



Appeal Decision

Site visit made on 18 February 2025

by **C Walker BA (Hons) DipTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 21 February 2025

Appeal Ref: APP/M2840/D/24/3355966

242A Barton Road, Barton Seagrave, Kettering, North Northamptonshire, NN15 6RZ

- 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 Bobby Braich against the decision of North Northamptonshire Council.
 - The application Ref is NK/2024/0532.
 - The development proposed is described as 'Relocate and rebuild garage'.
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Decision

1. The appeal is allowed, and planning permission is granted to relocate and rebuild a garage at 242A Barton Road, Barton Seagrave, Kettering, North Northamptonshire, NN15 6RZ in accordance with the terms of the application, Ref NK/2024/0532, and the plans submitted with it, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: AD-OS (OS Map/Block Plan), AD-01-20 (Proposed Street Scene) and AD-01-00 (Proposed Drawings).
 - 3) No development above ground level shall take place until details of the external facing materials to be used in the construction of the garage hereby permitted, have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

Preliminary Matters

2. The description of development was amended by the Council. The appellant confirms they agreed to this amended description which is more accurate and succinct, and I have therefore determined the appeal on that basis.
3. On 12 December 2024, a revised National Planning Policy Framework (hereafter the Framework) was published and corrected on 7 February 2025. There is no need to invite further comments from the Council or the appellant on the revisions as there are no substantive changes relevant to the appeal before me.

Main Issue

4. The main issue is the effect of the development on the character and appearance of the existing dwelling and the wider area, with particular regard to siting.

Reasons

5. The appeal site comprises a detached dwelling with a detached garage that sits forward of the dwelling on Barton Road. There are other examples of outbuildings in the locality that sit forward of their associated dwellings, including immediately adjacent at No. 242 Barton Road and further north at No. 238. Along the eastern side of the road, from the roundabout to the south, to Woodland Avenue to the north, there are a mixture of typically two storey detached dwellings set back from the highway at varying distances, behind a wide footpath and grass verges. The topography is gently undulating, rising from the roundabout to the north.
6. The Council contend that the proposed siting of a garage closer to the front boundary would break the building line and would be detrimental to the character of the host property and the surrounding area. The main receptors of the proposed garage would be from vantage points along Barton Road. When seen from the opposite side of the road, the view would be similar to what already exists, and the increased height of the garage would be largely imperceptible with the garage remaining subservient to the host property. Despite its increased height and its proposed siting closer to the roadside, when viewed from the south, its prominence would be diminished by the gently rising land levels and the wide footway and grass verges. These provide a sense of spaciousness to the frontage, such that this garage would not appear unduly dominant or detrimental to the character of the host property or the surrounding area.
7. From the north, the garage would be visible in the context of a backdrop to an existing, albeit lower profiled garage at No. 242 which is located on a similar alignment to the proposal. Given it would be seen alongside the adjacent garage, this would not appear as an incongruous feature in the street-scene.
8. The Council point out that the garage at No. 242 does not have planning permission. However, the aerial photograph provided by the appellant indicates that the structure has been in position for many years and there is no evidence of enforcement action having been taken. As such, I attach considerable weight to its presence as part of the established context.
9. Consequently, siting the proposed garage alongside its adjacent neighbour, would not break the building line as alleged and the effect upon both the host dwelling and the wider character and appearance of the area would be acceptable.
10. Therefore, I find that the proposal would accord with Policy 8 of the North Northamptonshire Joint Core Strategy 2011-2031 (2016) which relates to place shaping principles and, amongst other things, requires development to respond to the site's immediate and wider context, its local character and to make safe and pleasant streets and spaces.

Conditions

11. In addition to the standard time condition, I have imposed a condition requiring that the development is carried out in accordance with the approved plans, for the avoidance of doubt and in the interests of clarity.
12. Whilst not suggested by the Council, I impose a condition that requires the external facing materials to be agreed with the Council prior to them being laid.

Materials are not shown on the plans and this condition is necessary in order to safeguard the character and appearance of the area.

13. The Council request a condition requiring the garage to be kept permanently available for the parking of vehicles in the interests of highway safety. However, there would be ample available hardstanding between the house and garage for parking vehicles associated with the dwelling. Therefore, I find this condition is not necessary.
14. In order to protect the living conditions of neighbours, a condition to remove permitted development rights under Schedule 2, Part 1, Classes A & C of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) is requested by the Council. Specifically, these relate to the 'enlargement, improvement or other alteration of a dwellinghouse' and 'other alterations to the roof of a dwellinghouse' respectively. However, as the garage is not a dwellinghouse, these provisions would not apply and the condition is not necessary.

Conclusion

15. For the reasons given above, having had regard to the development plan as a whole, the Framework and all other matters raised, I conclude that the appeal should be allowed.

C Walker

INSPECTOR