



Appeal Decision

Site visit made on 23 September 2024

by H Marriott MPlan MRTPI

an Inspector appointed by the Secretary of State

Decision date: 9th October 2024

Appeal Ref: APP/M2840/W/24/3346042

18 Elm Road, Burton Latimer, North Northamptonshire, NN15 5NF

- 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 Luke Mulvenna against the decision of North Northamptonshire Council.
 - The application Ref is NK/2024/0075.
 - The development proposed is construction of a two-storey, two-bedroom detached house.
-

Decision

1. The appeal is dismissed.

Preliminary Matters

2. Two planning applications for a new dwelling of varying designs on the appeal site have been refused by the Council (Refs: KET/2020/0087 and KET/2023/0610). The first of these was for a proposed 2-storey dwelling and was subsequently dismissed at appeal (Ref: APP/L2820/W/20/3259316) (the 2020 appeal). Whilst the proposed development before me is different, I shall have regard to the other Inspector's findings, insofar as they are relevant to the matters in dispute.

Main Issue

3. The main issue is the effect of the proposed development on the character and appearance of the area.

Reasons

4. Elm Road is a residential street fronted by two-storey semi-detached and terraced dwellings of a similar age and design, each constructed from red brick and set behind small gardens. The pairs of semi-detached dwellings have hipped roofs. The terraces are symmetrical in form with pitched roofs and gable features at each end. The street scene has a cohesive character and appearance, informed by the planned layout of the estate, consistent plot rhythm, consistency of materials and the balance of the semi-detached pairs and sets of terraces with gaps between them.
5. The appeal site was formerly used as the side garden of 18 Elm Road (No 18) and is located between No 18 and 16 Elm Road (No 16). It is currently overgrown and fenced off by a mixture of temporary fencing to its frontage and close boarded fencing on all other sides.

6. The Inspector deciding the 2020 appeal found that the proposed detached form of the proposed dwelling would in that instance have been out of keeping with the prevailing dwelling types and would appear incongruous given the unified character and appearance of the area.
7. Even though the proposed dwelling before me would have a reduced size and scale compared to the 2020 appeal scheme, it would similarly be at odds with the prevailing house types in the area and does not address the concerns identified by the previous Inspector in the 2020 decision in this regard.
8. Moreover, the proposed dwelling would also sit closer to the side of No 18 than the 2020 appeal scheme, diminishing the gap to less than that typically seen to the sides of other semi-detached dwellings in the area. Furthermore, the roof height of the proposed dwelling would be lower and shallower in its rear projection compared to the roofs of No 18 and No 16. This would result in the proposed dwelling having an unusual squat appearance in the street scene. Therefore, despite having a similar eaves height and materials, sitting on a similar building line to other dwellings in the street, the proposed development would nevertheless be a discordant addition to the street.
9. I conclude that the proposed development would result in a harmful effect on the character and appearance of the area. In this regard, it would be contrary to Policy 8 of the North Northamptonshire Joint Core Strategy 2011-2031 (2016) and Policy HOU1 of the North Northamptonshire Council Kettering Site Specific Part 2 Local Plan (2021) which require development to respond to the site's immediate and wider context and for windfall and infill development to ensure no erosion of the character and appearance of the area. It would also fail to comply with the National Planning Policy Framework insofar as it seeks to ensure that development is sympathetic to local character and establishes or maintains a strong sense of place, using the arrangement of streets, spaces and building types to create attractive, welcoming and distinctive places to live.

Other Matters

10. The principle of a new dwelling at the appeal site and its impact on the living conditions of neighbouring occupiers or to highway safety or availability of parking is not in dispute. Even so, this does not overcome my concerns in relation to the harmful effect of the proposed development on the character and appearance of the area.

Conclusion

11. The proposal conflicts with the development plan and the material considerations do not indicate that the appeal should be decided other than in accordance with it. For the reasons given above the appeal should be dismissed.

H Marriott

INSPECTOR