



Appeal Decision

Site visit made on 22 May 2023

by Martin H Seddon BSc MPhil DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27 June 2023

Appeal Ref: APP/M2840/D/23/3317436

54 Flycatcher Road, Corby, Northamptonshire NN18 8RW

- 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 Christopher Reid against the decision of North Northamptonshire Council.
 - The application Ref: NC/22/00413/DPA, dated 27 September 2022, was refused by notice dated 17 January 2023.
 - The development proposed is to build and erect a summerhouse/garden room in my back garden.
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Decision

1. The appeal is allowed and planning permission is granted for a summerhouse/garden room at 54 Flycatcher Road, Corby, Northamptonshire NN18 8RW in accordance with the terms of the application Ref: NC/22/00413/DPA, dated 27 September 2022, and subject to the following conditions:
 1. The development shall be carried out in accordance with the following submitted drawings: plan and elevations: drawing ref: 100/483/2022, block plan ref: 100/484/2022 and location plan ref: 100/485/2022.
 2. Notwithstanding condition 1. above, within 3 months of the date of this permission details of a scheme for an alternative external finish for the summerhouse/garden room shall be submitted to the local planning authority. Development shall only take place in accordance with the approved details and shall be completed within 3 months of the date of the written approval by the local planning authority.

Preliminary Matter

2. The development had been completed prior to the application to the Council.

Main Issues

3. The main issues in this appeal are the effect of the proposal on the living conditions of occupants in respect of outdoor amenity space, and the effect on the character and appearance of the streetscene.

Reasons

4. 54 Flycatcher Road is a 2 storey detached dwelling located in an area of modern residential development. It is in a corner position where there is a private cul-de-sac serving several properties including 3 storey buildings. The summerhouse/garden room (the building) has been erected in the rear garden of the property. The building measures around 9 m in length and 5 m in width, with a height of approximately 2.6 m (and around 3.3 m where the garden level has been raised).

Living conditions

5. The Council considers that the building causes no overlooking, loss of privacy or loss of daylight/sunlight for other dwellings in the area. I see no reason to disagree because of the lack of windows and its position in relation to neighbouring dwellings.
6. The building occupies the majority of the relatively small rear garden. There is a paved gap of around 2.7 m between the rear of the dwelling and the front of the building. This open area benefits from facing south and allows drying space for washing and the provision of seating. The building itself provides covered amenity space for the dwelling. Although the amount of outdoor amenity space appears cramped it is clearly not considered by the current occupiers as being detrimental to their living conditions. Any future owners of the property would be aware of the situation when purchasing it and would also have the option of demolishing the building and restoring the rear garden space. I find, therefore that the building has no harmful effect on the living conditions of the occupants and would cause no significant harm for any future occupants, in terms of outdoor amenity space, in accordance with policy 8 of the North Northamptonshire Joint Core Strategy. It would also comply with paragraph 130(f) of the National Planning Policy Framework which seeks to ensure a high standard of amenity for existing and future users.

Character and appearance

7. The reason why the building fails to constitute permitted development is its height, because it only has a separation distance of around 1 m from two of its adjacent boundaries. The upper part of the building and its flat roof may be seen from the facing windows of dwellings around the cul-de-sac. From the cul-de-sac the upper part of the building appears prominent and incongruous in the streetscene because of its height, size and colouration. The dark grey cladding sharply contrasts with the colour of the adjacent boundary fencing and walling, and with the pale brown and red brickwork of the surrounding houses.
8. The appellant is willing to accept a condition requiring an alternative external finish to be agreed with the Council, along with a timescale for implementation. I have considered the potential fall-back position in relation to permitted development for an out-building and consider that, in the particular circumstances of this development and its surroundings, that such a condition would be appropriate and sufficient to reduce the visual impact of the building within the streetscene.

9. Subject to such a condition, the building would fail to conflict with policy 8 of the North Northamptonshire Joint Core Strategy which requires development to respond to the site's immediate and wider context and local character.

Conditions

10. A condition is imposed to require an alternative external finish for the building in the interest of the character and appearance of the area.

Conclusion

11. I have taken all other matters raised into account. For the reasons given above, I conclude that the appeal should be allowed subject to conditions.

Martin H Seddon

INSPECTOR