dwellings. Despite this, the prevailing character is the uniformity provided by the Victorian terraced row.
4. The height of the proposal would be notably lower than the neighbouring terraced dwelling. This combined with the large roof dormer and narrow single storey side element of the scheme would create a contrived, awkward and incongruous form of development that would not be reflective of the existing surrounding development, even when taking into account the more modern development in the area.
5. The development would harm the character and appearance of the area and as such would conflict with the part of Policy 8 of the North Northamptonshire Joint Core Strategy 2011-2031 (Core Strategy) which requires new development to respond to the local topography and overall form, character and landscape setting of the settlement. It would also conflict with the part of

Policy HOU1 of the Kettering Site Specific Part 2 Local Plan (Local Plan) which says that windfall and infill development will be supported where it does not erode the character and appearance of the area.

Living Conditions

6. The proposal would be built up to the boundary with No 24 Durban Road. The position of the proposal on higher ground combined with the close proximity of the development would create an overbearing and enclosing effect, even if there was no impact on light. This is despite the amendments made to the design of previous schemes. The harm would be particularly experienced by the occupiers of No 24 given the number of windows on the side elevation of the bungalow.
7. The proposal would harm the living conditions of the occupants of No 24 and as such would conflict with the part of Policy 8 of the Core Strategy which says that new development should not result in an unacceptable impact on the amenities of neighbouring properties. It would also conflict with Policy HOU1 of the Local Plan which among other things requires new development to not have a detrimental effect on the amenity of existing residents.

Conclusion

8. For the reasons identified, I conclude that the appeal should be dismissed.

K Ford

INSPECTOR