



Appeal Decision

Site visit made on 5 March 2024

by K Allen MEng (Hons) MArch PGCert ARB

an Inspector appointed by the Secretary of State

Decision date: 14 March 2024

Appeal Ref: APP/M2840/W/23/3325724

Land to the rear of No. 47 Station Road, Desborough NN14 2RS

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Garcha of GBA Developments LTD against the decision of North Northamptonshire Council.
 - The application Ref is NK/2023/0138.
 - The development proposed is the demolition of existing structure and erection of a two-story building providing 7 self-contained flats.
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Decision

1. The appeal is dismissed.

Background and Main Issue

2. An arboricultural impact assessment and preliminary method statement was submitted as part of this appeal. Based on the information provided, the Council no longer have any concerns regarding the effect of the proposal on adjacent mature trees and have withdrawn their first reason for refusal.
3. As such, the main issue is the effect of the proposal on the living conditions of the adjoining occupiers, with particular regard to privacy and outlook.

Reasons

4. The area is urban with a dense linear pattern of development. The appeal site comprises a large, dilapidated, single storey, corrugated metal structure within a modest plot. The area to the west forms a small, town square on the edge of the local Highstreet with the remaining boundaries enclosed by residential properties. Nos 47, 47a and 47b Station Road immediately abut the northern boundary and comprise a number of flats with a large number of windows directly overlooking the appeal site. Nos 49 and 51 Station Road to the north are slightly offset, with rear windows overlooking the neighbouring properties on The Gaultney. Although the bungalows to the east have modest rear gardens, they have a relatively open outlook over the existing structure.
5. The proposal would replace the existing single storey structure with a substantial two-storey building subdivided into seven individual flats. Although the proposed footprint would be similar to the existing building it would be considerably taller and would fill almost the entire width of the site. Consequently, the proposal would significantly increase the volume of built development within the appeal site.

6. Due to the increased bulk and height of the proposal, when viewed from No's 47, 47a and 47b as well as the bungalows on The Gaultney the proposal would appear dominant. Notwithstanding the back-to-back pattern of development seen in the area, the proposal would harmfully reduce the existing outlooks afforded to these properties. In addition, the proposal would block a number of existing windows. I have no information regarding what rooms these windows currently serve and cannot determine the effect this would have on the outlook of the residents of these properties. Notwithstanding this, due to the offset of No 49 and 51, I am satisfied that the proposal would not harm the outlook from these properties.
7. The proposal would introduce windows above ground floor level on the rear elevation. However, given the dense urban grain of the area, there would be sufficient separation distances to ensure a commensurate level of privacy for the occupiers of The Gaultney and Nos 49 and 51. While a small number of windows and the rear service yard face Nos 47, 47a and 47b, these are predominantly at ground floor level where due to the existing bin and bike stores there is an existing level of overlooking. At first floor level the side facing windows are limited and predominantly overlook the town square.
8. Whilst I am satisfied that the proposal would not harm the privacy of the adjoining occupiers nor the outlook of the occupiers of Nos 49 and 51, I conclude that the proposal would harm the living conditions of the occupiers of Nos 47, 47a 47b and the adjacent bungalows on The Gaultney, with particular regard to outlook. The proposal would conflict with Policy 8 of the of the North Northamptonshire Joint Core Strategy 2011-2031 (July 2016) and Policy HOU1 of the Kettering Site Specific Part 2 Local Plan (December 2021) (LP) where collectively they require development to ensure quality of life by protecting the amenities enjoyed by existing residents in neighbouring properties.
9. Similarly, the proposal would conflict with the National Planning Policy Framework (the Framework) where it requires development to create places that promote health and well-being, with a high standard of amenity for existing and future users.

Other Matters

10. The appeal site is within the Desborough Conservation Area (DCA) which derives significance from its dense layout, architectural character and historical links to the boot and shoe industry. There is a visual unity that results from consistency in traditional detailing and a limited range of building materials. The proposal would reinforce the dense layout of the area and utilise complementary details and materials. Moreover, it would replace a dilapidated building which does not positively contribute to the area. As such the proposal would preserve and enhance the industrial character of the DCA.
11. The proposal would provide seven flats within an accessible location. It would make use of previously developed land and be in keeping with the established character of the area. Whilst the Framework seeks to boost the supply of housing and supports the use of previously developed land, these matters do not outweigh the harm identified above.
12. I note that the appeal site is within Desborough Town Centre where development that provides residential or employment opportunities above ground floor level will be supported and that the appeal site has specifically

been identified for redevelopment. However, I have no substantiated evidence to indicate that the appeal proposal would be the only way to meet the specific policy objectives for the site.

Conclusion

13. 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