
Appeal Decision

Site visit made on 3 April 2017

by Zoe Raygen Dip URP MRTPI

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

Decision date: 21 April 2017

Appeal Ref: APP/Z2830/W/17/3167450
11 Showsley Road, Shutlanger NN12 7RW

- 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 Mrs B Stanbridge against the decision of South Northants District Council.
 - The application Ref S/2016/2334/FUL, dated 8 September 2016, was refused by notice dated 8 November 2016.
 - The development proposed is demolition of existing double garage. New dwelling, garage and ancillary works. Existing access and parking retained.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are firstly, the effect of the proposal on the character and appearance of the area and secondly, the effect of the proposal on the living conditions of the occupiers of 11 Showsley Road with particular regard to light and outlook.

Reasons

Character and appearance

3. 11 Showsley Road forms a bungalow on the edge of Shutlanger with a detached garage. Surrounding houses mainly have a traditional form characterised by a simple built form, narrow depth and constructed from local stone. While I did see limited examples of modern development in the vicinity of the appeal site, particularly in the form of bungalows, their presence was not sufficient to alter the predominant traditional character of houses in the small rural village within the open countryside.
 4. The appeal site forms part of the garden of No 11 within which the garage is located. It is a single storey structure with a shallow pitched roof. The boundary to the open countryside is formed by a hedge and open post and rail fencing. Consequently, even though the site is elevated, the garage is not significantly dominant in the streetscene and makes a neutral contribution to the character and appearance of the area.
 5. The Council's publication Residential Design in the Countryside Planning Guidance Notes 1998 (SPG) gives details of the local vernacular and advice for
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designing new dwellings to respect the local character. I acknowledge that the SPG only provides guidance for design matters. Nevertheless, saved Policies G3 and EV1 of the South Northamptonshire Local Plan 1997 (LP) together require that development is compatible in terms of type, scale, siting, design and materials with the existing character of the locality.

6. The proposed house would have a relatively square built form with a depth which would be well above that of the surrounding traditional buildings which is considered to be no more than 6 metres in the SPG. While it would have a similar and indeed smaller form than No 11, the SPG states that the bungalow form with a squarish plan is alien to this environment. The considerable depth of the house would create large gable elevations which, due to the elevated, open location of the house, would be overly prominent, exacerbated by the provision of a large rear balcony area.
7. Furthermore, the combination of the large front gable feature and low eaves level would be an incongruous combination of features which would not be representative of the dominant built form. I saw that 2 Twitch Hill has low eaves, but did not have a front gable extension. 12 Showsley Road has a large front gable addition but is a bungalow which I have already found is not typical of the area. Other examples of front gable additions referred to by the appellant are some distance from the appeal site and on modern development.
8. The SPG refers to the importance of the proportion of the solid wall to openings which should be echoed in the design of new houses. I saw that the local form of construction had high proportion of solid wall to windows which is not demonstrated on the appeal proposal, particularly on the rear elevation. While I acknowledge this would have limited public views the extent of fenestration on the front elevation would also be uncharacteristic.
9. Even though the proposal would only be one and a half storey and constructed from local stone, the combination of the considerable plan depth, large front gable, low eaves and excessive fenestration would lead to an uncharacteristic, incongruent form of development. Furthermore, the elevated, prominent position of the appeal site in the village would make the development particularly dominant and obtrusive. Moreover, the contrived nature of the proposed chimney would be at odds with the position and form of chimneys on the traditional dwellings.
10. The house would be particularly visible when approaching the site from the north against the backdrop of the surrounding countryside which is recognised for its high landscape value and has been designated as a 'Special Landscape Area'. Nearby trees would provide some screening. However, as they are deciduous in nature, this would not be all year round. In any case given the size of the proposed house they would not be sufficient to overcome the harm I have found.
11. I have already found that the garage makes a neutral contribution to the character and appearance of the area. Accordingly, its replacement with a house that would be harmful would not represent an environmental improvement.
12. For the reasons above I conclude that the proposal would be harmful to the character and appearance of the area. It would therefore be contrary to saved Policies G3, EV1 and EV7 of the LP, paragraphs 58, 60 and 131 of the National

Planning Policy Framework and the SPG. Together, these require, amongst other things, that development responds to and makes a positive contribution to local character and distinctiveness reflecting local identity and does not have a detrimental impact on the character and appearance of the special landscape areas.

Living conditions

13. No 11 is a bungalow that would be sited at a lower level to the proposed house. On its rear elevation it has two clear glazed windows and a set of patio doors which have an open outlook over the rear garden towards the open countryside.
14. The proposed garage would be single storey with a roof sloping away from the boundary with No 11. It would be sited close to the boundary and project some distance beyond the rear elevation of No 11.
15. The Council suggest that the proposal would breach the 45 degree code policy contained in its Residential Extensions Supplementary Planning Guidance (RESPG) in relation to the rear bedroom window and this has not been disputed by the appellant. While the RESPG relates to residential extensions I consider the document provides a useful tool to assess the impact of development on outlook and light.
16. I acknowledge therefore that the garage would breach the 45 degree rule. Nevertheless the RESPG states that "Any part of the extended building which extends beyond the splayline may be considered to adversely affect the amenity of the neighbouring occupiers". To my mind therefore this means that non-compliance with this rule does not necessarily result in a refusal.
17. Even though it would be elevated, given the limited height of the garage and its setback from the window it would only be seen in oblique views from the bedroom window. The occupiers would still have the benefit of open views in other directions which would also ensure that the garage would not have any considerable enclosing effect. Furthermore, bearing in mind the location of the appeal site to the north of No 11, the path of the sun and the scale of development proposed, the garage would not have a significant effect on light to No 11.
18. For the reasons above therefore while the proposal would not meet the guidance within the RESPG, for the reasons above, in this instance, I conclude that it would not be harmful to the living conditions of the occupiers of 11 Showsley Road. There would therefore be no conflict with saved Policy G3 of the LP which requires, amongst other things, that development will not unacceptably harm the amenities of any neighbouring properties.

Other matters

19. The appellant states that the proposal would contribute to the housing stock and be suitable for elderly or disabled residents. However, the Council advise that it has an 8.71 five year housing land supply. Furthermore, I have seen no evidence to suggest that there is a shortage of accommodation for the elderly or disabled. I therefore give this suggestion very limited weight. This together with the lack of harm to residents living conditions would not outweigh the considerable harm I have found to the character and appearance of the area.

Conclusion

20. For the reasons set out above, having regard to all other matters raised, I conclude that the appeal should be dismissed.

Zoe Raygen

INSPECTOR