



Appeal Decision

Site visit made on 23 January 2024

by M Aqbal BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23 February 2024

Appeal Ref: APP/M2840/W/23/3324976

Land next to 2 Rectory Close, Stanwick, Northamptonshire NN9 6QR

- 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 Timothy Bale on behalf of Mr G Saddington against the decision of North Northamptonshire Council.
 - The application Ref NE/22/01247/FUL, dated 16 November 2022, was refused by notice dated 30 January 2023.
 - The development proposed is a dwelling.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. On the application form, the applicant is identified as Mr Timothy Bale who is also the agent. The appeal was made in the name of Mr G Saddington. However, Mr Timothy Bale has clarified that he made the application on behalf of Mr G Saddington (the applicant). I have proceeded with the appeal on this basis and my Decision reflects this.
3. Since the Council determined the application, an updated version of the National Planning Policy Framework, December 2023 ('the Framework') has been issued. I have consulted the main parties on this and had regard to any representations received.

Main Issues

4. The main issues are: (i) The effect of the proposal on the character and appearance of the area, (ii) The effect of the proposal on highway safety, (iii) The effect of the proposal on the living conditions of the occupiers of 2 Rectory Close, and (iv) the effect of the proposal on the Integrity of a designated European site.

Reasons

Character and appearance

5. The appeal site comprises land on the junction between Rectory Close, a cul-de-sac and Mansfield Street which is an estate road. The appeal site is open and landscaped. However, at the time of my visit this had an unkempt appearance. Nevertheless, because of its open and corner location, it is prominent and sensitive to change.

6. Dwellings along Rectory Close are of a similar style, arranged in pairs and located along a consistent building line, behind modest and open frontages. In this regard, the siting of the proposed dwelling would follow the established building line. Also, its design, form and materials for the principal elevation reflect the appearance of dwellings along Rectory Close. The ridge and eaves heights would be slightly lower than the neighbouring dwelling but these are to accommodate the lower ground levels of the site.
7. Because of the narrow width of the appeal site, the proposed dwelling would incorporate a narrower footprint and frontage relative to neighbouring dwellings. Nevertheless, because of the space either side of it and subject to careful attention to materials and treatment of the frontage, the proposed dwelling would assimilate with the street scene along Rectory Close.
8. Along Mansfield Street, the street scene is more varied. This, in part includes properties which directly face the highway and others which present flank elevations along here. However, and notwithstanding the recently constructed two-storey detached dwelling adjacent to 1 St. Laurence Way (Ref. 20/01548/FUL), properties along this street are generally set back from the highway behind gardens and verges incorporating low boundary treatments. This arrangement gives the area a spacious and verdant prevailing character and appearance and offers some relief to the built forms.
9. In contrast, the proposed dwelling would present an elongated flank elevation relative to the depth of its plot along Mansfield Street. Although some space is shown between this and the highway, this area would be largely enclosed by a tall boundary treatment. Together, these would erode the prevailing verdant and spacious character along Mansfield Street and would introduce a dwelling which would appear visually cramped. Therefore, the proposal would fail to make a positive contribution to the street scene and would be detrimental to the character and appearance of the area. This would be contrary to Policies 8 and 11 of the Northamptonshire Joint Core Strategy (2016) ('JCS') and Policies HDN1 and HSG2 of the Stanwick Neighbourhood Plan (2017) ('NP'). Together, amongst other things, these policies require proposals to respond to the site's immediate and wider context and local character to create new streets, spaces and buildings which draw on the best of that local character without stifling innovation, and make a positive contribution towards the distinctive character of the village as a whole.

Highway safety

10. The Council has expressed concern regarding the provision of vehicle parking for the neighbouring dwelling at 2 Rectory Close. This property is outside the appeal site and in separate ownership. As such, the parking requirements for 2 Rectory Close are not within the remit of my Decision.
11. The Northamptonshire Parking Standards state that two off road parking spaces are required for a two-bedroom property and the parking standards go on to prescribe the required dimensions for such parking spaces, which are 3m by 5.5m, if adjacent to a wall or solid structure the width must be increased to 3.3m.
12. Based on the available information, the area of hardstanding to the west of the appeal site would be used for tandem vehicle parking. Although this is an existing arrangement, the proposal would introduce a new boundary treatment

adjacent to part of the parking area and its access. The submitted plans do not clearly show that these parking spaces would be of the required width and therefore functional. If these parking spaces are not functional, then this could result in on-street parking to the detriment of parking stress and highway safety. Furthermore, based on the introduction of the proposed boundary treatment it is unclear whether this access would provide the required pedestrian visibility splay of 2m by 2m.

13. Also, it has not been clearly shown that the proposed dwelling would not unacceptably affect the vehicular visibility splay from Rectory Close when turning west onto Mansfield Street. The lack of acceptable visibility splays would prejudice pedestrian and highway safety.
14. For the above reasons, it has not been shown that the proposal would not adversely affect highway safety. The proposal is therefore contrary to Policy 8 (b) (ii) of the JCS, which seeks to ensure a satisfactory means of access and provision for parking, servicing and manoeuvring in accordance with adopted standards.

Living conditions of neighbours

15. The proposed dwelling would be located to the side of 2 Rectory Close. Most notably, the rear two storey elevation of the proposed dwelling would extend approximately 2m beyond the rear elevation of the neighbouring dwelling.
16. The Council has undertaken an assessment of the effect of the proposed dwelling on 2 Rectory Close with regard to its windows on its rear (west) elevation and those which face south towards the appeal site. The Council has concluded that because these windows largely relate to non-habitable rooms, the extent of any impact would be acceptable. I have also taken account of this and have no strong reason to take a different view.
17. However, the useable rear garden for 2 Rectory Close is limited in depth relative to neighbouring gardens. The proposed dwelling would extend considerably along the south side of this garden. Consequently, due to its siting and scale, the proposed dwelling would be particularly dominant and oppressive when experienced from the rear garden. Furthermore, the proposed arrangement would limit sunlight to the rear patio area for 2 Rectory Close.
18. Consequently, the proposal would harm the living conditions of the occupiers of 2 Rectory Close and conflicts with Policy 8 e) of the JCS. This Policy seeks to ensure quality of life and safer and healthier communities. The proposal would also be contrary to Policy HSG2 of the NP, which supports housing in the built-up area of Stanwick village where, amongst other matters this would not materially adversely affect residential amenity.

Integrity of a designated European site

19. The proposal is within 2km of the Upper Nene Valley Gravel Pits Special Protection Area ('SPA'). The SPA comprises a number of wetland sites that accommodate bird populations for which the SPA has been designated.
20. The SPA is nationally and internationally recognised and protected. As such, I must have regard to The Conservation of Habitats and Species Regulations 2017 (as amended). These regulations require that, where the project is likely to have a significant effect on a European site (either alone or in combination

with other plans or projects), the competent authority must make an appropriate assessment ('AA') of the project's implications in view of the relevant site's conservation objectives. For the purposes of this appeal, I am the competent authority.

21. A threat to the SPA's integrity is increased visitor access and associated recreational pressure. It has been identified that most visits are made by persons who live within 3km of the SPA. As such, the proposal would be likely to have a significant effect upon the SPA when considered in combination with other residential projects.
22. It is apparent from the evidence before me that a mitigation strategy endorsed by Natural England has been adopted to address the adverse effects of people visiting the SPA. This draws together a series of Strategic Access Management and Monitoring Measures. Based on the expected costs of these measures, a per dwelling contribution has been set.
23. Whilst I do not doubt the appellant's intentions to make the required contribution to support the mitigation strategy, this does not appear to have been undertaken. As such, in undertaking an AA and the absence of any mitigation, I conclude that the scheme would adversely affect the SPA's integrity, which is a designated European site.
24. The proposal is therefore contrary to Policy 4(d) of the JCS which seeks to secure adequate mitigation against the impacts of developments on the Upper Nene Valley Gravel Pits Special Protection Area.

Other Matters

25. The appellant has expressed concern that the main issues could have been resolved during the planning application stage had there been more engagement from the Council. Even so, this is a matter for the Council. Furthermore, on the basis of the submitted scheme and information before me, I have found the proposed scheme to be unacceptable.
26. In reaching my conclusion, I have had regard to the recently built dwelling adjacent to 1 St. Laurence Way. Nevertheless, the existence of this does not allay all my concerns in respect of the scheme before me.

Conclusion

27. For the above reasons, I conclude that the appeal should be dismissed.

M Aqbal

INSPECTOR