



Appeal Decision

Site visit made on 13 June 2022

by Julie Dale Clark BA (Hons) DipTP MCD DMS MRTPI

an Inspector appointed by the Secretary of State

Decision date: 1 July 2022

Appeal Ref: APP/M2840/D/22/3296696
5 North Street, Mears Ashby NN6 0DW

- 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 Ms Walton against the decision of North Northamptonshire Council.
 - The application Ref NW/22/00003/FUL, dated 4 January 2022, was refused by notice dated 4 February 2022.
 - The development proposed is proposed annexe.
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Decision

1. The appeal is dismissed.

Main Issues

2. I consider that the main issues are the effect of the proposed annexe on (1) the character and appearance of the area; and (2) the living conditions of the occupiers of Nos 1 and 3 North Street.

Reasons

Character and Appearance

3. The appeal site is a semi-detached house located close to a bend in the road. It has a detached garage to the side and the proposed annexe would be added to the end of this. The rear garden including the area behind the garage is not visible from the road although should the garage be extended as proposed the annexe would be partly visible. The rear garden of Nos 1 and 3 North Street back onto the side boundary of No 5 and so the proposal would be visible from these properties. No 4 Nursery Court adjoins the rear garden of the appeal site, so the extension would be visible from this property also.
4. Core Strategy¹ Policy 8 sets out design principles for new development and subsections d) i. and ii. indicate that development should create a distinctive local character by responding to the site's immediate and wider context and local character and respond positively to the overall form and character of the landscape setting of the settlement, amongst other things. This is reflected in

¹ North Northamptonshire Joint Core Strategy 2011-2031, Adopted July 2016.

the National Planning Policy Framework². The Council's SPG provides guidance for good design for residential extensions³.

5. The existing garage is flat roofed with parapet walls to its sides. The annexe would have a flat roof. Other than the garage, boundary walls demark the rear and side boundaries of No 5 with its neighbours. There was no wall and fence between the garden of Nos 5 and 7 at the time of my site visit. I consider that the loss of part of the garden for the annexe would leave sufficient amenity space for this property and although it would result in a substantial building along most of the side boundary, it would not be of a scale or prominence that would have an adverse impact on the existing house nor the character or appearance of the wider area.
6. I note that the SPG generally discourages the formation of granny annexes as a detached outbuilding. This proposal is not described specifically as a 'granny' annexe but it is described as an annexe and it would provide a living area, a bathroom and a bedroom. The proposal would generally fall within this general definition. However, the council has not refused the proposal for this reason although it suggests that should the proposal be acceptable a condition would be required to limit its accommodation as being ancillary to the occupation of No 5. I agree with this as the site is insufficient to accommodate a separate dwelling.
7. Therefore, although the proposed annexe when added to the existing garage would create a fairly large outbuilding, its location would minimise its effect on the wider area. Also, provided it was ancillary to the main house, I do not consider that it would unduly harm the existing house or the general character or appearance of the area so as to conflict with the Framework, policies or SPD referred to above.

Living Conditions

8. The rear gardens of Nos 1 and 3 North Street adjoin the side boundary of No 5 and so the outlook from these properties is currently that of the garden wall and the wall to the garage. The proposal would extend the garage for most of the length of this boundary although the parapet wall to the garage would be removed and the ground level at No 5 would be reduced to accommodate the extension at about the same height as the garage. A previous application is referred to and comparisons are made between this and the earlier application which was approved. However, no plans have been submitted regarding the approved development and therefore I have limited information about it. I have therefore based my assessment on the proposal before me only.
9. Core Strategy Policy 8 subsection e) i. seeks to protect the amenity of neighbouring properties, amongst other things. The SPG also provides general advice regarding consideration to the occupiers of neighbouring properties regarding outlook.
10. In terms of the occupiers of No 4 Nursery Court, only the narrower end wall of the annexe would be closest to its boundary and given the distance between this property and the proposal and the width of No 4's garden, I consider that

² Ministry of Housing, Communities and Local Government National Planning Policy Framework 2021 (the Framework).

³ Borough Council of Wellingborough Residential Extensions A Guide to Good Design Supplementary Planning Guidance II, October 2002, Adopted 30 October 2002 (SPG).

the annexe would not have a unduly harmful effect on the outlook of the occupiers of No 4.

11. The proposal would result in a long linear development along the boundaries of Nos 1 and 3 and given that they have relatively modest sized gardens with rear windows to both houses facing No 5, the extension would appear quite prominent and visually intrusive. The outlook from No 1 especially would be affected as the development would extend across most of its rear boundary with No 5 and so appear quite overbearing. Although the proposal would be single storey, the length of the proposal would mean that it would have a harmful effect on the living conditions of the occupiers of neighbouring properties contrary to Policy 8 and the SPG.

Conclusion

12. I have found that the proposal would not have a harmful effect on the character or appearance of the area but I have found that the living conditions of the occupiers of Nos 1 and 3 North Street would be harmed, in particular in terms of their outlook given the proximity of the proposed annexe. I have taken all other matters raised into consideration but none alter my conclusion.
13. I conclude that the proposal would have a harmful effect on the living conditions of the occupiers of Nos 1 and 3 North Street in conflict with the Policy 8 referred to above and the SPG. The appeal therefore fails.

J D Clark

INSPECTOR