
Appeal Decision

Site visit made on 25 October 2016

by Amanda Blicq BSc (Hons) MA CMLI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 7th November 2016

Appeal Ref: APP/V2825/D/16/3157292

15 Sussex Close, Duston, Northampton NN5 6ET

- 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 Stephen McSweeney against the decision of Northampton Borough Council.
 - The application Ref N/2016/0614, dated 5 May 2016, was refused by notice dated 19 July 2016
 - The development proposed is two storey side extension.
-

Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the development on the character and appearance of the street scene.

Reasons

3. The appeal property (No 15) is a detached two-storey C20 dwelling with an attached and recessed garage located in a short cul de sac of similar dwellings. The building line on both sides of the road is set back from the footway, and dwellings have open frontages resulting in a street scene with an open character. Although the dwellings are not identical, there is an underlying uniformity of design and built form, which gives a pleasing consistency and rhythm to the area.
 4. Number 15 is separated from its neighbour, 17 Sussex Close (No 17), by the width of the garage and a narrow strip of land running between its garage wall and No 17's side elevation. No 17, which is of similar design, has had a two-storey side extension which has retained the recessed garage entrance at ground level, with a flat elevation above.
 5. The appellant states that the proposed two-storey side extension would be a mirror image of No 17's extension, but the evidence before me indicates otherwise. In this case, the garage entrance would project beyond the building line and would have a section of pitched roof between the projection and the first floor elevation. The development's side wall would be an extension of the existing garage wall, retaining the existing strip of land between Nos 15 and 17 as the lateral separation.
-

6. The Council is concerned that the development would cause a terracing effect between Nos 15 and 17, which would be harmful to the spacious character of the street scene and contrary to guidance in the SPD¹. This recommends that a visibly adequate gap is maintained between a boundary and the sidewall of an extension. Although the appellant disputes that a terracing effect can occur between detached houses, in this context the term is used to describe the appearance of buildings with little lateral separation.
7. The lateral separation between Nos 15 and 17 would be appreciably narrower than for other dwellings on this side of the road, whose spacing is determined by their single storey garages or side paths. Attention has been drawn to the lateral separation distance between No 15 and 11 Sussex Close. However, this is approximately double that proposed in the appeal before me. Furthermore, the adjacent facades are mirror images on the same building line, and the separation distance appears proportionate, particularly as the two elevations are gable end to the road which reduces their bulk above eaves height. In this appeal, the narrowness of the lateral separation between Nos 15 and 17 would be accentuated by the close juxtaposition of two opposing gable ends and ridgelines.
8. The appellant has also drawn attention to the officer's report for No 17's extension² which considers the possibility of a terraced effect between Nos 15 and 17, particularly in the event of a similar extension being built at No 15. However, it does not follow, as the appellant reasons, that in order to avoid a terracing effect the Council should not have given approval for No 17's extension. The officer's report was written to assist the determination of that application and clearly concluded that the extension of No 17 would not cause a terracing effect, partly due to the setting back of the extension from No 17's front elevation and in the absence of a similar extension at No 15.
9. The appellant acknowledges that the setbacks of the side extensions of other dwellings on Sussex Close, together with their differing roof forms, create a clear visual distinction between neighbouring properties. Yet as noted above, this development projects beyond the building line at ground level and therefore does not provide that degree of visual distinction between neighbouring dwellings.
10. The appellant has also highlighted an example of an undesirable terracing effect taken from the SPD, where adjacent extensions differ in design and one is forward of the building line. Whilst I acknowledge that the design differences between Nos 15 and 17 would be far less pronounced than that shown in this example, and there would be a greater separation distance, it remains that in this case the development would differ in design from No 17 and would also be forward of the building line. The recessed ground floor of No 17's extension also provides a degree of openness on its front elevation which in turn contributes to the spaciousness of the street scene.
11. In the light of the above I conclude that there would be a terracing effect leading to a loss of spaciousness, and that this would be to the detriment of the character and appearance of the street scene. This would be contrary to Policy H5 of the Neighbourhood Plan³ (NP) which requires residential conversions to

¹ Residential Extensions and Alterations Design Guide, SPD, adopted December 2011

² Ref N/2006/1408

³ Duston Neighbourhood Plan, December 2015

reflect the character or nearby buildings and their setting, and Policy E20 of the Local Plan⁴ (LP) which requires extensions to adequately reflect the character of their surroundings in terms of layout and form. It would also fail to meet the provisions of Policy S10 of the Core Strategy⁵ which expects development to achieve a strong sense of place as one of its objectives. Finally, the poor relationship of the development to its immediate neighbour would fail the test set by LP Policy H18 which requires consideration of the relationship of extensions to adjacent properties.

Other matters

12. The appellant has drawn attention to Paragraph 60 of the National Planning Policy Framework (the Framework) which states that planning decisions should not attempt to impose architectural styles. However, Paragraph 60 also states that it is proper to seek or promote local distinctiveness. Accordingly, I give this argument no weight.
13. The appellant also refers to part of Paragraph 14 of the Framework which refers to the presumption of development unless the adverse effects of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole. However, this section of Paragraph 14 of the Framework applies only where the development plan is absent, silent or relevant policies are out of date. There is nothing in the evidence before me to indicate that that is the case here, and accordingly Paragraph 14 of the Framework is not of relevance in this regard.
14. I appreciate that the development would provide additional living space and that other similar dwellings have had side extensions. However, as far as I could ascertain on my visit, extensions to those similar dwellings have retained the set-back at ground level and are also separated from their neighbour by single storey garages. Furthermore, that limited benefit would not outweigh the harm identified above. I also acknowledge that there are permitted development rights with regard to extensions, but the extensions so permitted would have a different effect on the character and appearance of the street scene. As such, the existence of permitted development rights does not alter my reasoning in respect of this appeal.

Conclusion

15. For the reasons given above and taking all matters into account, I conclude that the development would be contrary to the relevant policies of the Council's Local Plan and Core Strategy and that therefore the appeal should be dismissed.

Amanda Blicq

INSPECTOR

⁴ Northampton Borough Council, Local Plan 1997, saved 2007

⁵ West Northamptonshire Joint Core Strategy Local Plan Part 1, December 2014