The Planning Inspectorate

Appeal Decision

Site visit made on 22 May 2019

by R Bartlett PGDip URP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23rd July 2019

Appeal Ref: APP/V2825/D/19/3225451
78 Lutterworth Road, Northampton, NN1 5JN

- 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 S Sivasambo against the decision of Northampton Borough Council.
- The application Ref N/2019/0062, dated 24 December 2018, was refused by notice dated 11 March 2019.
- The development is the addition of parapet walls to approved extension N/2016/1078.

Decision

1. The appeal is dismissed.

Procedural Matters

2. The parapet walls had already been erected at the time of my visit. This has had no bearing on my decision.

Main Issues

3. The main issue is the effect of the development on the living conditions of occupants at 80 Lutterworth Road (No 80) by way of visual impact and outlook.

Reasons

4. Planning permission[1] was granted by the Council for a single storey, flat roof extension, to the rear of the appeal property. The development completed on the site does not fully accord with the approved plans. The main difference is the increased height, which is created by the addition of a stepped parapet wall along each of the side elevations. The Council state that this increases the height of the side walls by between 0.2m and 0.4m. The appellant states the height increase is 0.25m. I have been provided with a set of plans for both the approved and the constructed development, which confirm the height increase is approximately 0.4m at its highest point.

5. I have viewed the extension from the gardens and from ground and first floor windows of both 78 and 80 Lutterworth Road.

6. The parapet walls, at their highest point, exceed the level of the flat roof by 4 bricks and a coping stone with the lowest point being 2 bricks and a coping stone above the level of the roof.

[1] Reference N/2016/1078

7. The overall increase in the height and mass of the brick work, above that of the approved scheme, does result in a visually overbearing and over dominant structure. Under the approved scheme, the brickwork on the side elevations and elevation A, would have been no greater than that which exists on the rear elevation. Whilst there would have been one or two courses of brickwork visible above the height of the boundary fence, the remaining height would have comprised a fascia board that would break up the massing of the brick wall. Although the overall height is similar, the approved scheme would have appeared far less dominant from adjacent dwellings and their gardens than the development that is before me to consider.

8. I can see that there are some benefits to the parapet walls, which would prevent surface water from being able to run-off the sides of the extension into neighbouring properties without the need for guttering, that may overhang the boundaries. I am also mindful of the appellant's need for the approved extension; however, there is no justification for the increased height that has been added.

9. Given the small rear gardens and the proximity of the extension to the site boundaries and to the windows of adjacent properties, I find that the increase in height is overbearing and does have a greater adverse impact on the outlook of neighbouring occupants than the previously approved scheme would have done. However, the increase in height does not in my view result in any significantly greater loss of light to No 80 than would have resulted from the originally approved extension.

10. I conclude that the development has an unacceptable effect on the living conditions of the occupants at No 80 by way of visual impact and outlook. It is therefore contrary to saved Policies E20 and H18 of the Northampton Local Plan (1997), which seek to ensure the design of any new extension, adequately reflects the scale of its surroundings and has no adverse effects upon the residents of adjoining properties.

11. It does also not comply with the related guidance in the Council's Residential Extensions and Alterations Design Guide Supplementary Planning Document (2011), which seeks to ensure that the proposed works do not adversely affect the amenity of occupiers of adjoining and surrounding properties, including with regard to outlook. Nor does it accord with the National Planning Policy Framework where it concerns a high standard of amenity for existing and future users.

Conclusion

12. For the reasons set out above I conclude that the appeal should be dismissed.

Rachael Bartlett

INSPECTOR