



Appeal Decision

Site visit made on 17 January 2024

by Ian McHugh DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 1st March 2024

Appeal Ref: APP/M2840/D/23/3332423

8 St Marys Hill, Woodnewton, Northamptonshire, PE8 5EF

- 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 D Bellairs and G Cooper against the decision of North Northamptonshire Council.
 - The application Ref 23/00193/FUL, dated 17 February 2023, was refused by notice dated 23 August 2023.
 - The development proposed is a first-floor side extension, single-storey and two-storey rear extensions.
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Procedural Matters

1. The description of the development used in the heading above is taken from the Council's decision notice and the appeal form. The description on the planning application form is slightly different, as it also refers to the demolition of a conservatory and makes no reference to the side extension being a first-floor extension. I have used the wording in the appeal form and the Council's decision notice in my decision, as I consider it to be more accurate.
2. Since the appeal was lodged, it has been brought to my attention that the Council recently adopted the East Northamptonshire Local Plan Part 2 (LP2). I sought the comments of both parties as to whether the policy considerations are now different. The Council responded and stated that Policies EN11 and EN12 of LP2 are now relevant. I have, therefore, referred to these policies in my decision. However, they do not fundamentally change the planning considerations.

Decision

3. The appeal is dismissed.

Main Issues

4. The main issues are
 - The effect of the proposal on the character and appearance of the existing dwelling and on the setting of the Woodnewton Conservation Area (CA), including the effect on the setting of the listed Church of St Marys and Stone Cottage.
 - The effect of the proposal on the living conditions of the occupants of number 7 St Marys Hill (number 7), with regard to outlook and natural light.

Reasons

Character and Appearance

5. The appeal property is a modest two-storey, two bedroomed, end-of-terrace dwelling, which has a distinctive 'Arts and Crafts' style appearance. It is rendered with a tiled roof, which is steeply gabled with a 'cat-slide' section on the side. A glazed conservatory has been added at the rear, which stretches across the width of the dwelling.
6. The property is situated just beyond the boundary of the CA and it is close to the churchyard and the Church of St Marys, which is a Grade II* Listed Building. Stone Cottage, which is also listed (Grade II) is located opposite the front of the appeal property. The CA encompasses the historic centre of the village in which the Church, Stone Cottage, the churchyard and boundary wall are significant heritage features. Because of the open character of the churchyard, the appeal property is clearly visible and it is part of the setting of the heritage assets. The setting of a heritage asset is normally defined as the surroundings in which it is experienced.
7. The proposal is to extend the dwelling by constructing extensions as described in the heading above. The extensions would add significantly to the mass and bulk of the property and they would be clearly visible and prominent from the churchyard, St Mary's Hill and Main Road.
8. Policies EN11 of LP2 seeks (amongst other things) to ensure that a development proposal integrates positively with the surrounding area and does not detract from the character of the existing building. Policy EN12 supports proposals that protect and enhance heritage assets and prevents harm to their significance and setting. These policies accord with paragraph 135 and Chapter 16 of the National Planning Policy Framework 2023 (The Framework), which contain similar provisions.
9. In addition, the Council's Supplementary Planning Document – Householder Extensions 2020 (SPD) advises generally that extensions should complement and be in proportion to the existing dwelling.
10. The proposed extensions would complement the existing dwelling in terms of external materials, fenestration design and the steeply gabled roof. I also consider that the removal of the conservatory would have a positive impact. However, the scale and mass of the combined additions would be overly dominant and unacceptably harmful to the dwelling's existing character and appearance. As stated above, the extensions would highly prominent and they would distract from original dwelling and harm the views across the CA. In particular, the proposal would affect the views from the Church of St Marys, Stone Cottage, St Marys Hill and Main Road. Consequently, the setting of these heritage assets would be adversely affected. Therefore, the proposal would conflict with the Policies EN11 and EN12 of LP2 and with the provisions of The Framework, as referred to above.
11. Having regard to paragraph 208 of The Framework, I consider that the proposal would lead to less than substantial harm to the heritage assets. Accordingly, the harm should be weighed against any public benefits arising from the development. The proposal would provide enhanced living accommodation for the occupants of the dwelling, through the provision of

additional ground and first-floor space. However, this would be a private benefit and it does not outweigh the harm that I have identified above.

Living Conditions

12. The appeal property is an end-of terrace dwelling and, therefore it has a close physical relationship with the adjoining property at number 7 St Marys Hill (number 7). The Council considers that the projecting rear extension would unacceptably overbear and overshadow number 7 and it would be harmful to the living conditions of its occupants.
13. LP2 does not appear to contain any relevant policies on this issue, but the Council's SPD advises that extensions should not be too tall when they are close to adjacent properties and they should be set-in slightly from the boundary line.
14. The proposed rear extension would project approximately 5.6m from the original rear wall of the dwelling and it would be set-in from the shared side boundary by approximately 2m. I noted at my site visit that number 7 has a rear single -storey addition and that the appeal extension would not extend beyond a line drawn at 45° from the rear of the neighbouring addition. The use of the 45° angle is also advised in the Council's SPD. Consequently, I am not persuaded that the proposal would have an unacceptable impact on the living conditions at number 7 and I do not find against the proposal for that reason.

Conclusion

15. For the reasons given above in relation to character and appearance, it is concluded that the appeal be dismissed.

Ian McHugh

INSPECTOR