
Appeal Decision

Site visit made on 22 November 2023

by K Allen MEng (Hons) MArch PGCert ARB

an Inspector appointed by the Secretary of State

Decision date: 8th December 2023

Appeal Ref: APP/M2840/W/22/3306823

29 Streeton Way, Earls Barton NN6 0HX

- 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 Scott Bailey against the decision of North Northamptonshire Council.
 - The application Ref NW/22/00026/FUL, dated 28 April 2022, was refused by notice dated 25 July 2022.
 - The development proposed is the change of use of land to domestic curtilage including new hardstanding, means of enclosure and landscaping.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposal on:
 - the character and appearance of the area; and
 - highway safety.

Reasons

Character and appearance

3. The area is suburban, predominantly characterised by 2 storey dwellings set back from the highway. While the separation distances and orientation of properties in the area varies, a pleasant, verdant, and low-density character is maintained by ample green verges and undeveloped breaks.
4. The appeal site is on a prominent corner and comprises a portion of a large, grassed highway verge with a mature cherry tree in close proximity. When viewed in combination with the verge adjacent to No 30 Streeton Way, the parcels of land visually balance each other and contribute significantly to the street scene by breaking up the surrounding built mass and maintaining a sense of openness.
5. I note that the proposal has been scaled back when compared to previous iterations. However, it would introduce a significant area of hardstanding as well as additional fencing and hedges and due to its corner plot position, the proposal would appear unduly prominent. Whilst a section of the existing verge including the existing cherry tree would be retained, the proposal would unbalance the street scene and would appear incongruous when viewed in relation to the retained verges in the area.

6. The proposed hedge would benefit wildlife and the development would mirror the adjacent hedge and driveway at No 60 Manor Road. Whilst the existing hedges surrounding the site would somewhat limit views of the driveway from the east, the subdivision of the verge and its development with fencing and hardstanding would urbanise the plot. Overall, the sense of openness and verdant character of the area would be significantly reduced.
7. Therefore, I conclude that the proposal would harm the character and appearance of the area. It would conflict with Policy 8d parts i) and ii) of the North Northamptonshire Joint Core Strategy 2011-2031 (July 2016) (NNJCS) and Policy ED.D1 of the Earls Barton Neighbourhood Plan 2011-2031. Collectively these policies require development to be of a high standard of design which responds to local context, including overall form, character, and landscape setting.
8. Similarly, it would be contrary to the National Planning Policy Framework (the Framework) which requires development to be sympathetic to local character and maintain a strong sense of place.

Highway safety

9. Manor Road is unclassified, with a wide carriageway and footpaths on both sides. No 29 Streeton Way and the surrounding dwellings benefit from off-street parking with only a limited number of cars parked on-street. The proposal would create an additional highways access on Manor Road and would increase the number of off-road parking spaces available at No 29.
10. I note that it is the policy of the local highway authority that no dwelling should have more than one access point from the public highway as such proposals create additional and unnecessary points of conflict between emerging vehicles and other highway users. However, the proposed access is not dissimilar to others in the area, and I have no evidence before me to suggest that the existing access points are not safe.
11. Manor Road is lightly trafficked, the speed limit is low and there is ample visibility in both directions of travel. In addition, the proposed access would be a considerable distance from the adjacent junction. Consequently, I am satisfied that safe means of access and egress could be provided, subject to appropriate conditions and that the proposal would have a negligible effect on the priorities of pedestrians or cyclists.
12. Therefore, I conclude that the proposal would not harm highway safety. It would accord with Policy 8b part i) of the NNJCS where it requires that development prioritises the needs of pedestrians and cyclists and does not prejudice highway safety. Similarly, it would accord with the Framework which seeks to ensure that safe and suitable access to a site can be achieved for all users and states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

Other Matters

13. The appellant asserts that planning permission would not be required if the appellant purchased the land via conventional means. However, this is not the scheme before me, and I have determined the appeal on its own merits.

14. The driveway would be constructed using materials that would be in keeping with the area and would be suitably drained. This would be expected of any high-quality design and as such is a neutral matter which neither weighs in favour of, or against the proposal. Although space would be provided for a number of vehicles to be parked off the street, this matter does not outweigh the harm identified to the character and appearance above.

Conclusion

15. For the reasons given above, I conclude that the proposal conflicts with the development plan as a whole and there are no material considerations, including the Framework that would outweigh that conflict. Therefore, the appeal is dismissed.

K Allen

INSPECTOR