



Appeal Decision

Site visit made on 9 November 2020

by D Szymanski BSc (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 24th November 2020

Appeal Ref: APP/Z2830/D/20/3257993

68 High View, Deanshanger MK19 6LN

- 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 & Mrs Kaur against the decision of South Northamptonshire Council.
 - The application Ref S/2020/0636/FUL, dated 20 April 2020, was refused by notice dated 11 June 2020.
 - The development proposed is two storey side extension and rear extension to replace conservatory.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. Since planning permission was refused the South Northamptonshire Part 2 Local Plan (2020) (the SNLP2) has been adopted. The policies supersede those in the South Northamptonshire Local Plan (SNLP) which were set out in the reasons for refusal. I have had regard to the newly adopted policies in my decision and the parties have had an opportunity to comment upon these.
3. The Council submitted a letter commenting upon properties referred to in the appellant's statement. The householder appeals procedure does not allow the Local Planning Authority an opportunity to comment upon the appellant's grounds of appeal. Therefore, I have disregarded those comments.
4. The appellant disputes the view of the Council that some side windows of No 66 serve a habitable room. Whilst the views are noted, there is not substantive evidence provided to demonstrate the Council is incorrect. Therefore, I have assessed the proposal on the basis the windows serve a habitable room.

Main Issues

5. The main issues are:
 - the effect of the proposed development upon the character and appearance of the area;
 - the effect of the proposed development upon the living conditions of the occupiers of No 66 High View with particular reference to sunlight and daylight; and,

- whether the proposed development would make adequate provision for off-road parking.

Reasons

Character and appearance

6. The appeal site dwelling comprises a two storey detached dwelling under a shallow gable roof, set within a street scene of similar style detached and semi-detached properties. The similar gable roofs of properties separated by generous gaps results in a relatively spacious and rhythmic character and appearance to this part of High View.
7. The new cross gable two storey extension would extend level with the front of an existing single storey front projection. This is significantly further forward than the first floor and roof, and of a width almost to the boundary of the neighbouring No 66. This would considerably increase the scale, bulk and mass of the property when viewed from the street scene. Due to its combined depth, height, scale and proximity to the front boundary it would appear as a somewhat imposing, bulky and dominant form of development, that would not be subservient to the host dwelling. The height, shape and forward projection of the front cross gable would create a significantly discordant and dominant feature that is out of keeping with and harmful to the character and appearance the street scene of similar gable roof dwellings.
8. The collective increased bulk, two storey depth and proximity to the boundaries would result in the dwelling appearing cramped in its plot, giving an appearance of overdevelopment. This would be at odds with the plot ratios and the generally spacious character of this part of High View when viewed from the street scene. Whilst the proposal would not directly result in a terrace, as a gap would remain with the neighbouring No 66, this would not mitigate the other harm I have found.
9. For the reasons set out above the development would be out of keeping with and harmful to the character and appearance of the area. Therefore, it would conflict with Policy SDP1 of the SNLP2. This requires development should incorporate a design which maintains or enhances the character and appearance of the building, street scene and surroundings. The development would also result in some conflict with the advice in chapter 4.8 of the South Northamptonshire Design Guide (2017) (the SNDG). Amongst other things this advises development should seek to respect the character and composition of the host building, should integrate a setback, and the ridge line of the extension should be subservient to the main building.

Living conditions

10. No 66 has side (north west) facing windows and a glazed door which would face onto the two storey extension through obscure glazing. Due to the direction and the orientation of the side facing windows in relation to the existing appeal site gable wall and garage, there is already some constraint to sunlight reaching those windows. However, the combined closer proximity and significantly increased depth of the two storey element of the proposal would be likely to result in material reduction in sunlight and overall daylight to the windows. This would be likely to result in harmful living conditions to the

occupiers of No 66 as a consequence of reduced sunlight and daylight to a habitable room.

11. The rear garden of No 66 appears to have a relatively open north east – south east outlook providing a good level of daylight and sunlight. This would be largely unaffected by the proposal. The size of the existing and proposed gap between Nos 66 and 68 means the amount of sunlight and daylight affected would be small, and not likely to have an unacceptable effect on daylight and sunlight to the rear garden. However, this does not mitigate the other harm I have found.
12. For the reasons set out above, the development would be likely to result in harmful living conditions to the occupiers of No 66 as a consequence of reduced sunlight and daylight to a habitable room. Therefore, it would conflict with Policy SDP1 of the SNLP2 which requires development does not have an unacceptable impact on the amenities of neighbouring occupiers. It would also conflict with the advice in chapter 4.7 of the SNDG which advises care must be taken to ensure adjoining residential properties do not suffer an unacceptably harmful loss of sunlight and daylight. Even if I were to have assumed the rooms were non-habitable, compliance with the policies and advice would attract neutral weight and would not weigh in favour of the scheme.

Parking provision

13. The Council concluded the development would not have an adverse effect upon highway safety. Based upon the evidence before me and observations of highway conditions and availability of on-street parking at my visit, I see no reason to disagree. However, the development would result in the loss of a garage and some hard surfaced space along the side of the dwelling. The plans indicate provision for three parking spaces. However, the spaces annotated appear substandard in size, and would only be likely to allow room for one or two standard size spaces in accordance with the Parking Standards and Design Supplementary Planning Document (2018) (the SPD) within the appeal site.
14. Section 3.2 of the SPD confirms the standard of three spaces (in section 10) is for new dwellings. Based upon the evidence before me the development involves the substantial demolition of, and not the conversion of a garage, so 3.10 would not be applicable. At 3.11 the SPD advises extensions which increase the number of bedrooms should, where practicable, provide additional parking within the plot where it is likely to materially increase parking demand.
15. Whilst a further bedroom might increase parking demand, the evidence before me suggests there is little remaining space available within the appeal site to provide further spaces, therefore this would not be practicable. Therefore, for this reason, I do not find conflict with Policy SDP1 of the SNLP2, which states residential extensions will normally be permitted provided they provide adequate parking in-line with the SPD. The wording of 3.11 of the SPD is already set out above. However, this does not outweigh the other harm I have found.

Other Matters

16. A neighbour has expressed a concern in respect of a sense of enclosure and the Council's delegated report refers to some loss of outlook. However, this was not specifically referenced in the Council's reason for refusal. As I am

dismissing the appeal for other reasons, I have not investigated this matter further. This is because compliance with policies in respect of this matter would be a neutral effect attracting neutral weight.

17. I have been provided with house numbers of properties nearby that have been the subject of extensions, although the details of the circumstances that lead to the proposals being constructed are not before me. Therefore, a direct and fully reasoned comparison is not possible. However, at my visit Nos 33, 61, 74, 76 and 78 High View differed significantly from the appeal proposal as they have a set down from the eaves and ridge, are not forward of the first floor or roof line, and do not integrate a cross gable projecting above the front roof slope. At my visit No 27 only benefitted from a small side projection and rear extension and no other plans have been provided to me.
18. Nos 108 and 110 appear to integrate cross-gable extensions, but these are to the rear of the properties. The extensions are visible but are in a different part of High View which does not exhibit the same consistency of character and appearance and dwelling alignment as the street scene around the appeal site. The extensions are also set in from the side boundaries on wide corner plots, so the relationship with the street scene is significantly different to this appeal scheme. Therefore, none of the examples I viewed present a direct comparison with the appeal proposal, which I have considered on its own merits.
19. I note the appellant's suggestion that the Council did not allow an opportunity to amend the submitted scheme. However, in determining the appeal, I have only had regard to the planning merits of the case, based upon scheme the Council made its decision upon, and which interested parties were consulted upon.

Conclusion

20. I have not found a conflict with the development plan or SPD in respect of parking provision. However, the development would be significantly harmful to the character and appearance of the area and would be likely to result in harmful living conditions for neighbouring occupiers. There are no considerations advanced that outweigh these findings. Accordingly, for the reasons set out above, the appeal should not succeed.

Dan Szymanski

INSPECTOR