



Appeal Decision

Site visit made on 26 June 2024

by A Owen MA BA(Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 02 July 2024

Appeal Ref: APP/M2840/W/24/3337650

76b Rushton Road, Desborough, Northamptonshire NN14 2QD

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mrs Janine Botterill against the decision of North Northamptonshire Council.
 - The application Ref is NK/2023/0532.
 - The development proposed is conversion of garage to 1 no. dwelling with two storey side extension and detached garage.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposal on the character and appearance of the area and whether the development would provide satisfactory living conditions for its future occupiers with regard to privacy.

Reasons

Character and appearance

3. The site is located at the junction of Rushton Road and Westmorland Road in a suburban part of Desborough. At present there is a static caravan on the site and a brick built garage used for domestic storage.
4. There is a variety of housing designs locally, and a mix of two-storey houses and bungalows. The proposal would be a one and a half storey house with some accommodation at first floor level in the roofspace. In terms of its height and scale therefore, it would be in keeping with its surroundings.
5. The site slopes such that the rear part is significantly higher than its front and Rushton Road. The proposed dwelling would be positioned fairly centrally so would be higher than Rushton Road. However because of its one and a half storey design, it would most likely not be higher than the neighbouring two-storey properties.
6. The design of the dwelling incorporates a tall central gable feature with floor to ceiling glazing at ground and first floor levels. These large areas of glazing would maximise natural light in the property, and so would reduce lighting and heating costs. However due to the dwelling's elevated position, and because it would be directly facing the road junction, it would appear prominently when approaching the site from the east, and for quite a distance. Although some

houses in the area also have front gable features, none have as much glazing or are as elevated above street level as that proposed.

7. In addition, the proposed garage would be sited very close to the Westmorland Road frontage and would be roughly the size of a triple garage with a hipped roof. It would not be as high up on the site as the existing garage, but would be above the level of Rushton Road. When seen from the junction it would appear to project significantly further forward than the proposed house and, due to its elevated position above the junction, would appear prominently. It would also be further forward than the other development on this side of Westmoreland Road. There is a small garage at No 80 which is closer to Rushton Road, but this is overburdened by mature trees such that it is almost hidden from view.
8. Therefore, the development as a whole would appear incongruous in the street scene contrasting harmfully with the character and appearance of the area due to its uncharacteristic large glazed gable feature and the excessive scale and prominence of the proposed garage.
9. Though it is not wholly clear from the plans, the dwelling would appear to not be positioned further forward than the house at No 74. Even if it were, it would not be materially so, and in light of the gap between it and No 74 it would not appear to break the building line. Indeed its distance back from both the Rushton Road and Westmorland Road boundaries would be significant.
10. The house would face the corner of the plot, but this is not unusual in this area. The pair of houses on the corner of Rushton Road and Mayfield Road opposite the site also face the corner, and there are other examples of this arrangement elsewhere along Rushton Road.
11. The dwelling would also incorporate two dormer windows on its front elevation. These would be small in scale and would be similar to that at No 86. These features would not detract from the character or appearance of the area.
12. The majority of its garden would be to the front or side of the dwelling, and there would be a smaller garden area to the rear. Although most houses in the area have a more traditional arrangement of rear gardens being larger than front, the corner plots are different and the dwellings at Nos 155 and 157 appear to have rear gardens smaller than their fronts. Furthermore although the garden would be enclosed by fencing along the frontages, this would also not be uncommon in the vicinity with the corner property at No 155 also being enclosed by tall close-boarded fencing along its front. The additional planting proposed for the Rushton Road boundary could be maintained to provide privacy without enclosing the garden oppressively.
13. Nevertheless, because of its gable feature and proposed garage, the proposal would fail to accord with policy 8 of the North Northamptonshire Joint Core Strategy which says that development should respond to the site's immediate and wider context, local character and topography.

Living conditions

14. There is a first floor window at No 76 which directly faces the appeal site and the existing garden there. It would therefore allow for no greater degree of overlooking than could already be experienced when on the appeal site. In addition I saw at my site visit that a row of immature conifers had been

planted along the west boundary of the site. These trees already provide a degree of screening and this would increase further as they mature.

15. As a result, the development would provide a satisfactory degree of privacy such that the living conditions of the future residents would be acceptable. In this respect the proposal would therefore accord with policy 8 which aims to ensure the amenity of future occupiers is protected by reason of, among other things, overlooking.

Other Matters

16. The appellant makes reference to the development being self build. However there is no mechanism before me by which I could ensure the dwelling would be a self build as defined by the National Planning Policy Framework. Likewise apart from being a bungalow, there is no substantive evidence that the dwelling would be adaptable for elderly residents. Indeed there appears to be a small flight of steps between the entrance hall and the open plan kitchen/living /dining room which would make the dwelling difficult for wheelchair users.
17. The site is previously developed land and the Council raise no objection to the principle of a dwelling being provided here. I also recognise that planning permission has been granted for a dwelling here before. However that was over a decade ago when a different local policy framework was in place. These matters therefore have little bearing on my decision.
18. The dwelling would incorporate solar panels and reference is also made to heating and ventilation plant in the garage. Whilst such renewable and energy saving methods are to be welcomed they do not justify the development.

Conclusion

19. Although the proposal would provide acceptable living conditions for its future occupiers, it would, overall, harm the character and appearance of the area. It would therefore conflict with the development plan as a whole and there are no other considerations that indicate a decision other than in accordance with the development plan. Therefore the appeal is dismissed.

A Owen

INSPECTOR