



Appeal Decision

Site visit made on 9 March 2022

by **I Radcliffe BSc(Hons) MRTPI MCIEH DMS**

an Inspector appointed by the Secretary of State

Decision date: 24th March 2022

Appeal Ref: APP/W2845/D/21/3283768

117 High Street, Brackley, Northamptonshire NN13 7BN

- 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 D Berlouis against the decision of West Northamptonshire Council.
 - The application Ref WNS/2021/0090/FUL, dated 15 March 2021, was refused by notice dated 7 July 2021.
 - The development proposed is a single storey rear extension, sedum room with associated internal and external works.
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Decision

1. The appeal is allowed and planning permission is granted for a single storey rear extension, sedum room with associated internal and external works at 117 High Street, Brackley, Northamptonshire NN13 7BN in accordance with the terms of the application, Ref WNS/2021/0090/FUL, dated 15 March 2021, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Location, Block and Site Plan (drawing no. P/21/042/001), Existing Plans (drawing no. P/21/042/004), Proposed Plans (drawing no. P/21/042/005) as received by the Planning Authority on 17.03.2021.
 - 3) The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those used in the existing building.

Procedural matter

2. The description of development in the heading above has been taken from the planning application form. However, in Part E of the appeal form it is stated that the description of development has not changed but, nevertheless, a different wording has been entered. Neither of the main parties has provided written confirmation that a revised description of development has been agreed. Accordingly, I have used the one given on the original application.

Main Issue

3. The main issue in this appeal is the effect of the proposed development on the living conditions of the occupiers of 121 High Street with regard to natural light and outlook.

Reasons

4. The appeal property is a three storey, end terrace house. In keeping with other neighbouring terraced houses it has a back addition to the rear which in relation to this property is a single storey. This addition extends along the side boundary with a private alley which separates the appeal property from the terraced house at No 121.
5. The rear of the appeal property is in a slightly elevated position in relation to the rear of No 121. The proposed development would extend the existing single storey rear element approximately 4.5m to the rear at a slightly lower height than the existing back addition.
6. At ground floor level to the rear of No 121 there are no windows to main habitable rooms. Moreover, the paved area immediately adjacent to the rear of this dwelling, in comparison to the larger patio within its rear garden, is of low amenity value due to its small size, open nature and enclosure by a shared path that gives access to the rear of adjacent houses. The bedroom windows within the rear elevation at first floor are above the height of the proposed extension. As a result, the proposed rear extension would not materially harm the outlook from No 121.
7. No 117 is located on the southern side of No 121. The potential therefore exists for development at the appeal address to adversely affect levels of natural light at No 121. At appeal stage the appellant submitted a daylight and sunlight report carried out in accordance with relevant guidance¹ to assess this issue. It found that in terms of levels of daylight and sunlight the proposed development would exceed the standards contained within this guidance. This assessment has not been challenged by the Council. Having viewed the appeal site, and having assessed the scale and position of the proposed extension and the separation introduced by the alley, I have no reason to doubt the findings of the submitted report and that levels of daylight and sunlight at No 121, both internally within primary living areas and externally, would remain acceptable.
8. Taking all these matters into account, I therefore conclude that the proposed development would not cause material harm to the living conditions of the occupiers of No 117 with regard to outlook, daylight levels or sunlight levels. The proposed development would therefore comply with policies SS2(f) and SDP1(b) of the South Northamptonshire Part 2 Local Plan and chapter 4.7 of the South Northants Design Guide which seek to prevent unacceptable harm to living conditions.

Other matters

9. The appeal property is located within the Brackley Town Centre Conservation Area. Located to the rear of No 117 it would not be visible in public views and only its blank flank wall along the side boundary would be visible to those using the alley serving the rear of houses to the north. The proposed extension would be subservient to the existing building and sympathetic in appearance and design. Subject to the control that can be exerted through a condition requiring that matching external materials are used, the proposed development would therefore preserve the character and appearance of the conservation area.

Conclusion

¹ Building Research Establishment Report 'Site Layout Planning for Daylight and Sunlight – A Guide to Good Practice' 2nd Edition 2011

10. For the reasons given above I therefore conclude that the appeal should be allowed. For the avoidance of doubt, and in the interests of proper planning, development needs to be carried out in accordance with the approved plans. To harmonise with No 117, the materials used in the extension need to match the existing building. I have required these matters by condition.

Ian Radcliffe

Inspector