
Appeal Decision

Site visit made on 5 December 2023

by R Gee BA (Hons) Dip TP PGCert UD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27th December 2023

Appeal Ref: APP/W2845/W/23/3320959

23 Weggs Farm Road, Northampton, West Northampton NN5 6HD

- The appeal is made under section 78 of the Town Country Planning Act 1990 against the failure of the local planning authority to give notice within the prescribed period of a decision on an application for planning permission.
 - The appeal is made by Mrs Zena Taylor against West Northamptonshire Council.
 - The application Ref KNN/2022/1237 is dated 8 November 2022.
 - The development proposed is described as enlarging entrance porch, demolishing garage and construction of side extension.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. This appeal was made on the basis of the Council's failure to determine the planning application within the statutory timescale. The Council has provided a statement explaining the reasons why it would have refused planning permission had it been able to do so. The main issues below are therefore taken from the Council's statement.
3. During the processing of the application revised plans were submitted in March 2023. I have based my determination on these plans.
4. Since the start of this appeal, the Government published a revised National Planning Policy Framework (the Framework) in December 2023. Those parts of the Framework most relevant to this appeal have not been amended. As a result, I have not sought further submissions on the revised Framework, and I am satisfied that no party's interests have been prejudiced by taking this approach.

Main Issues

5. The main issues are:
 - i) the effect of the proposed development on the character and appearance of the area; and
 - ii) whether the proposed development would provide for acceptable living conditions for No. 21 Weggs Farm Road, with regard to privacy.

Reasons

Character and appearance

6. The appeal property comprises a two-storey detached dwelling and single storey garage within an irregular shaped plot. The existing dwelling is orientated such that its front elevation is perpendicular to Weggs Farm Road with its gable end and garage door facing the highway. The appeal site is in a suburban, residential area of mainly detached and semi-detached houses. The houses are densely arranged. A pedestrian footway runs between the neighbouring property, No. 21 Weggs Farm Road, that is positioned opposite the appeal site.
7. The proposal would be almost the same width as the existing dwelling. The proposal would include a modest set back from the front edge of the property and the ridgeline of the proposed roof would sit slightly lower than that of the existing rooflines. Whilst the proposed development would be set back from the back edge of the highway, given the disproportionate width of the proposed extension I do not consider that these design elements go sufficiently far enough for the extension to be viewed as a subordinate addition to the host property.
8. I note the sizeable plot of the appeal site and that the proposed extension would occupy a modest proportion of the overall plot. Nevertheless, the juxtaposition of the design of the proposed extension, bulk, scale and massing of the proposal with the existing property would result in a discordant addition to the streetscene. Accordingly, the proposal would not sit comfortably within the streetscene at this prominent location and would therefore detract from the character and appearance of the area.
9. The proposed extension would be of a cranked alignment similar to the existing garage. However, this is single storey only, and in my view does not have the same visual impact as the appeal scheme before me.
10. I concur that the materials proposed for the external finish of the development would have an appearance similar to development within the locality. However, this does not overcome the harm I have identified.
11. For the above reasons, I conclude that the proposal would have a harmful effect upon the character and appearance of the streetscene. Accordingly, I find conflict with Policy S10 of the West Northamptonshire Joint Core Strategy (JCS) and Policies Q1 and Q2 of the Northampton Local Plan Part 2 2023 (LP). Collectively these seek to promote and contribute to good place-making through high quality design. I also find conflict with the Residential Extensions and Alterations Design Guide SPD (SPD) and the Framework which seeks to ensure that development is sympathetic to local character and adds to the overall quality of the area.

Living conditions

12. The appeal site is located within close proximity to No. 21 Weggs Farm Road, separated by a narrow pedestrian footway. No. 21 has a number of windows at both ground and first floor that face the appeal site.
13. The development plan does not prescribe separation distances. However, the SPD sets out a distance of 21m between facing habitable room windows.
14. The proposed extension would be positioned approximately 11m from the front of No. 21. The inclusion of additional habitable room windows would materially increase the potential for overlooking. I note that the appellant would be

agreeable to a condition to obscure glaze the first-floor windows. I am satisfied that this would overcome concerns regarding overlooking. However, whilst I note that the proposed bedroom would be served by an additional small window on the northern elevation that would provide a limited degree of light and outlook, it is my judgement that the obscure glazing of the main and sizeable bedroom window would not provide for satisfactory living conditions for the occupiers of the appeal property.

15. I note that the frontage of the existing dwelling is positioned less than the separation distances as set out in the SPD, to the front elevation of No. 21. I also note that the SPD states that the separation guidelines will be more strictly applied at the rear rather than front. Nevertheless, given the extent of new openings, including their number and size, and the significant shortfall below the separation guidelines, I consider that the proposed development would unacceptably diminish the living conditions of the existing occupiers by way of an increased level of overlooking.
16. Furthermore, the sizeable width of the proposed two-storey extension, coupled with the significant shortfall below the separation guidelines, the proposed extension would appear dominant and overbearing to the occupiers of No.21.
17. I have considered the effect of the proposal on other neighbouring properties. Due to the separation distance and orientation of buildings and windows, I am satisfied that the proposed development would not have an adverse impact upon the living conditions of the occupiers of other adjacent properties.
18. For the above reasons, I conclude that the proposed development would have a harmful impact on the living conditions of the occupiers of No. 21 with regard to privacy and outlook. Accordingly, I find conflict with Policies Q1 and Q2 of the LP insofar as these require a satisfactory relationship with neighbouring buildings, including not being overbearing upon existing buildings. I also find conflict with the SPD and the Framework which seek high quality design in new housing which provides for appropriate privacy and amenity for existing occupiers.

Other Matters

19. The proposal includes a porch extension. The Council has not raised objection to this element, and I have no reason to disagree with their findings.
20. Based on the plans before me I am satisfied that the proposed development would provide for sufficient parking to serve the development.
21. I note the proposed extension would provide the occupant of the appeal property with additional accommodation; however, this is a neutral factor in the determination of this appeal.
22. My attention has been drawn to other developments approved within the locality¹. From the limited information available to me, I do not consider these developments to be comparable. The respective sites are located a reasonable distance from the appeal site and therefore do not form part of the immediate site context. Each case inevitably has design considerations and a surrounding context specific to it, rather than to the appeal site. Furthermore, the design of the schemes differ significantly. Accordingly, these decisions do not lead me to

¹ Nos. 71 and 82 Weggs Farm Road and Weybury Road, Duston

a different conclusion of the main issues in this appeal. In any event, I have assessed the appeal on its own merits.

23. The lack of objection from local residents and the Parish Council is a neutral matter in the determination of the appeal.

24. Any concerns regarding due process during the processing of the planning application fall outside of the remit of this decision.

Conclusion

25. For the above reasons I am dismissing the appeal and refusing planning permission.

R. Gee

INSPECTOR