



Appeal Decision

Site visit made on 7 February 2025

by **N McGurk BSc (Hons) MCD MBA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 28th February 2025

Appeal Ref: APP/M2840/D/24/3356139

14 Matlock Way, Desborough, Kettering, North Northamptonshire, NN14 2UR

- 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 James Tite and Mrs Angelina Tite against the decision of North Northamptonshire Council.
 - The application Ref is NK/2024/0398.
 - The development proposed is demolition of existing rear conservatory and construction of rear two storey residential accommodation extension, with attached rear single storey garage/outhouse extension.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. One of the Council's reasons for refusal related to a proposed side window. The Council accepts that this is a matter that could have been dealt with by way of an appropriate condition and consequently, this decision focuses on main issue as identified below.
3. The appellants raise concerns regarding the manner in which their application was dealt with by the Council. This is a matter between the appellants and the Council.
4. Whilst the appellants, in support of their case, refer to Permitted Development Rights, I note that the appeal before me relates to the planning application referred to above. I confirm that I have considered the appeal on the basis of the information before me.

Main Issue

5. The main issue in this case is the effect of the development on the living conditions of the occupiers of Number 16 Matlock Way, with regards to outlook.

Reasons

6. The appeal property is a brick-built semi-detached dwelling with an integral single-storey garage attached to the side. The dwelling is set back from the road behind a garden and parking area and has a garden to the rear.
7. The appeal property is located in a residential area characterised by the presence of one and two-storey detached and semi-detached dwellings. Similar building

designs and materials and the presence of gardens, hedgerows and grassed areas provides for an environment with green and uniform attributes.

8. The proposed development would introduce a two-storey extension to the rear of the appeal dwelling. The length of the proposal is such that it would project considerably to the rear, well beyond the rear elevation of the appeal dwelling's attached neighbour, Number 16 Matlock Way.
9. Whilst the proposed development would be set a small distance away from the appeal dwelling's shared boundary with No 16 I find that together, its projection, when combined with its two-storey height and close proximity, would result in the proposal appearing to loom above the rear of No 16 to an overbearing degree.
10. In this way, the scale and proximity of the proposal would result in it drawing attention to itself as an unduly long and tall blank brick wall and I consider that it would dominate the outlook from the rear windows of No16 and from that part of the rear garden closest to the house.
11. Number 16 is sited to the south of the appeal dwelling and I consider that this factor would serve to negate any degree of harm arising by way of the proposed development reducing the amount of sunlight received by this neighbouring property. However, the absence of significant harm in this regard does not mitigate the harm to outlook identified above.
12. Taking everything into account, I find that the proposed development would harm the living conditions of the occupiers of Number 16 Matlock Way, with regards to outlook, contrary to the National Planning Policy Framework and to Policy 8 of the North Northamptonshire Joint Core Strategy (2016), which together amongst other things, seek to protect residential amenity.

Other Matters

13. In support of their case, the appellants state that the proposal would provide for additional accommodation for an expanding family. This is a factor that weighs in support of the proposal but which does not outweigh the significant harm identified.
14. The appellants state that it is salient that the occupiers to either side of the appeal dwelling have not objected to the proposal. I acknowledge this, but I also note that the absence of an objection to a proposal could be for various reasons and does not amount to the same thing as support for a proposal.

Conclusion

15. For the reasons given above, the appeal does not succeed.

N McGurk

INSPECTOR