



Appeal Decision

Site visit made on 13 November 2024

by Benjamin Clarke BA (Hons.) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 03 December 2024

Appeal Ref: APP/M2840/W/24/3346163

12 St. Andrews Lane, Titchmarsh, Northamptonshire NN14 3DN

- 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 and Mrs Gerry Jenkinson against the decision of North Northamptonshire Council.
 - The application Ref is NE/23/01140/FUL.
 - The development proposed is a two-storey dwelling on underutilised garden land including drive access and amenity space.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues relevant to this appeal are:
 - the effect of the development upon highway safety;
 - the effect of the development upon the character and appearance of the area; and
 - the effect of the development upon the living conditions of the occupiers of 8a and 12 St Andrews Lane, and 3 St Andrews Court.

Reasons

Highway safety

3. The site is located between 8a and 12 St Andrews Lane, which is a street that contains several other homes and leads to St Andrews Court. Therefore, St Andrews Lane serves a relatively large number of homes. Many properties also feature driveways, which are accessed from St Andrews Lane. The road does not feature any parking restrictions and therefore it is possible for vehicles to also be parked on both sides of the street. I observed examples of this on my site visit. There are many dropped kerbs in St Andrews Lane, which when combined with the potential for vehicles to be parked on street; the number of homes accessed from St Andrews Lane; and the absence of a pavement in front of the site meaning pedestrians may need to cross the road, results in an environment in which motorists are likely to need to exercise caution despite the relatively low speeds that vehicles are likely to travel at.
4. Although there are some services in the village, the overall level is commensurate with the relatively small size of the settlement. Therefore, occupiers of the

development would need to travel to other locations to access the services and facilities that they are likely to require on a frequent basis. This can be evidenced by the consultation response from the Local Highway Authority, dated 21 November 2023. In consequence, car ownership by occupiers of the development, cannot be discounted and given the scale of the proposed home, two vehicles are likely to be parked at the development. In considering this appeal, the Council has referred to the Northamptonshire Parking Standards (2016) (the Parking Standards). Amongst other matters, this states that a two-bedroom home is required to provide two parking spaces measuring 3m by 5.5m (11 metres long for tandem spaces) and the distance between built structures for a single driveway must be 3.3m.

5. The proposed driveway is described, in the Council's delegated report, as having a length that 'just meets the requirements'. The length of the driveway meets the minimum required by the Parking Standards and consequently, the length of the parking spaces is acceptable. However, the width of the space is described by the Council as 3m as the plans show that the retaining walls would be near the sides of the driveway. The appellant has not challenged this figure. Therefore, given the likely width of a vehicle, combined with the fact that, at times, both driver's and passengers' doors would need to be opened, there would be limited space on the driveway for this to occur.
6. Consequently, residents of the development are likely to park on the road for this would represent a more convenient option for passengers and to enter or leave a car; or place in and remove items from it. Therefore, there would be more vehicles parked on the relatively narrow St Andrews Lane. In result, views for approaching motorists would be obscured, which would mean that they have restricted visibility of approaching vehicles, pedestrians, and other parked vehicles. Furthermore, there is no impediment for vehicles being parked on both sides of St Andrews Lane. Accordingly, there would be a diminished amount of room for drivers passing the site to manoeuvre their vehicles. In result, the development would increase the risk of collisions. Given the relatively high number of vehicles that are likely to be using this section of St Andrews Lane, the likelihood of such a collision is increased. Accordingly, the development would result in an erosion of highway safety.
7. The Local Highway Authority did not object to the Planning Application. However, in considering this appeal, the Council has directed me towards the Northamptonshire County Council Local Highway Authority Standing Advice (June 2016) (the Standing Advice). I understand that the County Council has subsequently been superseded following local government reorganisation in the county but there is no evidence before me that indicates that the Standing Advice has been replaced. As such, I have given it weight in my assessment. Amongst other points, the Standing Advice states that planning applications should comply with relevant parking standards. In this instance, given that the development would provide car parking below the requirements of the Parking Standards, the lack of objections from the Highway Authority do not outweigh my preceding findings.
8. The design of the development features sufficiently sized visibility splays, and as these would be located either in the site or on land controlled by the appellant, as denoted by the blue line shown on the submitted location plan, it would be possible to impose planning conditions to secure the implementation and retention of them.

However, whilst these would be sufficient to ensure that motorists leaving the site would have sufficient visibility of approaching vehicles, this would not overcome the lack of forward visibility for other motorists in St Andrews Lane arising from the lack of appropriate space for on-site parking.

9. Several of the neighbouring properties feature driveways. However, these are typically wider than the driveway included in the appeal scheme. This means that potentially vehicles can park alongside one another and, consequently, there is no requirement for parked vehicles to project onto the highway. In consequence, the existing houses do not have the same adverse effect on highway safety that the proposed development would have.
10. I therefore conclude that the development would have an adverse effect upon highway safety. The development, in this regard, would conflict with the requirements of Policy 8 of the North Northamptonshire Joint Core Strategy (2016) (the JCS) and the National Planning Policy Framework. Amongst other matters, this seeks to ensure that people can move easily between and through developments by non-car modes and that highway safety is not eroded.

Character and appearance

11. St Andrews Lane is located on the periphery of the village and contains a variety of homes. Whilst these are clearly of different ages, a unifying trend is that those buildings of more modern designs are typically set back from the highway edge by a greater distance than those buildings that are of older designs. Furthermore, areas of less developed space create visual breaks that enable the transition between older and newer buildings. The presence of open areas also enables the settlement to assimilate with the countryside beyond.
12. The house would represent a modern incursion into the street but would be located close to the highway edge. Therefore, the new home would diverge from the prevailing character of more modern houses being sited back from the road. Furthermore, the building would have a different design to several others in the surrounding area. Within the immediate vicinity, houses feature a gable that face the highway. In contrast, the proposed development does not include such an architectural feature, which would render the proposal incongruous, even though it could be constructed from materials comparable to some of the surrounding homes. This means the building would detract from the character of the existing buildings.
13. The house would have a greater height than the existing building at No. 12. This can be demonstrated by the submitted plans, which show that the existing house has a finished floor level of 46.67m and a ridge height of 52.40m. In contrast, the proposed house would also have a finished floor level of 46.67m, but a ridge height of 53.53m. This would be exacerbated by the proposed house being located on land that is higher than the existing house. This means that owing to a combination of its siting and massing, the proposed house would appear more prominent than the existing house.
14. The proposal would result in the loss of the open garden area to the side of the existing house. Whilst garden areas to the side of buildings occur on an occasional basis in the surrounding area, where they do serve as a visual break between older and newer buildings. Therefore, the presence of the garden area at the site

means that the older design of No. 12 and newer design of No. 8a harmonise with each other. The loss of the space means that the proposal would result in modern and older designed buildings in proximity with each other, which would create a discordant relationship.

15. The incongruous effect of the development would be readily experienced by passersby in St Andrews Lane, in addition to the occupiers of several nearby properties. Therefore, the proposal would be a strident addition to the locality.
16. I therefore conclude that the proposal would have an adverse effect upon the character and appearance of the area. The development, in this regard, would conflict with the requirements of Policy EN11 of the East Northamptonshire Local Plan Part 2 (2023) and Policy 8 of the JCS. Amongst other matters, these seek to ensure that developments respond to the site's immediate and wider context; and integrate positively with the surrounding area.

Living conditions

17. The proposal consists of a two-storey house that would be sited to the west of the existing house at No. 12. Adjacent to the other side boundary is the dormer bungalow at No. 8a St Andrews Lane. To the rear of the site is a bungalow located at 3 St Andrews Court. The site also features some variations in topography.
18. The proposed house would project further into the site than the existing house at No. 12 and the development includes a rear projecting element. In addition, the proposed house would be sited on higher land than the existing home. However, the element of the proposed house that would be viewable from the garden of No. 12 would be relatively small. Furthermore, views of the development would be diffused by the proposed car parking and an area of garden. In consequence, the development would not create an overbearing effect upon the existing property. Moreover, the buildings that are adjacent to the rear boundary are of a single storey in height. In result, users of the garden and rear rooms at No. 12 would experience appropriate levels of outlook post development.
19. Owing to the position of the proposed house, relative to No. 12, any shadows being cast by the proposal would be limited to the late afternoon and evening period only. Furthermore, the proposal would be set in from the shared boundary with No. 12 by the width of the driveway and a small section of proposed garden. In result, any shadowing cast by the proposed development would be small in scale and would not affect the levels of light experienced in the garden of the property. In addition, the windows to the side of No. 12 are relatively small in nature. In consequence, the development would not impact upon the living conditions of this property.
20. By reason of the siting of the proposed house, it would be located closer to the highway than the home at 8a. In addition, the building at No. 8a is set in from the shared boundary. In result, the proposal would be visible from the neighbouring home and its rear garden at an oblique angle only. This means that the proposal, whilst visible, would not be visually dominant and would not result in a reduction in the level of outlook experienced in the neighbouring building. Furthermore, the proposed house would occupy a relatively small portion of the appeal site, which is described in the appellant's Statement of Case as 30% of the site. Whilst the proposed house would be visible from the front garden of No. 8a and its driveway,

views from these areas already include several buildings, including houses and therefore, the development would not be enclosing on these areas.

21. Although the proposal would be viewable from the property at No. 3, the proposed house would be sited in line with the existing house at No. 12. Therefore, the separation distances between the proposed and existing houses will be consistent. Furthermore, one of the upper floor rear elevation windows will be fitted with an obscured glazed window given that it would serve a bathroom. This means that there would be limited overlooking from the upstairs windows to a single bedroom. This would be consistent with the relationship between No. 3 and No. 12. Furthermore, views from the proposal's rear elevation windows would be interrupted by the rear boundary treatment. Whilst activity would be expected to take place in the garden of the proposal, the appeal site is currently utilised as garden space and therefore the proposal would not give rise to an increase in activity at the site and therefore, there would not be an erosion of the privacy levels at No. 3.
22. The site features some undulations but the submitted topographical survey shows that such variations would be relatively small. In result, any changes in land levels would not make the development appear more prominent when viewed from neighbouring properties, nor create significant variations in light and privacy levels.
23. I therefore conclude that the proposed development would not have an adverse effect upon the living conditions of the occupiers of neighbouring properties. The development, in this regard, would comply with the requirements of Policy 8 of the JCS. Amongst other matters, this seeks to ensure that developments do not result in an unacceptable impact on the amenities of the occupiers of neighbouring properties.

Other Matters

24. The site is near to the boundaries of the Titchmarsh Conservation Area. However, given that I am dismissing the appeal, the proposal would not result in an effect upon the setting of the Conservation Area.
25. The site is within 3km of the Upper Nene Valley Gravel Pits Special Protection Area (the SPA). Whilst the proposal would result in an increase in the number of people residing in the area, as I am dismissing the appeal for other reasons, I do not need to give this matter further consideration.
26. I acknowledge that the proposal did not elicit any objections from the occupiers of neighbouring properties. Whilst this is a matter of note, the Council has drawn my attention to relevant Development Plan policies and provided analysis as to whether these policies have been complied with. For the preceding reasons, I have also concluded that some of these policies would be breached. In result, the absence of third-party objections does not lead me to a different conclusion.
27. The proposal would result in an increase in the local housing supply. However, there is no compelling evidence before me that the Council is not significantly boosting the supply of homes in the locality. Given this, and as the proposal is for a single dwelling, the benefits are limited and do not outweigh my findings in respect of the first two main issues.

Conclusion

28. Although the development would not have an adverse effect on the living conditions of neighbouring occupiers, there would be significant harm to the character and appearance of the area, and highway safety. Accordingly, the scheme would conflict with the development plan taken as a whole. There are no material considerations, which indicate the decision should be made other than in accordance with the development plan. Therefore, for the preceding reasons, I conclude that the appeal should be dismissed.

Benjamin Clarke

INSPECTOR