



Appeal Decision

Site visit made on 26 March 2024

by Eleni Randle BSc (hons) MSc FRICS FAAV MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10TH April 2024

Appeal Ref: APP/M2840/D/24/3336784

11 Malvern Close, Kettering, Northants, NN16 9JP

- 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 Mrs A Williams against the decision of North Northamptonshire Council.
 - The application ref NK/2023/0589 dated 25 September 2023, was refused by notice dated 17 November 2023.
 - The development proposed is ground and first floor front extension.
-

Decision

1. The appeal is allowed, and planning permission is granted for a ground and first floor front extension at 11 Malvern Close, Kettering, Northants, NN16 9JP in accordance with the terms of the application ref NK/2023/0589 dated 25 September 2023 subject to the following conditions:
 - 1) The development hereby permitted shall be commenced before the expiration of three years from the date of this permission;
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: NK/2023/0589/6 Location Plan, NK/2023/0589/4 Section, NK/2023/0589/3 Existing and proposed floor plans, NK/2023/0589/2 existing and proposed side elevations and site plan and NK/2023/0589/1 existing and proposed front and side elevations;
 - 3) The external finishes of the development hereby permitted shall match those within the existing dwelling and are to be maintained as such for the lifetime of the development. Any variations must be agreed, in writing, by the Local Planning Authority prior to installation.

Procedural Matters

2. Since the determination of the application the National Planning Policy Framework 2023 was revised in response to the Levelling-Up and Regeneration Bill: reforms to national planning policy consultation on 19 December 2023. The refusal reason does not reference the Framework (nor do I consider that it has to, given it is a material consideration and not the starting point for determination) and it is not considered that this impacts upon the determination of this appeal given the main changes to the Framework.

Main Issue

3. The main issue is the impact of the proposal upon the character and appearance of the existing dwelling house and surrounding area/street scene.

Reasons

4. The appeal site is a detached, two storey gable roofed dwelling house with a double height front gable projection and a front single storey element, with a catslide roof, within a residential area. It is located at the end of a private drive, off Malvern Close, which serves three properties with the appeal property facing towards the junction of Cleveland Avenue with Rockingham Road. As a result of the site layout, the rear elevation of the appeal site is only, realistically, available in glimpsed views between 12 and 13 Malvern Close due to the set back of the appeal site. The proposal before me seeks permission for a two-storey front extension which means that the alterations would not impact upon the street scene within Malvern Close itself.
5. The property is located in a relatively prominent position in that it is on a road junction, but I find that property is largely viewed in isolation, compared to the remainder of the residential area which it is part of, with the remaining properties generally being set back and/or screened with trees and boundary vegetation as well as orientated differently. At the time of my site visit, I drove down Malvern Close and found that the style of properties within the area did have some variation and were not what I would consider as notably uniform. I acknowledge that there was, from what I saw, at two examples of similar styled properties to the appeal site, but that these are part of an overall varied collection of designs around Malvern Close itself. One of the similarly designed dwellings, which I saw at the time of my site visit, is visible (side on) from Rockingham Road. I find that, overall, the appeal site has a greater ability to accommodate changes to the front elevation due to the site characteristics and being part of the street scene with Cleveland Avenue.
6. The proposal before me would replace the catslide roof by widening it and increasing it in height from single to two storeys with a hipped roof. I do not find that the catslide roof, on the host property, is representative of the prevailing character of the immediate surrounding area. I saw only two examples of similarly designed dwellings within the immediate area out of an overall development which was stated, by the Council, to be forty dwellings and which the appeal site faces away from towards Cleveland Avenue. I find that the area is characterised by hipped roofs and gable projections and that these are generally more common features visible within the varied character of the surrounding area.
7. The appellant's statement of case provides further images, within the surrounding area, including on Cleveland Avenue onto which the appeal site fronts, which shows further variety in terms of gable projections, hipped roofs and two storey gabled projections contributing to general variety of design. The proposal would almost certainly result in notable visual change, however, I do not find that it would introduce a design element which is not in keeping with the varied character and appearance of the surrounding residential properties and, whilst it would result in change to the character and appearance of the host dwelling, I do not find that such change is in this case, sufficient to warrant refusal given the variation in the surrounding area.
8. There is a great degree of contrast in terms of building shape, style, and materials as well as overall design within the immediate street scene and I find that the appeal site itself is relatively isolated in general views in any case as a result of it not being essentially viewed in direct contrast to, or alongside, any

other properties due to its orientation away from Malvern Close and surrounding vegetation. Furthermore, I find that the existing host dwelling currently has a largely blank elevation and I find that, in this case, the proposal provides opportunity to introduce a more interesting design feature as well as improving rooms sizes for the property as existing housing stock. I do not find that the proposal would unbalance the front elevation, nor detract from the existing front gable feature to an extent which would warrant refusal nor that the extension would appear as an incongruous addition taking into account the character and appearance of the surrounding development and the wider street scene as outlined above.

9. The proposal would be consistent with North Northamptonshire Joint Core Strategy 2016 Policy 8 (d)(i) which requires that development should respond to the sites immediate and wider context and local character to create new streets, spaces and buildings which draw on the best of that local character without stifling innovation. In this case I find, in particular, it is of relevance that the policy seeks to clarify that it does not wish to stifle innovation. Whilst, for the reasons outlined, the design of a two-storey front extension with a hipped roof is not essentially a new idea in general design terms, it is a new addition to the host dwelling and in this case, the introduction of something new, or a degree of change, does not automatically mean that it is an incongruous addition which should result in refusal.

Conditions

10. The Council have suggested three conditions, within their questionnaire. which I have considered and applied as appropriate. A time condition is attached to comply with Section 51 of the Planning and Compulsory Purchase Act 2004. A condition requiring the development to be in accordance with the approved plans is required to control and define the development which is granted consent. A condition relating to materials is required to ensure an appropriate finish.

Conclusion

11. For the reasons outlined above, and taking account all other matters raised, I conclude that the appeal should be allowed subject to conditions.

Eleni Randle

INSPECTOR