
Appeal Decision

Site visit made on 20 July 2023

by Andrew Dale BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 09 August 2023

Appeal Ref. APP/M2840/D/23/3321930
140 Northampton Road, Wellingborough NN8 3PJ

- 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 Colin Jones against the decision of North Northamptonshire Council.
 - The application ref. NW/22/00748/FUL, dated 20 October 2022, was refused by notice dated 9 December 2022.
 - The development proposed is: Demolition of the existing garage and the construction of a new double garage to the rear of the garden. Single storey rear extension.
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Decision

1. The ***appeal is dismissed*** insofar as it relates to the construction of a new double garage to the rear of the garden and planning permission is refused for the construction of a new double garage to the rear of the garden.
2. The ***appeal is allowed*** insofar as it relates to the single storey rear extension and the demolition of the existing garage and planning permission is granted for the single storey rear extension and the demolition of the existing garage at 140 Northampton Road, Wellingborough NN8 3PJ in accordance with the terms of the application ref. NW/22/00748/FUL, dated 20 October 2022, and the plans submitted with it so far as relevant to those parts of the development hereby permitted, and 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 development hereby permitted shall be carried out in accordance with the following approved plans numbered/titled: CJ-P-01 Existing Plans; CJ-P-02 Existing Elevations; CJ-P-03 Proposed Plans; CJ-P-04 Proposed Elevations; CJ-P-06 Proposed 3D Perspective Views; and CJ-P-07 Existing & Proposed Block Plans (only insofar as the latter block plan relates to the single storey rear extension and the demolition of the existing garage).
 - 3) The materials to be used in the construction of the external surfaces of the single storey rear extension hereby permitted shall be as stated on the application form.

Main issues

3. The Council has not raised any objections to the single storey rear extension or to the demolition of the existing garage which would need to take place to facilitate the construction of that extension. I see no reason to disagree with that stance. I therefore consider the main issues to be the effects of the proposed double garage to the rear of the garden upon the character and appearance of the area and the residential amenities of the neighbouring dwellings at 138 and 142 Northampton Road with regard to the potential for any overbearing or oppressive physical impacts.

Reasons

4. The determination of the appeal is to be made in accordance with the development plan unless material considerations indicate otherwise. The development plan includes the North Northamptonshire Joint Core Strategy 2011-2031, July 2016 (JCS). The Place Shaping Principles laid out in Policy 8 of the JCS are consistent with the National Planning Policy Framework's (the Framework) objectives for achieving well-designed places.
5. The appeal property is a semi-detached, 2-storey house dating from the first half of the 20th century. The houses on this side of Northampton Road, including no. 140, are laid out with rear gardens of moderate size and these abut the opposing back gardens of the properties in Western Way to the north-west. The detached double garage would be erected at the end of the rear garden and provide the appellant with a safe and secure store for his vehicles. As I saw on my site visit, these are currently parked on the side yard and in the existing single garage which the appellant says is very cramped and not fit for purpose. The existing garage would be demolished. Grasscrete would be installed to the areas where the new garage needs to be accessed, with the remaining back garden area returning to grass.
6. There is a fairly compact rear garden environment hereabouts. The side and rear walls of the proposed double garage would be positioned very close to 3 site boundaries. It would take up virtually the whole width of the plot and reach a depth of 7.6 m according to the Council's estimation. It would have a shallow pitched roof; even so the Council said this would be 3 m high at the eaves and 3.8 m high at the ridge. It would be a substantial building in terms of its scale, footprint, size, massing, design and height in this site's immediate and wider rear garden context. The roof and the upper parts of its walls would rise well above the boundary structures. The garage building would appear unduly dominant and visually intrusive in private views from the host property and neighbouring properties. It would not be the sort of subservient garden building that one might expect to see at the end of a back garden but rather it would present itself as an imposing addition, the proportions of which would pay little regard to this fairly modest rear garden setting.
7. The Council, not unreasonably in my view, points out that the floor area of the proposed garage would be close to that of the original dwelling. It would far exceed the typical standard size for a double garage in all its dimensions. The footprint of the double garage added to the footprint of the proposed rear ground floor extension would result in only about 37.5% of the depth of the open back garden remaining. Looked at another way, the depth of the double garage would be greater than the depth of the remaining open garden between it and the proposed house extension. Such a dramatic reduction in the open

garden space at the rear would be a step in the wrong direction; the double garage would have a significant adverse effect on the openness of this back garden to the detriment of the local character, appearance and setting of this residential area. The absence of other large detached garages next to the back boundaries of the rear gardens of the surrounding properties that are visible from the appeal site would serve to only emphasize its negative effects.

8. The appellant says that placing the garage at the bottom of the garden would minimize the impact on the neighbours. Even so, given the extent and height of the double garage, its position in relation to the common boundaries and the proximity and orientation of the neighbouring houses and gardens at nos 138 and 142, I consider that the double garage would appear bulky, obtrusive and overbearing in the outlook from the rear windows and, in particular, from the back gardens of those neighbouring properties, where an unwelcome sense of enclosure would be experienced. For these occupiers, the proposed double garage would unacceptably reduce their enjoyment of their properties to the extent that it would be an unneighbourly form of development.
9. There may well be large outbuildings to the rear of some houses in this locality as confirmed in the appellant's aerial screenshot. The dwellings at 115 and 160 Northampton Road are mentioned specifically. I have no planning history or other detailed information about those properties or their rear outbuildings. Each case has to be treated on its own merits as I have sought to do here.
10. Drawing these threads together, I find on the main issues that the proposed double garage to the rear of the garden would harm the character and appearance of the area and the residential amenities of the neighbouring dwellings at 138 and 142 Northampton Road with regard to the potential for overbearing or oppressive physical impacts. As this part of the proposal would not respond to the site's immediate and wider context and local character or to the overall form, character and landscape setting of this part of the settlement and would not protect the amenities of neighbouring properties, there would be conflict with the objectives of JCS Policy 8 d) and e) and the Framework.
11. I have taken account of the absence of local objections. I also give weight to the appellant's requirement for a secure and covered parking and storage facility for his vehicles. However, I have reached the conclusion that there is conflict with the development plan and that there are no material considerations of sufficient weight, whether taken individually or cumulatively, to justify planning permission being granted for the proposed double garage.

Concluding comments

12. The Framework advises that local planning authorities should approach decision making on proposed development in a positive and creative way. As no material harm would result from the single storey rear extension or, for that matter, from the demolition of the existing garage which would need to be removed to facilitate the extension, I shall issue a split decision on this appeal: this will permit those parts of the proposal but not the other part of the development proposed, the construction of a new double garage to the rear of the garden.
13. For the single storey rear extension, I see a necessity for the first 3 planning conditions the Council suggested in its Questionnaire. In addition to the time

period for the commencement of development, these would specify the approved plans in the interests of certainty and cover the use of external materials to protect the character and appearance of the building and the locality. Since the roof covering would not be a matching material as such, it would be better for the condition on materials to simply refer to the materials as stated on the application form. The 4th suggested condition sought to restrict the future use of the new detached double garage to purposes incidental to the enjoyment of the house. This has no relevance now given my decision on that part of the appeal proposal.

14. I have considered all the written evidence from the parties but I find no other matters to outweigh the findings that have led to my decision on this appeal.

Andrew Dale

INSPECTOR