



Appeal Decision

Site visit made on 14 June 2022

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

an Inspector appointed by the Secretary of State

Decision date: 5 July 2022

Appeal Ref: APP/W2845/D/22/3294515

29 Martins Lane, Northampton NN4 6DN

- 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 Miss Charlotte Estall against the decision of West Northamptonshire Council.
 - The application Ref WNN/2021/1063, dated 18 November 2021, was refused by notice dated 20 January 2022.
 - The development proposed is two storey front extension and two storey side extension over existing garage.
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Decision

1. The appeal is allowed and planning permission is granted for a two storey front extension and two storey side extension over existing garage at 29 Martins Lane, Northampton NN4 6DN in accordance with the terms of the application, Ref WNN/2021/1063, dated 18 November 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 materials to be used in the construction of the external surfaces of the development shall be in accordance with the materials set out in the application form, dated 18 November 2021.
 - 3) The development hereby permitted shall be carried out in accordance with the following approved plans: -
 - *Drawing Nos: (00)01; (00)02; and (00)03.*

Procedural Matter

2. The decision notice refers to a list of plans but it seems that some of these relate to a previous application¹. The following Drawing Nos are applicable to this proposal: - Drawing Nos (00)01; (00)02 and (00)03. Drawing Nos 001; 002; 003; 004; and 005 have also been submitted. Drawing No 002 comprises a location plan, existing floor plans and a image of the existing house. Other than the image, this contains the same plans as on Drawing No (00)01 and so I have not referred to it in condition 3 above. Also Drawing no 004 illustrates the existing elevations which are also shown on Drawing No (00)01. Drawing Nos 001; 003; and 005 relate to a previous approval.

¹ Planning Application Ref; N/2021/0374.

Main Issues

3. I consider that the main issue are the effect of the extensions on: -
- the character and appearance of the area; and
 - the living conditions of the occupiers of Nos 2 and 4 Ansell Way.

Reasons

Character and Appearance

4. The appeal site is a detached house in a residential area comprising a mix of different house designs, probably dating from around the 1960's. The existing house is fairly bland and lacks any particular architectural merit. The proposal would totally alter the appearance of the house by remodelling its interior and erecting extensions to the front and side; the side extension involves extending behind the garage as well as above it so the description is a bit misleading. I note that a previous planning application has been approved to alter and extend the house but that differs in scale and design to that proposed here².
5. Core Strategy³ Policy S10 seeks to achieve the highest level of sustainable design, amongst other things. Local Plan⁴ Policy E20 requires the design of any new building or extension to adequately reflect the character of its surroundings in terms of layout, siting, form, scale and use of appropriate materials. Policy H18 also requires extensions to be acceptable in terms of design and appearance and to be in keeping with the appearance and character of the original dwelling. The Council SPD⁵ for residential extensions provides further guidance in terms of design and the character of an area.
6. The house is set back from the road and sits within a linear row of houses. The proposal would alter the design of the house and although it would not be in accordance with Policy H18 in terms of reflecting the design of the original house, in this case I do not consider that this weighs against the proposal. The existing house holds little of interest architecturally whilst the proposal would retain the general two-storey scale and its position in the street, its design would create a far more interesting property.
7. Whilst the proposal would create a dwelling that was different in its details to those in the area, it would not be of a scale or appearance that would be unacceptable. I consider that it would add interest and represent a considerable improvement to the appearance of the existing house. I do not therefore consider that it would conflict with policies S10 or E20 and no harm to the character or appearance of the area would arise.

Living Conditions

8. In addition to the requirements of policies E20 and H18 above, E20 also requires development to be designed so that it ensures adequate standards of privacy, daylight and sunlight and H18 requires extensions to take into account

² Planning Application Ref: N/2021/0374.

³ West Northamptonshire Joint Core Strategy Local Plan (Part 1), Adopted – December 2014.

⁴ Northampton Borough Council Northampton Local Plan 1993-2006, Adopted June 1997 Written Statement. Indicating Saved Policies.

⁵ Northamptonshire Borough Council Residential Extensions and Alterations Design Guide Supplementary Planning Document, Adopted December 2011 (SPD).

the effect on adjoining properties. The SPD also provides advice regarding the impact on neighbouring properties and separation distances.

9. Nos 2 and 4 Ansell Way are located to the rear of the appeal site and so the proposed extension and alterations at the front of No 29 Martins Lane would not affect them. The side extension would introduce additional windows that would face Nos 2 and 4. However, the outlook from both properties is at an angle with that of No 2 being more acute but No 4 being more direct due to their orientation in relation to No 29 Martins Lane. Whilst these properties have modest sized rear gardens there would be no more overlooking than appears already from No 29.
10. The decision notice refers only to the amenities of the neighbouring properties but does not indicate what amenities it is specifically referring to although the Council's Delegated Report refers to overlooking and loss of privacy. The Juliet balcony at first floor level is referred to as exacerbating this. Whilst I appreciate that there can be a greater perception of overlooking from a Juliet balcony than from a standard window, due to the angles and the existing relationship between the appeal site and its neighbours, I do not consider that the effect would be unduly harmful.
11. I note that concerns have been expressed by the occupiers of the neighbouring property, No 27 Martins Lane. The proposal would introduce a two storey extension close to the boundary and whilst it would extend for a considerable length, it would not project further out to the rear to such a degree as to cause unacceptable harm.

Other Matters

12. I have also considered the National Planning Policy Framework⁶ as well as the emerging Local Plan⁷. The Council indicate that the latter has been before its Full Council (18 January 2021) and submitted to the Secretary of State for examination. No further update has been provided and I consider that I am able to determine the appeal on the basis of the approved development plan documents. No matters have been raised which would contradict this.

Conditions

13. I have considered the Conditions suggested by the Council in the light of the Planning Practice Guidance⁸. The Council has suggested that the materials of construction should match the existing house but the house is built in brick and the application forms indicate the uses of render and cedar cladding. The proposal would involve the extensive refurbishment and extension of the existing property and it seems that it is intended that the modern design would incorporate different materials than the existing house. Given that these are set out on the application form and the previous approval referred to above required the materials to be in accordance with those set out in that application form, a condition worded in a similar manner seems appropriate here. From the information submitted with the appeal documents, I have no reason to believe that the materials themselves would be unacceptable and so such a condition would not be unreasonable. It is also necessary that the development

⁶ Ministry of Housing, Communities and Local Government National Planning Policy Framework, 2021 (the Framework).

⁷ Northampton Borough Council Northampton Local Plan Part 2 2011 – 2029 Submission Version December 2020.

⁸ Planning Practice Guidance, Published 6 March 2014. Updated 23 July 2019.

is carried out in accordance with the approved plans and so for the avoidance of doubt and in the interests of proper planning, I shall impose a condition accordingly.

Conclusion

14. I have found that the proposal would not conflict with the Council's policies in terms of the impact of the proposed extensions on either the character or appearance of the area or the living conditions of the occupiers of the neighbouring properties.
15. I have considered all other matters raised but none alter my conclusion. I conclude that the proposed extensions would not have a harmful effect on the character or appearance of the area or on the living conditions of the occupiers of Nos 2 and 4 Ansell Way. It would not conflict with policies S10, E20 or H18, the Framework or the SPD. The appeal therefore succeeds.

J D Clark

INSPECTOR