



Appeal Decision

Site visit made on 28 November 2024

by David Troy BSc (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 04 December 2024

Appeal Ref: APP/M2840/W/24/3349557

48 John Street, Thrapston, North Northamptonshire NN14 4NS

- 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 Ms T Darrington of Amelio Homes Ltd against the decision of North Northamptonshire Council.
 - The application Ref is NE/24/00076/FUL.
The development proposed is demolition of existing garage, erection of new detached dwelling incorporating garage and parking facilities for the host dwelling and the new dwelling.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. I have used the Council's description of the development in reaching my decision as it more fully describes the details of the development than that given on the original planning application form. The appellant's appeal form also makes reference to the updated description and confirms the change of description has been agreed with the Council.
3. The Council's appeal statement indicates that a payment of £383.91 has been made to the Council by the appellant. This is agreed to be a contribution to the Council's mitigation strategy in respect of off-site impacts on the Upper Nene Valley Gravel Pits Special Protection Area (SPA). The Council have confirmed that they will not contest the second Reason for Refusal relating to the SPA set out in the Council's Decision Notice and I will consider this further under other matters in my decision.

Main Issues

4. The main issues are the effect of the proposed development on:
 - (i) the character and appearance of the area, and
 - (ii) the living conditions of the occupiers of the neighbouring properties at Nos. 94 and 96 Oundle Road with particular regard to overshadowing and outlook.

Reasons

Character and appearance of the area

5. The appeal site forms part of the garden area at the side of No. 48 John Street (No. 48) a two storey semi-detached property that occupies a prominent triangular shaped corner plot at the junction of John Street and Oundle Road. The appeal site contains a detached garage and the topography of the site slopes towards the properties on Oundle Road to the north of the site.
6. The appeal site is located in a mature well-established residential area, characterised by two storey semi-detached and terraced properties of varied styles and designs set back from the road behind front gardens/driveways, but with some infill style development nearby. The properties are relatively evenly spaced, of comparable scale and form, with uniform separation distances between them. Where garages and other structures exist between dwellings, these are very low, clearly subsidiary, and have little impact upon the sense of separation. No. 48 being situated on a corner plot has more expansive grounds, which add to the open character and appearance of the area.
7. The proposal would involve the demolition of the garage and construction of a two storey detached dwelling with ancillary works and provision of new garage and parking for the host property and new dwelling. The new dwelling would be set back at an angle close to the rear boundary fence and would be set in from the front boundary behind the existing roadside path and grass verge. It would be constructed with 2no. flat roofed dormers on the front of the property and a catslide style pitched roof that would be stepped down below the ridge line of the adjacent property at No. 48.
8. The existing character of the site would change significantly as a result of the development on this largely open undeveloped area of land and a change in the nature of the site would be an inevitable consequence of this. Variety does not necessarily lead to harm. The Council has not raised concerns in relation to the principle of development in this location. Rather, it considers the specifics of the scheme to be inappropriate.
9. Although the proposed dwelling would extend in front of the adjacent property at No. 48, the degree of projection would not appear excessive due to the staggered built form in this location, including the adjacent property and outbuilding at No. 94 Oundle Road and the new dwelling being stepped down to a single storey on the north-western section of the building to utilise the gently sloping topography of the site. Equally, from my site visit I noted a number of properties in the area appear to have been built to the boundaries or in close proximity to such. The reduced space between the new dwelling and adjacent properties and public highway would be offset to some degree by the open parking area and grassed verge along the frontage of the appeal site.
10. The scale and two storey form of the proposed dwelling would nevertheless still be a significant addition in this location. Such positioning, on what would be an atypically narrow plot, would interrupt the established pattern of development in the area and compromise the sense of space and openness in the area. These shortcomings would be exacerbated by the proposal's prominent position, which would be visible from a number of public vantage points along John Street and Oundle Road. The detailed design and appearance of the appeal scheme, with its catslide style pitched roof, would be

very much at odds with the older more traditional scale, form and appearance of the adjacent properties, giving it greater prominence in relation to its surroundings. As such, I consider that the proposed development, by virtue of its scale, siting and design, would fail to promote or reinforce the distinctive characteristic of the area and would adversely harm rather than positively contribute to the character and appearance of the area.

11. I have considered the appellant's arguments that the design and layout of the proposed development has been carefully considered in order to minimise any impacts on the area. Whilst the use of materials, fenestrations, boundary treatment and landscaping would assist with integrating the proposal with the area, these aspects do not overcome the adverse effects outlined above.
12. Consequently, I conclude that the proposed development would adversely harm the character and appearance of the area. It would be contrary to Policy 8 of the North Northamptonshire Joint Core Strategy 2016 (JCS) and Policies EN2 and EN11 of the East Northamptonshire Local Plan Part 2 2023. These policies, amongst other things, seek to ensure that development proposals respond to the local character and characteristics of the site's immediate and wider context, integrate positively with the surrounding area and do not harm the settlement's character. The proposal would also not accord with the National Planning Policy Framework (the Framework) that developments are sympathetic to local character, including the surrounding built environment (paragraph 135).

Living conditions of the occupiers of the neighbouring properties

13. The proposed dwelling would be located adjacent to the two storey semi-detached dwellings at Nos. 94 and 96 Oundle Road (Nos. 94 and 96), to the north of the appeal site. The proposed dwelling would be set down to a single storey on the north-western section of the building to the nearest dwelling at No. 94 and would be set back at an angle from the rooms and garden at the rear of Nos. 94 and 96. It would be separated from the rooms and garden at the rear of Nos. 94 and 96 by a high boundary fence running between the appeal site and the adjacent properties, together with some mature vegetation between Nos. 94 and 96.
14. Whilst the layout of the adjacent properties and the boundary treatment would limit potential views from the rooms at the rear of the adjacent properties, the proposed dwelling would result in a long two storey projection running close to and adjacent to the common shared boundary and enclosed garden areas at the rear of Nos. 94 and 96. The occupants of Nos. 94 and 96 would use the gardens to carry out leisure and household activities when relaxing and sitting out, particularly in the summer months.
15. Given the overall scale, siting and design of the proposed dwelling, separation distance between the properties and the orientation of the buildings, I consider that the proposed dwelling would introduce a dominant and enclosing structure in close proximity to the common shared boundary and the garden area at the rear of Nos. 94 and 96. This, in my view, would result in a loss of light and overshadowing to the garden at the rear of the nearest property at No. 94. It would significantly dominate the views to cause an overbearing effect and an unacceptable loss of outlook for the occupiers of No. 94 and to a more limited extent for the occupiers of No. 96. I therefore consider that the proposal would

result in a poor quality living environment and an unacceptable change in the living conditions for the occupiers of the neighbouring properties.

16. Consequently, I conclude that the proposed dwelling would result in an unacceptable impact on the living conditions of the occupiers of the neighbouring properties at Nos. 94 and 96 Oundle Road with particular regard to overshadowing and outlook. It would be contrary to Policy 8 of the JCS which, amongst other things, seek to ensure that development proposals do not result in an unacceptable impact on the amenities of occupiers of nearby properties. In addition, it would not accord with the Framework that development should seek to create places that promote health and well-being, with a high standard of amenity for existing and future users (paragraph 135).

Other Matters

17. The appeal site lies within the zone of influence of the Upper Nene Valley Gravel Pits Special Protection Area (SPA). The Council's related Supplementary Planning Document seeks to mitigate additional recreational impacts from new residential development on the SPA by means of a financial contribution. The Council has confirmed that the required SPA mitigation payment has already been paid by the appellant. However, in light of my findings on the main issues above, it is not considered necessary to look at this matter in detail, given that the proposal is unacceptable for other reasons.
18. The appellant considers the development constitutes a sustainable form of development in line with the requirements of the Framework. I have considered the various benefits put forward by the appellant that the proposal would bring arising from the scheme's design and sustainable construction methods, the effective use of land on a small site within an accessible location and through contributing to the housing supply and housing need identified for smaller homes in the development plan for the area. While I have given them some weight in favour of the appeal, these benefits would not be sufficient to outweigh the harm I have identified. For all these reasons, there are no other material considerations to outweigh the development plan conflicts identified.

Conclusion

19. For the reasons given above, and having regard to all other matters raised, I conclude that the appeal should be dismissed.

David Troy

INSPECTOR