

Appeal Decision

Site visit made on 5 May 2023

by R C Shrimplin MA(Cantab) DipArch RIBA FRTPI FCI Arb MCIL

an Inspector appointed by the Secretary of State

Decision date: 23 June 2023

Appeal Reference: APP/W2845/D/23/3316661
Land at 16 Homestead Way, Northampton NN2 6JG

- 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. M. Rahman against the decision of West Northamptonshire Council.
 - The application (reference WNN/2022/1183, dated 22 October 2022) was refused by notice dated 19 December 2022.
 - The development proposed is described in the application form as a “two storey rear and single storey side/rear extension with front porch”.
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Decision

1. The appeal is allowed and planning permission is granted for a two storey rear and single storey side/rear extension with front porch, at 16 Homestead Way, Northampton NN2 6JG, in accordance with the terms of the application (reference WNN/2022/1183, dated 22 October 2022), subject to the conditions set out in the attached Schedule of Conditions.

Main issues

2. The first main issue to be determined in this appeal is the effect of the proposed development on the character and appearance of the host building and its surroundings. The second is the effect of the proposed development on the residential amenities of neighbours (whether unacceptable harm would be caused by overbearing appearance or intrusion on privacy).

Reasons

3. The appeal site is located in a northern suburb of Northampton, in a predominantly residential area. Development in the area of the appeal site appears to date from the latter part of the twentieth century, with conventional houses in a relatively closely built-up environment. Some houses are set back from the road far enough to provide off-street parking spaces but others do not have their own private spaces. Back gardens vary in depth, though some are quite modest.
4. Number 16 Homestead Way is located close to a junction with a cul-de-sac that is also identified as part of Homestead Way, numbered consecutively (even numbers) along the north side of the road. It has space for car parking at the

front of the property and a single-storey garage (with a pitched roof) attached to the eastern side of the two-storey house. It has a small back garden, however, even by comparison with nearby houses. The house itself is constructed of brickwork, with a gabled, tiled roof, and is a four bedroom dwelling, although some of the rooms are shown to be rather small.

5. It is now proposed to construct extensions at the rear of the building. Behind the existing house a two-storey extension would be built, with a single-storey extension alongside that and behind the garage. In addition, a new porch would be constructed on the front elevation and the garage would be converted to provide living accommodation as an extension to an existing lounge.
6. The 'National Planning Policy Framework' emphasises the aim of "achieving well designed places" in the broadest sense (notably at Section 12), while making effective use of land and encouraging economic activity. It is aimed at achieving good design standards generally, by adding to the overall quality of the area and being visually attractive and sympathetic to local character and history, although it is also recognised that appropriate change may include increased densities. The achievement of good design includes protecting existing residential amenities and providing good standards of accommodation.
7. Policies in the Development Plan also share these basic principles, including Policy S10 of the 'West Northamptonshire Joint Core Strategy Local Plan (Part 1)' and Saved Policies E20 and H18 of the 'Northampton Local Plan 1993-2006', which also still form part of the Development Plan, notwithstanding the passage of time. Policies 2 and 4 of the emerging 'Northampton Local Plan Part 2 2011-2029' are also material to the appeal. All these Policies underpin the same basic planning principles, of course.
8. The Council's Supplementary Planning Document entitled 'Residential Extensions and Alterations Design Guide' (which was adopted in December 2011) is also relevant but it does not have the force of the statutory Development Plan. It does, however, include a specific criterion of 21 metres to be achieved for the distance between the back elevations of two-storey houses.
9. The two-storey part of the proposed new rear elevation has been designed to incorporate twin gables that would be in harmony with the existing architectural design and would project beyond the rear of the two-storey part of the existing building by 3 metres. The single storey part of the rear extensions would project further into the back garden by a small amount. At the front of the house, the proposed new porch and changes to the existing elevation would have only a very modest visual impact.
10. The proposed changes to the elevations would have only a limited impact on public views. The two-storey flank elevation would be extended, of course, but its effect on the outlook from the rear of properties in the cul-de-sac (at numbers 18 and 20 Homestead Way) would be mitigated by its being inset behind the single-storey side section.
11. The rear elevation would be obviously visible in views from the rear of properties in the cul-de-sac, especially numbers 28 and 30 Homestead Way, but the design of the elevation would not be visually intrusive or unattractive.

On the contrary, the design would be in keeping with the character and appearance of the original house and others in the vicinity.

12. Turning to the privacy issue, it is necessary to consider the effect of the proposed two-storey extension on properties at the rear. It has been submitted by the appellant that the distance between the rear elevations of numbers 16 and 30 Homestead Way would be 21 metres. This assertion is challenged by the Council but no alternative measurement has been put forward in the Officer's Report on the planning application.
13. The back garden at number 16 is certainly overlooked at present, especially by houses to the north and east. Indeed, there is a degree of overlooking between properties generally in this closely built-up urban location. Having visited the site, I have formed my own opinion and have concluded that in the context of these surroundings, and the established layout, the proposed extension would be modest in scale and would not create an undue intrusion on the privacy of neighbours. I have not calculated a specific dimension for the distance that would be achieved between the rear elevations but I have concluded that the two-storey extension would not be unacceptable in its context.
14. It is true that the back garden of number 16 would be further reduced in size and that it is already rather small. Nevertheless, it would be adequate to serve the house in its finished state.
15. Evidently, the appeal site lies within an established urban area, which is "sustainable" in planning terms, and the proposed extensions would be a useful addition to the accommodation at 16 Homestead Way. I have concluded that the project would not be in conflict with the Development Plan and I am persuaded that the scheme before me can properly be permitted, subject to conditions. Although I have considered all the matters that have been raised in the representations, I have found nothing to cause me to alter my decision.
16. I have, however, also considered the need for conditions and, in imposing conditions, I have taken account of the conditions suggested by the Council in the usual way (without prejudice to their main arguments in the appeal), subject to modifications necessary, in my opinion, in the interests of clarity and enforceability.
17. In particular, I have concluded that conditions are necessary to define the planning permission and to ensure that quality is maintained. Conditions are also necessary to prevent overlooking of neighbours from side windows in the finished building.

Roger C. Shrimplin

INSPECTOR

SCHEDULE OF CONDITIONS

1. The development hereby permitted shall be begun before the expiration of three years from the date of this decision.
2. The development hereby permitted shall be carried out in accordance with the following approved drawing:
drawing number A22-21-01a ("Existing and Proposed Plans and Elevations").
3. The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.
4. Prior to first occupation of the extensions that are hereby permitted, all windows above ground floor level in the east and west (side) elevations of the house as hereby permitted, except for that part of any window which is at least 1.7 metres above finished floor level in the room in which the window is installed, shall be glazed in obscured glass and shall also be fixed shut. Details of the type of obscured glazing shall be submitted to and approved in writing by the local planning authority before any such window is installed and once installed the obscured glazing shall be retained thereafter.
5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), no further modifications to these windows shall be made and no windows, doors or openings of any kind shall be inserted in these elevations of the building without the express written approval of the local planning authority.