

East Northamptonshire Council

DC Appeal Results

For Period from: 22 Aug 2011 to : 30 Sep 2011

Officer

Case Ref. No.	Appellant	Location	Appeal Type	Date Decided	Decision
10/00763/FUL	Mr B Gravener	8 Swan Close Thrapston Kettering	Against Refusal	22/09/2011	Dismissed

Amie Baxter

Written Representations

10/00763/FUL	Mr B Gravener	8 Swan Close Thrapston Kettering	Against Refusal	22/09/2011	Dismissed
Division of existing residential land, erection of a single detached dwelling					

The main issues were highlighted by the Inspector as being, the impact on the character and appearance of the area, whether or not the proposed development would have a satisfactory means of access (from both a highway safety and crime perspective) and whether or not the proposed development would comply with national and local planning policy in terms of flood risk.

The Inspector concluded that the proposal would conflict with policy 13 of the Core Spatial Strategy as it would not respect the character of the area, given that it would be positioned to the rear of the cul-de-sac and would have no frontage to the road. The Inspector focused on the councils refusal reason regarding personal safety and felt that the proposal would again conflict with Policy 13 of the CSS, given the hostile nature of the access into the site, particularly during the hours of darkness.

Even though the applicant does not own the access track to the site (and therefore the proposed upgrade could not be undertaken without the permission of the owner) the Inspector felt that it would be reasonable to impose a Grampian style condition to ensure that the necessary access improvements were carried out. This would ensure that the development could not go ahead without the upgrade having been made, and so the proposal could have been acceptable in this respect.

In terms of flooding, the appeal site lies mainly in Flood Zone 2 and the council carried out a sequential test as prescribed by PPS25. The Inspector notes the applicants plea that he does not own alternative sites within Thrapston and therefore cannot afford to build elsewhere but, the Inspector concludes, land ownership is not a consideration with regard to the sequential test.

Decided Appeals Dismissed :	1	100.00%	
Decided Appeals Allowed :	0	0.00%	M Denotes Member
Decided Appeals Withdrawn :	0	0.00%	Decision against
Decided Appeals Total :	1	100.00%	Officer advice