



Appeal Decision

Site visit made on 10 February 2023

by R Jones BA(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 7th March 2023

Appeal Ref: APP/M2840/D/22/3306967

31 Hamsterly Park, Northampton NN3 5DA

- 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 Matthew Lewis against the decision of West Northamptonshire Council.
 - The application Ref WNN/2022/0638, dated 31 May 2022, was refused by notice dated 22 August 2022.
 - The development proposed is single storey extension.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposed development on the living conditions of neighbouring occupiers at No.32 Hamsterly Park, with particular regard to outlook and sense of enclosure.

Reasons

3. No.31 Hamsterly Park (No.31) is a two-storey mid terrace house located on the west side of Hamsterly Park, a residential cul-de-sac. It is proposed to construct a ground floor rear extension to No.31 with a depth of around 6.2m, which would be at least half the length of the rear garden (at its shortest point). There is an existing concrete and close boarded timber fence along the shared boundary with the adjoining neighbour at No.32 Hamsterly Park (No.32) and the extension would project right up to that boundary and would be more than half the width of the host house.
4. The Council's *Residential Extension and Alterations Design Guide Supplementary Planning Document* (2011) explains that one of the most common problems with rear extensions is the affect that they can have on the amenity of neighbouring properties, and that overly large extensions can cause a loss of outlook or overbearing impact to neighbouring properties.
5. The building line of No.31 and its adjoining neighbours at Nos.30 and 32 Hamsterly Park is staggered such that the rear elevation of No.31 is set further back than the closest part of the rear elevation of No.32. I observed on my site visit that No.32 is arranged with an open plan living and dining area to the back of the house with a window to the living area directly facing the boundary with No.31. There are patio doors from the dining area giving access to the

garden and a small patio courtyard formed by the staggered building line and No.32's own extension. The proximity of the proposed extension to the boundary shared with No.32, in combination with the depth of the projection, means it would appear very prominent. It would present an intrusive outlook from the courtyard but also from the patio doors to the dining room, which forms part of the main living space of the house.

6. Although dimensions have not been provided, the height of the extension would be well above the existing boundary fence which is at least 2m in height, and above the top sills of the ground floor windows. Because of this height, the proposed extension would present a large and unrelieved brick elevation toward No.32, that would extend along a large part of the common boundary, giving it considerable presence and creating an uncomfortable sense of enclosure.
7. I therefore conclude that the proposed extension would cause significant harm to the living conditions of neighbouring occupiers at No.32 Hamsterly Park. As a consequence, the proposal conflicts with Policy S10 of the West Northamptonshire Joint Core Strategy Local Plan (Part 1) (2014) and saved policies H18 and E20 of the Northampton Local Plan (1997) which together seek to ensure that development is of the highest standard of design and does not have a detrimental effect on adjoining properties. It would further conflict with the guidance in the SPD and paragraph 130 of the National Planning Policy Framework which requires developments to provide a high standard of amenity for existing and future occupiers.

Other Matters

8. I have given consideration to, and have sympathy for, the personal circumstances of the appellant and the need for additional ground floor accommodation. The appellant has suggested that a suitable compromise for them could be a reduction in the depth of the extension by around 2m, but it is only open for me to consider the proposals that were subject to the Council's decision on the householder application. On the basis of the information before me, there may be an alternative solution for the appellant and I do not, therefore, find that the personal circumstances outweigh the significant harm that I have found to the living condition of the neighbours.

Conclusions

9. For the reasons given above, I conclude that the appeal should be dismissed.

R Jones

INSPECTOR