



Appeal Decision

Site visit made on 10 May 2018

by **Andrew Owen BA(Hons) MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 17th May 2018

Appeal Ref: APP/G2815/W/18/3194974 27 Bradfield Close, Rushden NN10 0EP

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Mr Brady against the decision of East Northants District Council.
 - The application Ref 17/01378/OUT, dated 3 July 2017, was refused by notice dated 18 December 2017.
 - The development proposed is demolition of the existing garage and erection of 1 No. one bedroomed dwelling.
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Decision

1. The appeal is allowed and planning permission is granted for demolition of the existing garage and erection of 1 No. one bedroomed dwelling at 27 Bradfield Close, Rushden NN10 0EP in accordance with the terms of the application, Ref 17/01378/OUT, dated 3 July 2017, subject to the conditions in the attached Schedule.

Procedural Matter

2. The application was submitted in outline form with all matters except access reserved for later consideration. As such I have determined the appeal on the same basis and so give little weight to the drawings showing the appearance of the dwelling or the layout of the site.

Main Issues

3. The main issues are the effect of the proposal on the character of the area, and on the living conditions of neighbouring occupiers.

Reasons

Character and appearance

4. Bradfield Close is a winding suburban road which includes a number of small cul-de-sacs. The houses are varied in design, but their modest scale, and close proximity to the road and each other, creates a distinctive concentrated character.
5. The appeal site comprises an area to the side of the dwelling at No 27. The plot is narrow in width, but this is not dissimilar to other nearby plots, such as that at No 12. Furthermore, the indicative elevation drawing shows that the dwelling could be very similar in its scale and proportions to the existing house at No 27 and comparable to many other properties in this part of the Close.

6. Consequently, I cannot consider that this outline proposal would appear cramped and instead it would harmonise well with the character of the area. As such it would comply with part d) of Policy 8 of the North Northamptonshire Joint Core Strategy which seeks to ensure development responds to local character. It would also accord with Policy EN1 of the Rushden Neighbourhood Plan which says that development should respect the prevailing density and pattern of surrounding development, albeit this Plan is still to be adopted and so its policies carry limited weight.

Living conditions

7. The Council's decision refers to an adverse impact on neighbouring amenity. The Council do not identify any specific impacts on neighbouring occupiers, but a local councillor states that the loss of the existing garage would impact on the amenity of the existing occupiers. The plans show the retention of two parking spaces at No. 27, which the Council consider to be sufficient, and I have no reason to come to a different view. Moreover, these two spaces would be in tandem fashion and this is common to many of the neighbouring houses. Indeed, residents managing their own tandem parking is often part of living in such a densely developed area.
8. Furthermore, the officer's report advises that precise impacts on surrounding properties would need to be assessed at the reserved matters stage, and I agree with that view. As such, I cannot conclude that the development would harm the living conditions of neighbouring occupiers and therefore the proposal would not conflict with part e) i. of Policy 8 which seeks to protect the amenity of neighbouring properties.

Other matters

9. The Council consider one parking space to serve the proposed dwelling to be sufficient. In light of the likely modest size of the dwelling and its urban setting, I have no reason to disagree. I accept on-street parking in front of the site and No 27 would restrict the flow of traffic on the road. However if cars were to park on the road, most vehicles could still get past, and as there are few houses beyond the site on this road, I consider the effect on the free flow of traffic would be minimal.
10. A car parked on the site in the position shown on the plans would have sufficient visibility along the pavement to either side even if the thick hedge on the western boundary were retained. Suitable visibility splays can be ensured by a planning condition.
11. The indicative plans do not show how access to the rear garden would be achieved. However, this is a matter that could be addressed at the reserved matters stage, as well as provision for bin storage.
12. There is a suggestion that there is a sewer under the site. If this is the case, it would require discussion with the relevant body, but it does not prevent me from granting planning permission.

Conditions

13. I have considered the Council's suggested conditions against the advice in the Planning Practice Guidance (PPG) and the National Planning Policy Framework. In accordance with that advice I have imposed the standard conditions relating

to the submission of reserved matters and a condition specifying the relevant plans in order to provide certainty.

14. Conditions to ensure the satisfactory drainage of the site, and to ensure visibility splays are retained in the interests of highway safety, are included.
15. I have not included the suggested conditions relating to finished floor levels, external finishes, screen walls or fences as such details can be assessed as part of the consideration of the reserved matters. Also the PPG advises that it is rarely necessary to withdraw permitted development rights, and I have no reason to consider there are exceptional circumstances in this case.
16. Some conditions require compliance prior to the commencement of development so that the effects of the proposal are properly mitigated in order to make it acceptable.

Conclusion

17. For the reasons given above, and taking account of all other considerations, I conclude that the appeal should be allowed.

Andrew Owen

INSPECTOR

SCHEDULE OF CONDITIONS

1. Details of the appearance, landscaping, layout, and scale, (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the local planning authority before any development takes place and the development shall be carried out as approved.
2. Application for approval of the reserved matters shall be made to the local planning authority not later than three years from the date of this permission.
3. The development hereby permitted shall take place not later than two years from the date of approval of the last of the reserved matters to be approved.
4. The access to the development hereby permitted shall be carried out in accordance with the following approved plans: 17-057-01, 17-057-02B and 17-057-03A.
5. Prior to the commencement of development a detailed drainage plan, including details of foul and surface water collection and disposal methods and any water saving measures to be employed, shall be submitted to and approved in writing by the local planning authority.
6. From a point at the centre of the access to the site and 2 metres back from the nearside edge of the adjoining carriageway, visibility splays of 2 metres to either side shall be provided. No shrubs, trees or other vegetation shall be allowed to grow above 0.6 metres in height, and no structure or erection exceeding 0.6 metres in height shall be placed, within the visibility splays.