



Appeal Decision

Site visit made on 31 March 2026

by N Duff BSc (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13 May 2026

Appeal Ref: APP/W2845/W/25/3376125

69 Abington Park Crescent, Northampton, West Northamptonshire NN3 3AL

- 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 H Vaughan-Bywater against the decision of West Northamptonshire Council.
 - The application Ref is 2025/0471/FULL.
 - The development proposed is Construction of 3 Bedroom Dwelling, Vehicular Access and Associated Works.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. A screening opinion has been undertaken in accordance with Town and Country Planning (Environmental Impact Assessment) Regulations 2017. It was concluded that considering the nature, scale and location of the proposed development and nature of the receiving environment, whilst there may be some impact on the surrounding area and nearby designated sensitive areas as a result of this development, it would not be of a scale and nature likely to result in significant environmental effects. Therefore, the development is not Environmental Impact Assessment (EIA) development.

Main Issue

3. The effect of the proposed development on the character and appearance of the area with particular regard to the Abington Park Conservation Area (CA).

Reasons

4. The appeal site comprises part of the front garden of number 69 Abington Park Crescent (No. 69), a large traditional semi-detached dwellinghouse, set in a generous plot and set back from the highway. The appeal site is set behind a mature high hedge which screens the site from public vantage points, and is heavily vegetated and has a pond within it.
5. The appeal site is located within the Abington Park CA, therefore in accordance with my duty under s72(1) of the Listed Building and Conservation Areas Act (1990) (as amended), I have had regard to the CA as a designated heritage asset. The CA derives its significance from Abington Park which it surrounds, together with late 19th and early 20th century development around its edges. Abington Park Crescent runs along the eastern side of the CA and generally comprises large

detached or semi-detached dwellings set back from the highway in generous grounds, which is reflected in the character of the house and grounds of No. 69.

6. The proposed development would provide a 3 bedroom detached L-shaped dwellinghouse located on an area of front garden alongside the existing driveway of No. 69. With a further room shown as a fourth bedroom/study. The independent vehicular access to the site would be achieved through the removal of a section of the high, mature hedgerow to the front of the property.
7. The prevailing pattern of development on the eastern side of Abington Park Crescent comprises dwellings set back from the highway on generous plots. The distance that dwellings are set back does vary, however the grain of the built development is fairly consistent. Therefore, due to the position of the dwelling, located close to the highway, and set much further forward of No. 69, together with the relatively small plot on which it would sit. The proposed dwelling would appear cramped in comparison to its surroundings and due to its forward position would appear incongruous in the street scene. Therefore, it would harm the spacious character of this part of the CA.
8. Furthermore, due to the changes in land levels, which slope upwards from the highway to within the site, the proposed dwellinghouse would appear much lower than No. 69 due to its forward position on the plot. The design of the dwelling includes the hipped roof to the front and chimney which add interest to the design, and the proposed materials would be acceptable, which reflect features from dwellings nearby. However, due to the smaller, modern proportions, it would appear as being much smaller than No. 69 due to the lower overall height. I consider that as a result, the dwelling would appear at odds with surrounding development and would therefore be detrimental to the character of the area.
9. Paragraph 212 of the National Planning Policy Framework (the Framework) states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to an asset's conservation. In this case I find that the proposed dwelling would lead to less than substantial harm to the significance of a designated heritage asset. I consider that the level of harm would be at the lower end within the less than substantial harm category.
10. To conclude, for the above reasons, I consider that the proposed development would cause harm to the character and appearance of the area and would not preserve or enhance the character of the CA, when considered as a whole. The proposed development would be contrary to Policies S10 and BN5 of the West Northamptonshire Joint Core Strategy (JCS), and Policy ENV6 of the Northampton Local Plan Part 2 (LP), which between them seek to protect, conserve and enhance the built and historic environment, and heritage assets and their settings.
11. The appellant has referred me to policy Q1 (D) of the LP in their statement of case, I have had regard to the policy, however as set out in my findings above I am not satisfied that the proposal would ensure continuity in the way the building is enclosed and relates to the street, and would not respect its context and enhance its surroundings.
12. In accordance with paragraph 215 of the Framework this harm should be weighed against the public benefits of the proposal, which I will consider below in the overall planning and heritage balance.

Planning and heritage balance

13. A public benefit of the proposal would be the provision of an additional family dwelling in the urban area of Northampton which is supported by Policy S1 of the JCS. The proposal would contribute to the Council's housing land supply which according to the evidence provided is a 5.5 year supply. Providing one family dwelling is supported by Policies H1 and N1 of the JCS which require a mix of types and tenures of new housing, and support urban capacity infill. Whilst this would be a public benefit, due to the small scale of the proposal by contributing one net dwelling, it only attracts modest weight.
14. The proposal would be within walking distance of amenities and services such as schools and shops as demonstrated in the appellant's evidence, and have reasonable access to public transport links, therefore would be sustainably located. However, this does not amount the proposal being sustainable in the context of Policy SA of the JCS as I have identified conflicts elsewhere in the development plan, therefore this would attract only modest weight in support of the scheme.
15. The proposed development would provide one dwelling, therefore the construction of the dwelling would include contribute to the local economy within the construction industry and the employment of staff throughout the construction period. These benefits are however temporary in nature so attract modest weight in the overall planning balance.
16. A public benefit put forward relates to biodiversity enhancement measures including the planting of 4 native trees, provision of bird and bat boxes and a bee brick. These measures would be supported by Policy ENV3, and the Council is satisfied that the proposal could mitigate for losses and biodiversity net gain could be achieved through the statutory condition requiring biodiversity net gain. However, this benefit would attract modest weight due to the small scale of the site.
17. The proposed construction would achieve, as a minimum, the requirements of Building Regulations in respect of thermal and ventilation efficiency to minimise energy use, including water saving appliances supported by Policy Q3 of the LP. Whilst these are public benefits of the scheme, due to the small scale of the development, they would attract modest weight.
18. The appellant has drawn my attention to the matter of flood risk and Policy Q5 of the LP. Stating that the disposal of surface water drainage would follow the normal Building Regulations hierarchy. The highways authority has commented upon surface water drainage, referring to the proposed design, which ensures that surface water is not discharged onto the highway. However, the Council's planning officer has not provided comments regarding flooding or drainage in the evidence before me, therefore, as I have no evidence to support the appellant's evidence in this regard, the lack of objection is a neutral matter.
19. Having regard to living conditions of neighbouring occupiers and highway safety, the Council has raised no technical objections and based on the information before me, I see no reason to disagree. Whilst there is a minor dispute in the evidence regarding the Technical housing standards – nationally described space standard, I am satisfied that overall the dwelling provides an acceptable standard of living accommodation for future occupiers. Therefore, I see no specific conflict with

Policies Q2, M02 or M04 of the LP insofar as they relate to these issues. However, compliance regarding these matters would be required for new developments and therefore would be a neutral factor in the overall planning balance.

20. Taken together the public benefits are modest and do not outweigh the harm identified to the CA, which should be attributed considerable importance and weight in the overall planning balance.
21. The proposed development would not accord with Policies S10 and BN5 of the JCS and ENV6 of the LP. There would be harm to the character and appearance of the CA. It follows that, the benefits of granting planning permission do not outweigh the harm identified.

Other Matters

22. The site is located within the 2km Buffer Zone of the Upper Nene Valley Gravel Pits SSSI and 3km Zone of Influence of the Upper Nene Valley Gravel Pits Special Protection Area. Regulation 63(1) of the Conservation of Habitats and Species Regulations 2017 (as amended) indicates that the requirement for an Appropriate Assessment is only necessary where the competent authority is minded to give consent for the proposed development. Therefore, given my overall conclusion on the main issue, it is not necessary for me to consider this matter in any further detail.

Conclusion

23. 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.

N Duff

INSPECTOR