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# Appeal Decision

Site Visit made on 13 July 2021

**by Jonathan Edwards BSc(Hons) DipTP MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 11 August 2021**

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## **Appeal Ref: APP/G2815/W/21/3272564**

### **28 College Street, Irthlingborough NN9 5TX**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
  - The appeal is made by Mr Mark Kennedy (Marklin Developments Ltd) against the decision of East Northamptonshire Council.
  - The application Ref 20/01196/FUL, dated 23 September 2020, was refused by notice dated 3 March 2021.
  - The development proposed is 1 No 3-bedroom dwelling including, parking and amenity space.
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### **Decision**

1. The appeal is dismissed.

### **Applications for costs**

2. An application for costs has been made by Mr Mark Kennedy (Marklin Developments Ltd) against East Northamptonshire Council. This is the subject of a separate Decision.

### **Preliminary Matters**

3. Since the appeal was lodged, East Northamptonshire Council has merged with other authorities to form North Northamptonshire Council. However, as the same development plan remains in place, this merger has no influence over my assessment of the proposal.
4. As well as a new dwelling, the appeal plans show the rebuilding of a new boundary wall and erection of a close boarded fence. Accordingly, my assessment is made on the basis that such works form part of the appeal development. On my visit, I saw that the rebuilding of a wall on the roadside boundaries has commenced and fencing has been erected to the rear boundary. Therefore, works on the appeal scheme have begun.
5. I have invited comments from the main parties on the revised National Planning Policy Framework (the Framework), issued in July 2021. Also, I have taken into account the responses received.

### **Main Issues**

6. The main issues are (i) whether the development would enhance or preserve the character or appearance of the Irthlingborough Conservation Area (the CA), and (ii) its effect on parking provision.

## Reasons

### *Character and appearance of the CA*

7. The CA is focused around the High Street and includes a significant part of the centre of Irthlingborough. From my observations, the CA appears to gain its significance by the presence of many older properties of a style and layout that reflects the history of the town centre and how it has developed.
8. The site is in the CA on a road behind and away from High Street. It is readily visible from the highway as it lies on the outside of a slight bend in College Street and on the corner with Nursery Gardens. Apart from the aforementioned boundary features, the plot is vacant of buildings and so it provides a visual break amongst the mainly built up frontage on College Street. **As such, the site makes a modest positive contribution towards the qualities of the area.**
9. The development would reduce the openness of the site and would be noticeable for a fair distance along College Street. The dwelling would be similar in form, scale and design to other nearby houses and would have a comparable set back from the road. Also, several properties have vehicular accesses and so the proposed drive would not be unusual. **Therefore, these elements of the scheme would respect the characteristics of the locality, despite reducing the site's openness.**
10. However, while the refusal reasons relate to the house, concerns are raised in respect of the proposed boundary wall and fence. **By reason of its position next to the pavement, its height and its length, the fence would be highly visible in the street scene.** Photographic evidence indicates that previously a brick wall existed on the plot's highway boundaries and similar features lie along parts of Nursery Gardens. However, roadside fencing is not common in the vicinity of the site. **By reason of its prominence and incongruity, the fence would detract from the site's openness and from the visual qualities of the street .**
11. To address such concerns, it is suggested that a planning condition could be imposed that requires details of boundary treatments to be submitted and approved, despite those shown on the drawings. **However, any roadside features would need to be high and substantial so as to provide privacy and security to the garden of the proposed house. No indication is provided of any suitable alternative treatment to that proposed.** As such, I am unconvinced that the suggested condition would address the identified harm.
12. **For these reasons, I conclude the development overall would not preserve or enhance the character or appearance of the CA.** In these regards, it would not accord with policy 2 and policy 8 of the North Northamptonshire Joint Core Strategy 2016 (JCS). Amongst other things, these require development to conserve the significance of heritage assets and to respond to a site's context.

### *Heritage balance*

13. The scheme would affect only part of the CA and so it would cause less than substantial harm to its significance. In light of the provisions of the Framework, it follows to consider any public benefits of the development against the adverse effects on the CA.
14. The proposal would make effective use of land and residents would have good access to services and facilities. As a small scheme it could be delivered quickly

and would add to the housing stock. It would bring economic benefits through construction employment and occupants supporting local businesses.

15. However, the Framework dictates that great weight should be attached to a heritage asset's conservation and I am required to pay special attention to the desirability of preserving or enhancing the character and appearance of the area. As such, I find the public benefits of the development would not outweigh the adverse effects on the CA's significance.

#### *Parking provision*

16. My visit can only provide a snapshot in time but I saw parking in front of the site where the proposed access would be provided. Given my observations and photographic evidence provided, it is reasonable to assume the proposal would reduce on-street parking space.
17. The concern is raised that the loss of roadside parking would increase the need for College Street residents to park a significant distance from their homes. However, I am referred to no development plan policy which precludes the loss of roadside parking or which seeks to ensure that residents have access to nearby on-street spaces. As such, even if the scheme would increase the frequency when local residents had to park away from their homes, I am unconvinced that this would represent a conflict with any planning policy.
18. In any event, unrestricted parking is allowed on a significant length of one side of the road and most of these spaces would be unaffected by the scheme. No survey information has been provided that demonstrates the capacity and occupancy rates of roadside parking and so there is little firm evidence to show residents' demands currently exceeds supply. As only some of the houses on College Street have no private parking, I am unconvinced the proposal would lead to a significant shortage of roadside parking space.
19. As such, I conclude the development would be acceptable in terms of its effect on parking provision. In these regards, it would accord with JCS policy 8, which amongst other things, requires schemes to include satisfactory parking.

#### **Other Matter**

20. The development would lie within the zone of influence of the Upper Nene Valley Gravel Pits Special Protection Area (SPA), a European Designated Site. As I am dismissing the appeal for other reasons, there is no need to consider whether the proposal would affect the integrity of the SPA or to carry out an appropriate assessment. If I had found the scheme to be acceptable in these regards, such a finding would not have affected my overall conclusion.

#### **Conclusion**

21. While the proposal would be acceptable in terms of its effect on parking, the identified harm in respect of the CA means it would not accord with development plan policies when read as a whole. The benefits and other considerations are of insufficient weight to justify granting permission contrary to the development plan. As such, I conclude the appeal should be dismissed.

*Jonathan Edwards*

INSPECTOR