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## 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 July 2026**

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**Appeal Ref: APP/M2840/W/25/3376387**

**54 Nest Lane, Wellingborough, North Northamptonshire NN8 4AU**

- 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 Harries against the decision of North Northamptonshire Council.
  - The application Ref is NW/25/00155/FUL.
  - The development proposed is proposed new dwelling on land to rear of 54 Nest Lane.
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### Decision

1. The appeal is dismissed.

### Main Issues

2. The main issues of the appeal are:
  - the effect of the proposed development on the character and appearance of the area; and
  - whether the quality of the proposed accommodation would be acceptable for future occupiers with particular regard to accessibility and adaptability.

### Reasons

#### *Character and appearance*

3. The appeal site is the garden of the property 54 Nest Lane, a detached dwellinghouse with a very long rear garden. The site immediately along the northern boundary has planning permission for residential development. To the south are long rear gardens of dwellings further along Nest Lane.
4. The proposal is for the development of a three-bedroom bungalow, located towards the end of the plot of No.54. The plans show a long driveway with turning head, together with a car port for two cars, with an amenity area to the rear of the proposed dwelling. An amenity area would be located between the host dwelling and the proposed dwelling.
5. The prevailing pattern of development along Nest Lane around the appeal site comprises dwellings fronting onto the road. To the north of the appeal site, Swallow Close extends eastwards off Nest Lane. However, to the south of the appeal site, development returns to a very strong linear pattern for several properties before reaching Nursery Drive to the south.
6. The proposed development would not disrupt the street frontage, due to its position located a considerable distance behind the host dwelling at the end of a

very long driveway. However, it is for these reasons, that it would appear incongruous and would not respond well to the site's immediate character and context. Furthermore, I consider that it would be at odds with the prevailing pattern of development especially when considering its context to the south.

7. I have been provided with details of a planning permission granted immediately to the north of the appeal site for 8 dwellings<sup>1</sup>. Whilst I do not have the full details relating to that development before me, the plans submitted indicate that the site forms part of a larger development in the context of Swallow Close, with an access drive serving several properties. Furthermore, unlike the appeal proposal, the development does not have a dwelling positioned immediately in front of it along Nest Lane. I have carefully considered the development to the north as a material consideration. However, I do not consider the development site to the north to be directly comparable or sufficient justification to depart from the prevailing character of the area in this case.
8. I consider the proposed materials to be acceptable. Furthermore, owing to its low-profile design, I find the proposed dwelling would be acceptable in isolation.
9. Nevertheless, for the reasons given, I conclude that the proposed dwelling would have a harmful effect on the character and appearance of the area. The proposed development would therefore not accord with Policy 8 (d) (i) and (ii) of the North Northamptonshire Joint Core Strategy (JCS) which seeks to ensure that development should create a distinctive local character by responding to the site's immediate and wider context and local character and respond to the overall form, character and landscape setting of the settlement.

#### *Accessibility and adaptability*

10. Policy 30 of the JCS relates to housing mix and tenure, and part c) states that new dwellings 'must' meet Category 2 of the proposed National Accessibility Standards as a minimum.
11. The Council has set out in the officer report that the requirement to meet Category 2 of the National Accessibility Standards as a minimum was recommended at pre-application stage.
12. The appellant has stated in its evidence that certain elements of the requirements could be met, such as a level threshold and door widths. However, in the absence of complete information relating to how the scheme could meet or could be adapted to meet the requirements, I cannot be certain that requirements could physically be achieved without significantly amending the scheme. Therefore, in this case, it would not be appropriate to condition the requirement.
13. The appellant has set out that the planning permission for the site to the north has a condition relating to the requirement as set out at Policy 30 c) of the JCS. I do not consider that it would be unusual or unreasonable to condition such requirements. However, I do not have full details relating to what was before the Council when it applied the condition. Therefore, whilst I have carefully considered the evidence I do have in this respect, I am not satisfied that the cases are comparable in this regard.

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<sup>1</sup> NW/25/00061/FUL

14. Therefore, for the above reasons, I conclude that it has not been demonstrated that the proposal would be acceptable for future occupiers with regard to accessibility and adaptability. Consequently, the proposal would conflict with Policy 30 c) of the JCS which states that that new dwellings 'must' meet Category 2 of the proposed National Accessibility Standards as a minimum.

### **Other Matter**

15. The appellant has expressed general dissatisfaction with the Council's handling of the application, particularly regarding requesting information and correspondence. The approach of the Council in this regard is not a significant material consideration for this appeal in my judgement.

### **Planning Balance**

16. In accordance with the Government's objective of significantly boosting the supply of homes, the National Planning Policy Framework (the Framework) sets out the importance of providing sufficient amount and variety of land for housing where it is needed. The appellant's evidence indicates that the Council may not be able to demonstrate a 5 year housing land supply and that the housing land supply is in the region of 4.6 years. Even if this is the case, as advanced by the appellant, in such circumstances this engages the presumption in favour of sustainable development as set out in paragraph 11d) of the Framework.
17. Due to footnote 7, paragraph 11 d) ii of the Framework should be applied. Which requires that permission should be granted unless ii) any adverse impacts of doing so would significantly or demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination.
18. The Framework advises that decisions should take into account the desirability of maintaining an area's prevailing character and setting (including residential gardens) and the importance of securing well-designed, attractive places, together with creating places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users. Therefore, I consider that the relevant policies accord with the Framework and the conflict with those policies attracts significant weight in this case.
19. The appellant has brought to my attention that a building could be built using permitted development rights together with a long driveway. Limited details of such schemes are not before me and without such information a full and detailed comparison with the case before me cannot be made. Additionally, there is no evidence that the fallback position is a greater than theoretical possibility or that if the appeal is dismissed the fallback would be pursued. Consequently, I find the suggested fallback position to have modest weight in the determination of the appeal.
20. A benefit of the scheme relates to biodiversity enhancement measures including the provision of bird and bat boxes, which would be secured by condition. 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.

21. I note that the design of the dwelling itself is considered to be acceptable, with limited impact on the street scene and that no objections were received from the landscape officer or neighbours. In addition, the Council did not find harm or development plan conflict in relation to several other matters including, fire safety, highways, waste, ecology and the effect of the proposal on the living conditions of neighbouring occupiers, with many issues able to be dealt with by condition. However, even if I were to agree with the Council on these points, the absence of harm would be a neutral matter which would not carry weight in favour of the proposal.
22. I have carefully considered the benefits of the proposal advanced by the appellant, which include the provision of a dwelling within a sustainable location within Wellingborough which is described as a growth town. Together with the type of dwelling which would be suitable for those wishing to downsize, and I am cognisant that small windfall sites such as these make an important contribution towards the supply of housing. However, due to the small quantum of development, for one dwelling, these benefits would amount to modest weight and would therefore not outweigh the harm identified in the main issues.
23. Consequently, I consider that the harm to the character and appearance of the area, together with the scheme being unable to demonstrate that it would provide a high standard of amenity for future users with regard to adaptability and accessibility, would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole. Consequently, other material considerations in favour of the proposal do not justify taking a decision contrary to the development plan.
24. The site is located within 3km 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. However, as I am dismissing the appeal for other reasons, it is not necessary for me to consider this matter in any further detail.

## **Conclusion**

25. 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