



Appeal Decision

Site visit made on 19 May 2023

by Ian McHugh DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 28 June 2023

Appeal Ref: APP/M2840/D/23/3318359

91 Union Street, Desborough, NN14 2RJ

- 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 S Panter against the decision of North Northamptonshire Council.
 - The application Ref NK/2022/0667, dated 14 October 2022, was refused by notice dated 21 December 2022.
 - The development proposed is a two-storey rear extension and new front window at first floor.
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Decision

1. The appeal is allowed and planning permission is granted for a two-storey rear extension and new front window at first floor at 91 Union Street, Desborough, NN14 2RJ in accordance with the terms of the application, Ref NK/2022/0667, dated 14 October 2022, subject to the following conditions:
 - 1) The development hereby permitted shall begin no later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: location and block plan; existing ground floor plan – 01; existing first floor plan – 02; proposed ground floor plan – 04A; proposed first floor plan – 05A; proposed section – 07A; proposed side elevations – 08A; existing rear and proposed rear elevations – 09A; and existing front and proposed front elevations – 10.
 - 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.

Main Issues

2. The main issues are the effect of the proposal on the character and appearance of the area; and the effect on the living conditions of the occupants of both the appeal dwelling and number 89 Union Street, with particular regard to outlook and natural light.

Reasons

Character and Appearance

3. The appeal property is a terraced dwelling which is situated in a densely built-up area of Desborough. Many of the dwellings in the vicinity of the appeal site

have been altered and extended at the rear, including the two neighbouring dwellings at number 89 and 93 Union Street, which both have relatively large two-storey additions. The appeal site can also be accessed from Lower King Street at the rear.

4. An earlier application to construct a two-storey rear extension and convert the roof space was refused on 1 August 2022 (reference: NK/2022/0375). The current (amended) proposal is to construct a two-storey flat roofed rear extension and insert a new first floor window at the front. The extension would provide a kitchen/dining area on the ground floor and an extended bedroom plus a new bedroom with en-suite at first level. A reconfigured arrangement on the first floor would also involve the creation of a new bathroom. The proposed window at the front would serve the bathroom.
5. The proposed extension would be relatively large in comparison to the dwelling that exists at present and it would be visible from Lower King Street. The Council contends that the proposal would not respond to the existing character of the site and that it would be overly dominant and incongruous. The decision notice states that the site would be overdeveloped. The Council considers that the proposal would conflict with Policy 8 of the adopted North Northamptonshire Core Strategy (CS). This policy requires (amongst other things) development to respond to local character and to the immediate and wider context of the site.
6. Although the extension would be large in relation to the existing dwelling, I consider that it should be viewed in the context of the neighbouring dwellings, both of which have been extended at the rear. These extensions could be regarded as being comparable to the appeal proposal, in terms of their scale and visual impact. Furthermore, the appeal property has a relatively long (albeit narrow) rear garden, much of which would be retained. Consequently, I am not persuaded that the site would be overdeveloped.
7. Accordingly, I conclude that in the context of the locality and the neighbouring properties, the proposal would not have an adverse effect on the character and appearance of the area and that it would not conflict with Policy 8 of the CS, as referred to above.

Living Conditions

8. The Council argues that the proposal would have an adverse impact on the living conditions of the occupants of number 89 Union Street, because of the mass of the extension and its position close to the shared side boundary. Policy 8 of the CS also states that new development should not have an unacceptable impact on neighbouring properties by (amongst other things) loss of light or overlooking. In addition, the Council states that the proposal to extend the existing rear bedroom at the appeal property would result in low levels of natural light reaching the rear part of the room.
9. The proposed extension will have some impact on both a ground floor side window and a first floor bedroom window at number 89. However, such physical relationships are not uncommon in urban areas, particularly involving terraced properties. I also note that the occupants of number 89 have not objected and whilst this is not determinative, it is a material consideration.

10. At my site visit I observed that the ground floor side window at number 89 is not the only window to the room it serves, as there are other south facing glazed openings on the rear elevation of the property. Therefore, in my opinion, the impact on that ground floor space would not be unacceptably harmful.
11. Regarding the first floor bedroom window at number 89, this also faces south and although the proposal may result in some loss of natural light in the early part of the morning, I consider this to be within reasonable limits. Turning to the matter of outlook, I again acknowledge that there would be some impact. However, much the proposed first floor side wall of the extension would be inset from the side boundary and it would be only partially visible from the window at number 89.
12. Regarding the light levels within the proposed extended bedroom at the appeal property, the proposal shows two windows within the extended area (one on the side and one on the rear elevations). Notwithstanding, there would be areas of the bedroom in which natural light levels would be relatively low. However, to a certain extent, this is a matter for the appellant and given that the room would be one of 3 bedrooms in a dwelling where living conditions overall would generally be acceptable, I consider the proposal to be satisfactory.
13. Therefore, for the above reasons, I conclude on this issue that the proposal would not have an unacceptable effect on the living conditions of the occupants of either the appeal property or number 89 Union Street. Accordingly, the proposal would not conflict with Policy 8 of the CS.

Conditions

14. The Council has suggested conditions in the event of the appeal being allowed. I have imposed the standard condition requiring that the development commences within 3 years of the date of this decision. A condition specifying the approved plans is also imposed.
15. To ensure a satisfactory external appearance, a condition requiring the use of matching external materials is also necessary.

Conclusion

16. For the reasons given above, it is concluded that the appeal be allowed.

Ian McHugh

INSPECTOR