



Appeal Decision

Site visit made on 11 March 2024

by J D Westbrook BSc(Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 21st March 2024

Appeal Ref: APP/M2840/W/23/3330817

52 Cottingham Road, CORBY, NN17 1SZ

- 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 William Sharman against the decision of North Northamptonshire Council.
 - The application Ref NC/23/00060/DPA, dated 24 February 2023, was refused by notice dated 19 April 2023.
 - The development proposed is described as the demolition of the existing house and outbuildings and erection of 4 bungalows with associated access and landscaping.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues in this case are the effects of the proposed development on:
 - The character and appearance of the area along Cottingham Road,
 - The living conditions of the occupiers of neighbouring dwellings and of future occupiers of the proposed dwellings by way of privacy, noise and disturbance.
 - Biodiversity in the area.

Reasons

3. No 52 is a detached, two-storey house within a long plot situated on the northern side of Cottingham Road. It is set well back from the road. The proposal would involve the demolition of the existing house and the construction of 2 small detached dwellings on the front portion of the plot, and two small semi-detached houses on the rear portion.
4. Policy 8 of the Council's Joint Core Strategy (CS) indicates that new development should create a distinctive local character by responding to the site's immediate and wider context and local character and responding to the overall form and character of the settlement. Policy 4 of the CS indicates that a net gain in biodiversity will be sought from development schemes, so enhancing ecological networks by managing development to increase connectivity of habitats, including to existing biodiversity assets such as wildlife corridors.

5. Policy 16 of the Part 2 Local Plan for Corby (LP) indicates that proposals for new dwellings on plots formed from parts of gardens of existing dwellings in built-up areas will be permitted where the form and layout of the proposed development is appropriate to the surrounding pattern of development and the character of the area, and the amenity and privacy of neighbouring existing properties and new properties is protected.
6. The Council contends that the proposal would comprise a tandem arrangement of housing, which would be incompatible with the existing pattern of development and would adversely affect the character of the site and wider Cottingham Road area; that it would give rise to an adverse impact upon the existing residential amenities of future occupiers and occupiers of existing adjacent dwellings due to the loss of or inadequate privacy; and that the proposal has not demonstrated a net biodiversity gain on site.
7. The appellant notes that the appeal site is very large and that the existing house is dated. He contends that the proposal would not constitute backland development because the existing house will be demolished, and that the proposed houses will meet all required space standards. In addition, the amenity and privacy of neighbours and new dwellings would be protected in the design and layout. Finally, he contends that, being a private garden, the site has no biodiversity and the proposal could be said to increase opportunities through ecological habitat improvements which could be secured by condition.

Character and appearance

8. No 52 is set well back from the road within the site. It has a building line that approximates to that of the neighbouring dwellings to the west, namely No 54 and No 1 Meadow View. These are three individually designed detached houses. To the east of the appeal site are three pairs of identically-designed semi-detached houses (Nos 40-48) which have a building line some 4 metres in front of that of the dwelling on the appeal site. In this respect No 52 relates more closely to the siting of No 54 than to the houses to the east. The proposed scheme would bring the front house (No 52A) forward to around the same building line as No 48, but it would be a small dormer bungalow that would not relate well visually to the neighbouring semi-detached houses.
9. Policy 16 of the LP defines a tandem development in the context of a backland development, where a new dwelling is placed immediately behind, or in front of, an existing dwelling, on sites that occupy smaller sized plots or share the same access. Such development may result in disturbance to new and existing properties, loss of amenity, cramping and adverse impact on local character.
10. The appellant contends that the proposal would not result in tandem development since the existing house would be demolished and the site would not, therefore, be a backland development. However, in this case, whether the proposed dwelling shown as No 52B would be immediately behind the existing house or the new dwelling shown as No 52A, the nature of the proposal would still be that of a tandem development, where the two houses would occupy relatively small plots sharing the same access. In my opinion, the bringing forward of the front house and the tandem nature of the front two houses, which would be in relatively close proximity to one another, would result in a cramped form of development, uncharacteristic of the area where rear gardens are generally long and plots spacious.

11. The appellant has made reference to houses at the rear of Nos 40-46, but these are set well behind those houses, and both the semi-detached houses at the front and the houses behind retain large gardens. Similarly, I acknowledge the recent development at Meadow View, to the west of the appeal site, but this scheme has resulted in only 5 detached houses on a much wider site, and which avoids the creation of a tandem development. In neither of these examples do I consider that a precedent has been set for the current scheme.

Living conditions

12. From the plans before me and from the documentation provided by the appellant, it would appear that there would be no direct overlooking of private windows or amenity space from any of the houses. On this basis I am satisfied that there would be no significant issues of loss of privacy to the occupiers of neighbouring houses, nor would there be any issues of inadequate levels of privacy for the occupiers of the proposed dwellings.
13. However, I do have some concerns relating to noise and disturbance resulting from the access and parking arrangements towards the rear of the site. The Highway Engineer notes that there are sufficient car parking spaces, though there is some doubt expressed regarding the possibility that they may be less than convenient in use. I note that the houses on Meadow View, referred to above, have garages and individual drives whilst, from the submitted plans, it would appear that the car parking spaces for dwellings 52B, 52C and 54D may not meet the minimum width required by the Highway Engineer. Without swept path drawings, it is not possible to assess whether the limited surrounding space would allow for convenient manoeuvring. The spaces and turning area are immediately outside of the front of Nos 52C and 52D, and the vehicles from three houses would be turning in this area, potentially with significant manoeuvring required, resulting in noise and disturbance to occupiers.

Biodiversity issues

14. The application form indicates that there are no trees on site. However, the submitted plans show two trees to be removed from the middle portion of the site, while a third tree, to the front of the site, would appear to be significantly affected by the proposed movement forward of No 52A, which would also have solar panels on the south-facing roof slope. It would seem highly unlikely that this tree would survive or be allowed to remain.
15. The appellant states that, as a private garden, the site has no biodiversity value. This is incorrect. It has a very long rear garden, including mature trees, and the garden connects with a stream beyond the northern boundary which has extensive tree cover. This stream acts effectively as a corridor with wildlife potential. The limited space remaining after development would likely be insufficient to enable habitat improvements or effective connectivity.
16. In the absence of any tree survey or biodiversity assessment, I have significant concerns that the proposal would conflict with Policy 4 of the CS.

Other Matters

17. I note also that there would not appear to be any space allocated for cycle parking and, while this may potentially be covered by a suitable condition, provision could reduce amenity space on the site. This adds to my concerns relating to the scale of development on this narrow plot.

Conclusion

18. I find that the scale and nature of the proposed development would be harmful to the character and appearance of the area around Cottingham Road. Whilst there would not be any harm relating to privacy issues, I find that there would likely be noise and disturbance for occupiers of some of the proposed houses resulting from limited space for car parking and manoeuvring. Finally, in the absence of any tree survey or biodiversity analysis, it would seem likely that the development would result in reduced biodiversity and connectivity at the site. In the light of these findings, I conclude that the proposal would conflict with Policies 4 and 8 of the CS, and with Policy 16 of the LP. Accordingly, I dismiss the appeal.

J D Westbrook

INSPECTOR