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# Appeal Decision

Site visit made on 1 October 2024

**by David Troy BSc (Hons) MA MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 07 October 2024**

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**Appeal Ref: APP/M2840/D/24/3345405**

**137 Huntingdon Road, Thrapston, Kettering, Northamptonshire NN14 4NG**

- 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 A Binns against the decision of North Northamptonshire Council.
  - The application Ref is NE/23/01290/FUL.
  - The development proposed is first floor extension to side and rear.
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## Decision

1. The appeal is dismissed.

## Main Issues

2. The main issues are the effect of the proposed development on:
  - (i) the character and appearance of the host property and the area, and
  - (ii) the living conditions of the occupiers of the neighbouring property at No. 135 Huntingdon Road with particular regard to light, overshadowing and outlook.

## Reasons

### *Character and appearance*

3. The appeal property is a two storey detached dwelling with a single storey flat roofed garage attached to the side. The property has a double fronted gable projecting from the front, with a bay window on one side of the front door and not on the other. It is located in a mature well-established residential area, with a mixture of properties of varied styles and design set back from the road behind a front garden/driveway. A number of the properties have single storey and two storey extensions of varying styles and designs that generally appear as clearly subordinate to the buildings.
4. The appeal proposal would involve the construction of a first floor side extension over the garage that would extend to the rear and would be stepped down below the ridge of the host property with a gabled tiled roof. The front elevation of the proposed extension would be designed with a catslide roof with a pitched roof dormer window. It would be separated from the side elevation of the adjacent two storey dwelling at No. 135 Huntingdon Road (No. 135) by the garden area at the side of the adjacent property.
5. The appeal property is on a relatively spacious plot and as such the extension would not appear overlarge, relative to the overall plot size. Equally, the

closing of the gap between the side elevation of the appeal property and the adjacent dwelling at No. 135 would not appear out of character. From my site visit I noted a number of properties in the road appear to have been built to the side boundaries or in close proximity to such. The reduced space between the extended property and the adjacent dwelling would be offset to some degree by the garden area and the boundary treatment between the dwellings and the different heights and styles of the properties, that would allow reasonable space to prevent any significant terracing effect.

6. Whilst the proposed first floor side extension would be located in a relatively prominent position, it would be seen in the context of the current varied architectural styles at the host property and the surrounding properties. Against this backdrop, the scale, form and siting of the proposed first floor extension, stepped down, would not look significantly out of place or excessive in relation to the built form of the host property and the adjacent properties.
7. The modest overall scale and form of the extension together with the use of matching materials and fenestrations would ensure that the proposed first floor extension would sit relatively unobtrusively against the built form of the main property. The proposed extension would therefore achieve an appropriate degree of subordination to the host property and as such would limit any significant adverse impacts on the street scene.
8. Consequently, I conclude that the proposed extension would not adversely harm the character and appearance of the host property and the area. It is consistent with Policy 8 of the North Northamptonshire Joint Core Strategy 2016 (JCS) and the Council's Householder Extensions Supplementary Planning Document 2020 (SPD). This policy and guidance, amongst other things, seek to ensure that development proposals, including extensions, complement the existing dwelling and respond to the local character and characteristics of the site's immediate and wider context. The proposal would also accord with the National Planning Policy Framework (the Framework) that developments should add to the overall quality of the area and are sympathetic to local character, including the surrounding built environment (paragraph 135).

*Living conditions of the occupiers of the neighbouring property*

9. The proposed first floor side and rear extension would be located adjacent to the two storey detached property at No. 135, to the west of the site. The adjacent property, at No. 135, is set back from the common shared boundary with No. 137 and has a small patio area leading out to an enclosed garden area at the rear. The proposed first floor extension would be built up to the common shared boundary with No. 135 and would be separated from the garden at the side and rear of the adjacent property by a high close boarded fence, mature vegetation and trees, including three large Austrian Pines.
10. Whilst I accept that there would be some impact from the development, given the proposed design and layout of the proposed extension, stepped down, together with the separation distance, mature vegetation and boundary treatment between the properties, and the orientation of the buildings, I consider that the proposal would not result in a significant loss of light and overshadowing to the garden at the rear of No. 135. However, this is not a determinative factor on its own.

11. Whilst the layout of the adjacent property and the boundary treatment would limit potential views directly from the rooms at the rear of the adjacent property at No. 135, the proposed extension would result in a long two storey projection running parallel with the common shared boundary and enclosed garden area, including a small patio area, at the rear of No. 135. The occupants of No. 135 would use this area to carry out leisure and household activities when relaxing and sitting out, particularly in the summer months.
12. Given the overall scale, siting and design of the proposed extension and the separation distance between the properties, I consider that the proposed first floor extension would introduce a dominant and enclosing structure in close proximity to the common shared boundary and the garden area at the side and rear of No. 135. This, in my view, would significantly dominate the views to cause an overbearing effect and an unacceptable loss of outlook for the occupiers of No. 135. I therefore consider that the proposal would result in a poor quality living environment and an unacceptable change in the living conditions for the occupiers of the neighbouring property.
13. Consequently, I conclude that the proposed first floor side and rear extension would result in an unacceptable impact on the living conditions of the occupiers of the neighbouring property at No. 135 Huntingdon Road with particular regard to outlook. It would be contrary to Policy 8 of the JCS and the SPD which, amongst other things, seek to ensure that development proposals do not result in an unacceptable impact on the amenities of occupiers of nearby properties. In addition, it would not accord with the Framework that development should seek to create places that promote health and well-being, with a high standard of amenity for existing and future users (paragraph 135).

### **Other Matters**

14. I have considered the appellant's arguments that the design of the proposed extension has been carefully considered and amended in response to the pre-application advice from the Council. However, the Council are not bound by the officer's pre-application advice in making their final decision and whilst the use of materials, fenestrations and the roof design would assist in integrating the development with the host property and the area, these aspects do not overcome the adverse effects outlined above.
15. I note the appellant's comments regarding the various benefits arising from the proposal including the scheme's high quality design and seeking to utilise the most effective use of airspace above the property to create additional accommodation to meet the needs of the appellant. While I have given them some weight, these benefits would not be sufficient to outweigh the harm I have identified. For all these reasons, there are no other material considerations to outweigh the development plan conflicts identified.

### **Conclusion**

16. For the reasons given above, and having regard to all other matters raised, I conclude that the appeal should be dismissed.

*David Troy*

INSPECTOR