



Appeal Decision

Site visit made on 19 August 2024

by A Hickey MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 14 October 2024

Appeal Ref: APP/M2840/W/24/3338785

17 Bentley Walk, Corby, North Northamptonshire NN18 0PG

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant [outline] planning permission.
 - The appeal is made by Mr Hogan against the decision of North Northamptonshire Council.
 - The application Ref is NC/23/00449/DPA.
 - The development proposed is proposed new dwelling to side.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - whether the development would provide an adequate standard of accommodation for future and existing occupiers, with particular regard to the size of the outdoor amenity space; and
 - the effect of the development on highway safety.

Reasons

Living conditions

3. The appeal property is an end-of-terrace dwelling within a predominantly residential area. The appeal site area encompasses this property's existing side, front and rear garden. Upon completion, the existing dwelling at No 17 would have three bedrooms, and the new dwelling would have two bedrooms. The proposal would also see the rear gardens backing onto parking areas.
4. Given the resulting size of both properties, they could be occupied by families. No development plan policies which define minimum outdoor space standards for new or subdivided dwellings have been provided. While appreciating existing and future occupiers' desires for outdoor private space will vary, the provision of a satisfactorily sized area of useable private space is important to enable onsite recreational activity and for other outdoor requirements such as drying clothes.
5. The amenity areas provided would be small, with limited space to accommodate typical private family outdoor activities. This would greatly limit the use that they could be put to, therefore not providing satisfactory private outdoor space for either property. While the internal living space standards

would be acceptable and as would access to the front garden, this would not mitigate the inadequate private outdoor amenity space provision.

6. For the reasons above, inadequate amenity space would be provided to the development. This would unacceptably harm living conditions, contrary to Policy 8 of the North Northamptonshire Joint Core Strategy (NNJCS). This policy, amongst other matters, seeks to ensure a quality of life and protection of amenity of occupiers. It would also be contrary to the National Planning Policy Framework, which seeks a good standard of amenity for all existing and future users.

Highway safety

7. The Council are concerned with the number and adequacy of the proposed car parking spaces to serve the development, including the use of gates at the rear. No adopted standards are before me, and there are no minimum parking standards for cars within Policy 8 of the NNJCS. Nonetheless, Policy 8, amongst other things, requires new development to ensure a satisfactory means of access and provision for parking, servicing and manoeuvring with the aim of making safe and pleasant streets and spaces.
8. The existing and proposed parking spaces would be accessed from Brighthouse Close. Brighthouse Close provides access and parking areas to numerous houses on Bentley Walk that surround it. There are also two rows of single garages with parking to the front on Brighthouse Close.
9. There are gaps along Brighthouse Close, in front of the garages and the turning area. However, many of these gaps allow vehicles to enter and exit off-road parking spaces or garages. As such, parking in these spaces is likely to present a hazard as it will block access, sight lines and be an obstacle for road users. This layout, therefore, requires the appeal scheme to provide adequate off-road parking.
10. The parking layout appears to show a sufficient width for No 17 to accommodate two parking spaces. However, the proposed dwelling would have a narrower parking area. This would introduce a cramped arrangement for the parking of two vehicles. This cramped arrangement would significantly hamper future occupiers' ability to enter and exit vehicles in the driveway, which would likely result in on-street parking. As identified above, further on-street parking in the immediate area would result in a hazard to other road users on the highway.
11. Moreover, the submitted drawing¹ shows gates would open onto the parking area of the proposed dwelling. Therefore, the appeal scheme has failed to demonstrate it would ensure a satisfactory means of access and adequate parking provision.
12. My attention has also been drawn to the provision of visitor parking. Visitor parking would not be available in the immediate vicinity of the appeal site. During my visit, I observed available spaces within the wider area. Given visitors would not necessarily expect to park in the immediate area, the walking distance from these spaces to the appeal site would not deter visitors from using them.

¹ Drawing ref: H123-11

13. Nevertheless, for the reasons set out above, the development would have an unacceptably harmful effect on highway safety. It would therefore conflict with Policy 8 of the NNJCS.

Other Matters

14. The appellant states the resulting rear gardens are almost comparable with the gardens on new large residential developments. I have not been provided with any substantive evidence to draw any meaningful comparison. In any event, the appeal scheme has been determined on its own merits.
15. There is no objection to the principle of a dwelling in this location or its design. Therefore, no undue harm would arise with respect to the character and appearance of the street scene. The absence of harm weighs neither for nor against the proposal.
16. No detailed evidence has been presented to show there is an undersupply of small and medium sized dwellings within the borough. The proposal, although small, would still provide benefits by contributing to the Council's housing target in the area. Nevertheless, this would not outweigh the harms I have identified.

Conclusion

17. The proposal would conflict with the development plan as a whole and there are no other considerations, including the provisions of the Framework, which outweigh this finding.
18. Therefore, for the reasons given above, I conclude that the appeal should be dismissed.

A Hickey

INSPECTOR