

Appeal Decision

Site visit made on 27 August 2024

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

an Inspector appointed by the Secretary of State

Decision date: 3 September 2024

Appeal Ref: APP/M2840/D/24/3342108

**11 Millfield Avenue, Cottingham, Market Harborough, Leicestershire
LE16 8XX**

- 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 Mr Milan Loncar against the decision of North Northamptonshire Council.
 - The application Ref is NC/23/00185/DPA.
 - The development proposed is described as proposed 2-storey extension and refurbishment of existing conservatory.
-

Decision

1. The appeal is allowed and planning permission is granted for proposed 2-storey extension and refurbishment of existing conservatory at 11 Millfield Avenue, Market Harborough, Leicestershire LE16 8XX in accordance with the terms of the application, Ref NC/23/00185/DPA, and the plans submitted with it, subject to the conditions in the attached schedule.

Preliminary Matters

2. On 30 July 2024 the Government published a consultation on proposed reforms to the National Planning Policy Framework (the Framework) and made a written ministerial statement (WMS) titled "Building the homes we need". These proposed changes can only be given limited weight at this stage. Given that those parts of the draft Framework most relevant are not proposed to be amended I consider there is no requirement for me to seek further submissions on the Framework, the consultation or written ministerial statement. I am satisfied that no party's interests would be prejudiced by my taking this approach.

Main Issues

3. The main issue is the effect of the proposed development on the character and appearance of the area.

Reasons

4. No 11 is a detached dwelling located on the southern side of Millfield Avenue on the outside of the bend in the road. The property is set back, and significantly lower than, the adjacent highway. It is accessed via a private

drive. A triple garage is located to the front of the property and an area of hardstanding and mature landscaping between the road and the dwelling.

5. The appeal site sits between existing detached dwellings. Along Millfield Avenue there are a variety of dwelling types and styles. I observed other dwellings within the street scene to have forward projecting elements to their design, including nos 10 and 12 Millfield Avenue and nos 1, 2, and 3 Lawson Court.
6. Whilst the proposed extension would extend forward of the host property it would not project further forward than the existing garages and would be set behind a deep landscaped frontage. It would be positioned on a similar alignment to the neighbouring dwelling, No 1 Lawson Court. Furthermore, due to the differences in site levels, the roof of the proposed extension would sit lower than No 1 and would not appear unduly conspicuous within the street scene.
7. There would be limited views of the extension when approaching from the east along Millfield Avenue due to the alignment of the road, site level differences and landscaping. The proposed extension would be clearly visible from the private driveway. However, in this view the elongated glazing would help break up the mass of the built form and its roof would be subordinate to the ridge of the existing property.
8. Accordingly, for the reasons outlined the forward projecting addition would not appear incongruous in the street scene.
9. I therefore conclude that the proposal would not be harmful to the character and appearance of the area and would accord with Policy 8 of the North Northamptonshire Joint Core Strategy (Adopted 2016) and Policy H6 of the Cottingham Neighbourhood Plan (Adopted April 2022). Collectively these policies seek to secure high quality design where the character, scale, mass, density and layout of development fit in with the aspect of the surrounding area. Nor do I find conflict with the Framework which requires developments to be sympathetic to local character.

Other Matters

10. The proposal includes other works including a refurbished conservatory. The Council has not raised objection to this element, and I have no reason to disagree with their findings.
11. Further to concerns regarding the impact of the proposal on the living conditions of neighbouring properties by reason of sunlight and daylight the Council had no concerns given the height and orientation of the proposal relative to the neighbouring properties. I see no reason to reach a different view in this regard.
12. Neighbour disputes, including boundary lines, are a civil matter not forming part of the consideration of the appeal before me.

Conditions

13. In addition to the standard time limit condition, I have imposed a condition requiring that the development is carried out in accordance with the approved plans. This is in the interest of certainty.
14. I will impose a condition requiring construction materials to match the existing property in the interests of preserving the character and appearance of the area.

Conclusion

15. For the reasons given above, and having regard to all other matters, I conclude that the development would comply with the development plan as a whole. The appeal is therefore allowed.

R Gee

INSPECTOR

Schedule of conditions

- 1) The development hereby permitted shall begin no later than 3 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in strict accordance with the following drawings: Location Plan 12.01.2024, Proposed Floor Plans 12.01.2024 and Proposed Elevations 12.01.2024.
- 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

*****End of Schedule*****