



Appeal Decision

Site visit made on 29 March 2023

by S Pearce BA(Hons) MPlan MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16 May 2023

Appeal Ref: APP/M2840/W/22/3303589

28 Judith Road, Kettering, Northamptonshire NN16 0NX

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant full planning permission.
 - The appeal is made by Mr Boateng against the decision of North Northamptonshire Council.
 - The application Ref NK/2022/0334, dated 17 May 2022, was refused by notice dated 15 July 2022.
 - The development proposed is described as "erection of 1 no. 3 bed 4 person dwelling."
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Decision

1. The appeal is dismissed.

Main Issues

The main issues are:

- The effect of the proposed parking provision on highway safety; and,
- The effect of the proposed development on the character and appearance of the area.

Reasons

Highway safety

2. 28 Judith Road is located in a predominately residential area, comprising a mix of properties, including flats. Not all properties within the locality have access to off-street parking provision. There are no parking restrictions along Judith Road. A number of defined parking bays are located along Judith Road. During my site visit I observed on-street parking along Judith Road and surrounding streets. There is a small parade of commercial units located close to the site, accessible from Judith Road via a pedestrian access located broadly opposite no. 28.
3. The submitted information indicates that no. 28 had off-street parking provision in the form of a driveway and garage. I observed during my site visit that the garage has been demolished. Both the appellant and Council state that no. 28 benefits from one off-street parking space only.
4. The Council state that a total of five off-street parking spaces are required to serve the proposed development; one parking space for no. 28, two parking spaces for the proposed property, and two visitor parking spaces. The appellant states that a single parking space is to be provided for each unit. The Council

consider the area to the front of the proposed property is not of sufficient size to accommodate one off-street parking space. The submitted plans do not identify the location, number or size of the parking spaces proposed.

5. Based on the information before me, the appellant has failed to demonstrate that there is sufficient space to the front of the proposed property to provide parking spaces of sufficient size to accommodate an average sized car. The proposed development is therefore likely to result in a shortfall of off-street parking spaces, thereby increasing the demand for on-street parking within the locality.
6. The appellant states that the proposal has been designed to have no meaningful impact on the highway network and that there is sufficient on-street parking provision to accommodate the proposed development. No substantive parking survey has been submitted as part of the appeal. The appellant has however drawn my attention to the on-street parking bays along Judith Road. Whilst only a snapshot in time, during a quieter part of the day, I observed during my site visit that these bays were well used. The demand for on-street parking was also visible during my site visit. The higher density of the residential flats, lack of off-street parking for some residential properties and proximity of the commercial units are all likely to contribute towards the demand for on-street parking in the area. Further evening demand would be likely to come from residents returning from work.
7. Limited evidence has been submitted which demonstrates that there is sufficient capacity to safely accommodate the additional demand for on-street parking that would result from the proposed development. In the absence of such evidence and having regard to the existing demand for on-street parking, the proposed development is likely to increase on-street parking pressure along Judith Road.
8. For the reasons given above, I conclude that the proposed development would have a harmful effect on highway safety. This is contrary to Policy 8 of the North Northamptonshire Joint Core Strategy 2016 (CS) and the National Planning Policy Framework (the Framework). Collectively these policies seek, amongst other things, to secure safe and pleasant streets by ensuring satisfactory provision for parking and avoid unacceptable impacts on highway safety.

Character and appearance

9. Judith Road is located within a predominately residential area of mixed character. Properties along Judith Road and the wider area comprise a mix of semi-detached single storey and two storey properties, two storey terraced properties, and two and three storey blocks of flats. I also observed during my site visit the property referred to by the appellant, 174a Stamford Road. There are grassed spaces between and around properties, and pockets of public open space. The spaciousness of the area is further reinforced through wide, grassed verges, with properties and flat blocks set back from the pavements. The variation in property types and open spaces between and around the built development contributes to the character and appearance of the area.
10. The site comprises a side garden that serves 28 Judith Road. No. 28 is a two storey, semi-detached property, with rear and side garden. It is located at the end of a row of other semi-detached properties. These properties have a

largely uniform appearance, with space between each pair. An area of open space, laid to grass with trees within it, is located between no. 28 and an adjacent block of flats. No. 28 and its side garden contributes towards the character of the area.

11. The plot size of the site is narrower than that of its neighbours. The proposed development would extend the full width of the site, thereby eroding the side garden serving no. 28. However, the site adjoins an area of open space. This space provides a visual break between the site and the nearby block of flats. As a result of its location and width, the open space would ensure that a sense of openness and visual break is maintained along this section of Judith Road.
12. The design of the proposed property reflects that of no. 28 and the adjacent row of semi-detached properties. The frontage of the proposed property is shown broadly in line with the frontage of no. 28, which would ensure that the openness of the site frontage is maintained. The property would create a terrace block with no. 28 and its adjoining neighbour. This arrangement, together with the design and siting of the proposed property, would reflect the layout of nearby terraced properties. I do not therefore consider that the proposed development would be an incongruous feature at odds with the prevailing character and appearance of the area.
13. For the above reasons, I conclude that the proposed development would not be harmful to the character and appearance of the area. This accords with Policy 8 of the CS, Policy HOU1 of the North Northamptonshire Council Kettering Site Specific Part 2 Local Plan 2021 (LP) and the Framework, which collectively seek, amongst other things, to ensure development responds to local character, does not erode the character and appearance of the area and are sympathetic to local character.

Other Matters

14. The appellant has highlighted the importance of windfall sites. The development would provide one dwelling, providing accommodation meeting the nationally described space standards, which would support the Government's objective of significantly boosting the supply of homes. Having regard to the modest amount of development proposed, this benefit carries limited weight which does not overcome the harm I have identified.
15. The appellant highlights that the proposal will not impact upon the living conditions of neighbouring properties and the garden will be considerable in scale. The Council have not raised any concerns in this regard, and I have no reasons to disagree.

Conclusion

16. For the above reasons, the appeal proposal would conflict with the development plan as a whole. There are no material considerations that indicate I should conclude other than in accordance with it. Consequently, the appeal is dismissed.

S Pearce

INSPECTOR