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## Appeal Decision

Site visit made on 9 October 2023

**by Sarah Colebourne MA, MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 26 October 2023**

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**Appeal Ref: APP/M2840/D/23/3326985**

**207 Avenue Road, Rushden, Northamptonshire, NN10 0SN**

- 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 Ms Jane Titterton against the decision of North Northamptonshire Council.
  - The application Ref NE/22/00737/FUL, dated 6 June 2022, was refused by notice dated 15 May 2023.
  - The development proposed is described as 'Demolish existing garage and erect two storey extensions with new detached garage'.
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### Decision

1. The appeal is dismissed.

### Reasons

2. The main issues in this appeal are the effect of the proposed development on:-
  - the character and appearance of the area;
  - the living conditions of the neighbouring occupier/s at 211 Avenue Road, in terms of outlook.

#### *Character and appearance*

3. The development plan includes policy 8 of the North Northamptonshire Joint Core Strategy 2011-2031 (2016) (CS). That policy seeks to ensure that proposals respond to the site's immediate and wider context and local character without stifling innovation. Emerging Policy EN13 in the East Northamptonshire Local Plan (Part 2) also requires that development proposals should relate well to, and where possible enhance, the surrounding environment. This does not yet form part of the development plan but carries significant weight due to its advanced stage. The National Planning Policy Framework (the Framework) has a similar objective.
4. Avenue Road is a long straight road which is separated by open countryside from the built up area of Rushden but has a suburban character and at this end of the road there are dwellings along both sides. Most of those are detached two storey houses, set back from the road on plots with generous front gardens and long rear gardens, with varying plot widths. The dwellings vary considerably in terms of age, style and size.
5. The appeal dwelling is a one and a half storey detached dwelling with a main pitched roof and gable dormer windows in the roof. It has been previously

- extended. There is a detached garage set back to one side and behind that, in the rear garden, is a large detached outbuilding.
6. The proposed development would include a single storey extension across most of the front elevation with a catslide roof and a two storey glazed front porch with a gable roof. A pitched roof extension on the side and rear elevation would replace the existing garage and link with the existing outbuilding. A detached triple garage/car port would be sited in front of the dwelling.
  7. The East Northamptonshire Council Householder Extensions Supplementary Planning Document (SPD) requires that extensions are subservient in scale to the existing dwelling. However, that requirement has little relevance to this proposal because the extent of the proposed extensions would amount to a remodelling of the existing dwelling. It is not appropriate therefore to assess it against the existing dwelling but rather against the surrounding dwellings.
  8. The appeal dwelling is set back significantly from its neighbour at 211 and to a lesser degree from no 205 and the proposal would not extend forward significantly. Although it would extend to one side and would occupy most of the width of the plot, the plans show that there would be a generous 8m gap between the extended dwelling and no 211. The siting of the proposed extension would therefore be acceptable in terms of character and appearance.
  9. The dwelling is sited between no 205, a hipped roof house with a modern, wide gabled single storey front extension, and no 211, a small, traditional hipped roof bungalow. The extended dwelling would therefore sit between two very different scales, forms and designs of building. Its wide front elevation would not be unduly dominant given the width of the dwelling at no 205 and the gap with no 211. The additional massing on the side elevation would not appear prominent in the street scene because the dwelling is set back significantly from the front boundary. The proposed two storey front porch with its full height glazing and new windows throughout the dwelling would give it a contemporary appearance and would break up the width of the front elevation and create some balance.
  10. The proposed garage to the front of the site would not be uncharacteristic of the area because there are three dwellings on the opposite side of the road which have detached garages within their frontages. Furthermore, the dwelling at no 213, next door but one to the appeal site, has a one and a half storey projection to the front beyond the general building line. Those structures would be seen within the same context as the proposed garage when travelling along the road. This, together with the spacious character of the front garden, means that it would not appear unduly cramped in the street scene and the gap of some 2.2m from the front boundary would allow for the retention of existing planting or new planting along the frontage.
  11. Given the wide variety of scale, form and design of dwellings in the immediate and wider context, the proposed development would sit comfortably in the street scene. I conclude then that it would not result in harm to the character or appearance of the area and would therefore accord with CS policy 8 and with the Framework.

### *Living conditions*

12. Although there is currently a garage positioned adjacent to the side boundary with no 211, that would be replaced with a substantial two storey side extension, only 1m from the boundary. There would be a gap of some 8m between the side elevations of the two dwellings but it would have a substantial projection beyond the rear elevation of no 211 by some 15m, according to the plans.
13. I have noted that there are a number of very tall mature trees within the garden of no 211 along the length of the side boundary whose heights exceed that of the proposed extension. Those would provide substantial screening although I noted at my visit that not all are evergreen. Whilst it is likely that those already dominate the outlook from that property, there is no guarantee that they would remain in perpetuity. Future owners might well choose to remove the trees for structural or amenity reasons. Given the proximity of the proposed side extension to the trees, it is likely that their root structures would be affected by the building work in any case. If the trees were removed, the proposal, by reason of its height, length, massing and proximity to the side boundary, would be overly dominant when seen from the rear windows and the rear garden of no 211.
14. I conclude then that the proposed development would result in significant harm in terms of outlook to the living conditions of the occupier/s at no 211 Avenue Road. As such, it would be contrary to policy 8 of the CS which seeks to ensure that developments protect the amenity of neighbouring occupiers.

### **Conclusion**

15. Whilst I have found no harm in terms of Character and Appearance, my findings in regard to Living Conditions are significant and overriding and for the reasons given, I conclude that the proposed development would be contrary to the development plan and there are no material considerations that would outweigh this. The appeal should be dismissed.

*Sarah Colebourne*

Inspector