



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/Z2830/D/21/3280179

53 Willow View, Kislingbury, Northampton NN7 4AU

- 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 G Cooke against the decision of West Northamptonshire Council.
 - The application Ref WNS/2021/0560/FUL, dated 6 May 2021, was refused by notice dated 30 June 2021.
 - The development proposed is an extension to the side of the property including a replacement garage and new porch to front.
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Decision

1. The appeal is allowed and planning permission is granted for an extension to the side of the property including a replacement garage and new porch to front at 53 Willow View, Kislingbury, Northampton NN7 4AU in accordance with the terms of the application, Ref WNS/2021/0560/FUL, dated 6 May 2021, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Location plans (Drawing No. 1A), Existing Plans (Drawing No. 2A), Proposed plans (Drawing No. 3B)
 - 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.
 - 4) The roof lights in the rear roof slope of the development hereby permitted shall be obscure glazed, using manufactured obscure glass, (not an applied adhesive film) before the extension is first occupied and shall be permanently retained as such thereafter. They shall also be non-opening, unless those parts which can be opened are more than 1.7m above the floor of the room in which it is installed, and the roof lights shall be permanently retained as such thereafter.

Main Issues

2. The main issues in this appeal are:
 - the effect of the proposed development on the living conditions of the occupiers of 51 Willow View with regard to natural light, outlook and privacy; and,
 - the effect of the proposed development on the character and appearance of the area.

Reasons

Living conditions

3. The appeal property is a semi-detached, gable ended bungalow on a triangular corner plot that narrows to the rear. As a result of its corner position, the rear elevation of the dwelling faces the rear garden of No 51. The proposed side extension and replacement garage between them would extend built development along the rest of the side of the rear garden of No 51 and part of the side of its bungalow. However, only a kitchen window, which is not a main habitable room, would provide views of the side extension from inside No 51. Moreover, in views from the kitchen, rear garden and small patio to the side of the bungalow, as the side extension would be set down and back slightly from the existing dwelling at No 53, and the attached garage would be lower in height still, they would not result in an overbearing outlook from No 51.
4. Whilst the extension may overshadow the side of No 51 briefly during mid-morning, as this would occur during the colder months of the year when the sun is low in the sky and the patio is unlikely to be in use, acceptable levels of sunlight would continue to be experienced at No 51. The limited height of the side extension and garage would mean that acceptable levels of daylight would also continue to be enjoyed.
5. In relation to privacy, although the plans of the existing bungalow show a plain roof, dormers have been added to the front and rear of the dwelling under an extant permission. The proposed development would add rooflights within the proposed side extension to the glazing already facing No 51. However, subject to a suitably worded condition requiring that the rooflights are obscurely glazed and non-openable, unless above a certain height, no loss of privacy would occur as a result of the proposal.
6. For all of these reasons, I therefore conclude that the proposed development would not materially harm the living conditions of the occupiers of No 51 with regard to natural light, outlook or privacy. As a result, it would comply with policies SDP1(b) and SS2(f) of the South Northamptonshire Part 2 Local Plan ('Local Plan') and chapter 4.7 of the South Northants Design Guide which seek to prevent unacceptable harm to living conditions.

Character and appearance

7. On the same side of the road as the appeal property the street scene is characterised by the regular rhythm of semi-detached bungalows with open or enclosed porches that terminate at or below eaves level. The proposed porch would extend above eaves level and encroach upon the roof pitch. In so doing it would dominate the bungalow and detract from the horizontal emphasis of its design, harming the character and appearance of the dwelling and street.
8. At appeal stage a revised plan was submitted (Drawing No. 3B) which reduced the height of the porch so that it would be level with the eaves of the dwelling. This amendment would ensure that the porch complements the bungalow and its design. Although larger than neighbouring porches it would not be so much larger as to be harmfully at odds with the street scene. For these reasons, I therefore conclude that the proposed development would be in keeping with the character and appearance of the area in compliance with policies SDP1(a) and SS2(b) of the

Local Plan. These policies require the protection of the character and appearance of a locality through high quality design that respects local design features.

Conclusion

9. 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 53, the materials used in the extension need to match the existing building. To protect the occupiers of No 51 from overlooking, the rooflights in the rear roof slope of the side extension need to be obscurely glazed. I have required these matters by condition.

Ian Radcliffe

Inspector