



Appeal Decision

Site visit made on 11 April 2025 by S Jamieson BA (Hons) MPlan

Decision by M Russell BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 7th May 2025

Appeal Ref: APP/W2845/D/25/3360556

67 Barnwell Road, Northampton NN2 7RP

- 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 and Mrs Raninga against the decision of West Northamptonshire Council.
 - The application Ref is 2024/4954/FULL.
 - The development proposed is a rear extension and alterations.
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by a representative of the Inspector whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Preliminary Matters

3. There is a discrepancy between the submitted drawings and the existing development at the appeal site. When I undertook my site visit, I observed a single storey side extension, in addition to a detached outbuilding which are not shown on the existing plans, nor are they referenced in the appeal documents. Notwithstanding this, I have made my recommendation based upon the evidence submitted as well as what I observed on site.
4. I have been provided with a copy of Policy PL7 (Design and Amenity) of the emerging West Northamptonshire Local Plan (Consultation Draft 2024). However, I am not aware that this document has been through examination and there may be unresolved objections or requirements for modifications to it. I have therefore made my recommendation on the basis of the requirements of the adopted development plan.

Main Issue

5. The main issue is the effect of the proposed development on the living conditions of occupiers of 65 Barnwell Road (No 65) and 69 Barnwell Road (No 69), with particular regard to outlook.

Reasons for the Recommendation

6. The appeal site relates to an end-terrace in a short row of two-storey properties. The appeal dwelling is attached to the neighbouring dwelling in the terrace at No 65 and on the opposite side shares a boundary with the semi-detached dwelling at

No 69. No 69 occupies a corner plot at the junction of Barnwell Road and Wakefield Road. Rear gardens in the surrounding area are generally long and narrow. However, due to their location at the end of the street, where they are abutted by the rear boundaries of the properties on Wakefield Road, the gardens of Nos 65, 67 and 69 are somewhat smaller than the prevailing garden sizes on Barnwell Road.

7. The nearest first floor window at No 65 is obscure glazed and any loss of outlook from this window would therefore be limited. However, due to its height, depth and siting next to the shared boundary with No 65, coupled with the limited width of the rear garden serving this neighbouring property, the two-storey element of the extension would appear as a dominant and overbearing feature when experienced from nearest ground floor window and the garden area to the immediate rear of this at No 65. Furthermore, there is also no dispute between the main parties that the proposal would breach the 45-degree rule outlined in the Council's Residential Extensions and Alterations Supplementary Planning Document (December 2011) from the nearest ground floor window at No 65. The 45-degree rule seeks to maintain an adequate outlook for occupiers of neighbouring properties and this breach further indicates that the proposal would have an unacceptable effect.
8. With regard to No 69, occupiers of that dwelling currently benefit from a relatively wide-angle aspect across their rear garden and out towards the gardens of the neighbouring properties on Barnwell Road and Hastings Road. Whilst there is already some close-up built form within this aspect, particularly in terms of the corner of the appeal dwelling, the two-storey part of the proposed development would extend more prominently into views when experienced from the rear windows and the small garden area at No 69. Given its scale and close proximity, this would be overbearing for occupiers of No 69.
9. I note the appellants' reference to examples of similar developments in the area, including a two-storey extension at 49 Barnwell Road. The precise details of these developments do not form part of the evidence before me. Notwithstanding this, it does not follow that other developments justify the site-specific harm identified. I also acknowledge that this appeal represents the third iteration of the proposed extension, and that no objections have been received from neighbouring occupiers. However, a reduced scheme does not necessarily equate to one that is acceptable in planning terms and the absence of objections is not determinative, since there could be any number of reasons why no comments were made.
10. I conclude, the proposed development would have a harmful effect on the living conditions of occupiers of No 65 and No 69 with particular regard to outlook. Thus, it would conflict with Policy Q2 of the Northampton Local Plan Part 2 (2023) which requires that development protects a high standard of amenity for occupiers, is not overbearing and ensures that outlook from within buildings and private garden areas is satisfactory.
11. For the same reasons, there would also be conflict, with the design guidance contained in the Residential Extensions and Alterations Supplementary Planning Document (December 2011) and paragraph 135(f) of the National Planning Policy Framework, which amongst other things seek to protect neighbouring living conditions.

Conclusion and Recommendation

12. I have found that the proposal would have an unacceptable effect on the living conditions of occupiers of No 65 and No 69 with particular regard to outlook and in this respect it would conflict with the development plan. Therefore, I recommend that the appeal should be dismissed.

S Jamieson

APPEAL PLANNING OFFICER

Inspector's Decision

13. I have considered all the submitted evidence and my representative's report and on that basis the appeal is dismissed.

M Russell

INSPECTOR