



Appeal Decision

Site visit made on 9 September 2025

by **R Bartlett PGDip URP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 22 September 2025

Appeal Ref: APP/M2840/D/25/3363850

13 Ironwood Avenue, Desborough, North Northamptonshire, NN14 2JJ

- 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 Paul Meurisse and Fernanda Van Raepensbusch against the decision of North Northamptonshire Council.
- The application Ref is NK/2024/0542.
- The development proposed is described as “The dwelling is occupied by the same owners since it was bought by them in 2016 from the house builder. These owners are now above pension age and are adapting their property to provide wheelchair access and accommodation for an in-house carer for their later age. Enabling the existing three storey dwelling for wheelchair requires among others: to add a lift serving all three floors and allowing use by a wheelchair user and accompanying carer; and having 120cm distance between any two objects. This requires to have larger rooms in the house than the existing ones. The above mentioned two reasons have dictated the absolute necessity for the three storey rear extension. Simultaneously, the existing dwelling need substantial internal upgrade. This includes satisfying 2025 building regulations in terms of insulation, energy efficiency and energy provision.”

Decision

1. The appeal is dismissed.

Procedural Matter

2. The appeal statement suggests that part of the proposed extension already benefits from planning permission under The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (the GPDO), and that only the addition to this should be considered. However, as the different parts of the development are integral to one another, and the parts that the appellants consider to be permitted development have not yet been constructed, I must consider the proposal before me as a whole.

Main Issues

3. The main issues are the effect of the proposed development on i) the character and appearance of the area; and ii) the living conditions of occupiers of nearby dwellings with particular regard to light, privacy and outlook.

Reasons

Character and appearance

4. The appeal site forms part of a modern planned estate, within which the mix of houses are designed and sited to complement each other in terms of style, features, materials and building lines. The property in question comprises a three-storey detached house with an attached double garage, which has vehicular access from a shared private driveway to the rear, off Mulberry Close.

5. There is currently a small ground floor projection at the rear of the house, which is set in from the main side elevations of the dwelling and has a lean-to roof. This appears to be an original design feature, which I noted is also present on other houses within the estate. It is proposed to extend this outwards, upwards, and to increase its width in line with the western side elevation of the house. The extension would comprise three storeys, with the eaves height at the rear matching those of the original dwelling. It would have a pitched roof running parallel to that of the main house and two dormer windows facing the rear garden.
6. The roof pitch on the main part of the extension would be steeper than that on the main house and others nearby. A pitched roof link would be constructed between the existing and proposed roof slopes, the eaves height of which would be much higher than those of the original house. The ridge height of the extension and roof link would be lower than that of the main house but higher than that of the original and proposed dormers. Although I have not been provided with a proposed roof plan, the side elevation drawings indicate that the link between the roof of the main house and the extension would be pitched. Having regard to the height of the eaves and ridge of this link, together with the width of the extension, the roof slopes of this link would be long and shallow pitched. This contrived mix of roof forms would fail to reflect the simple clean roofscape and modest low-level dormers that currently exist in the immediate surrounding area.
7. The width of the extension at more than two thirds of the width of the house, the relocation of the dormer window to the outer edge of the dwelling adjacent to No.15, and the replacement and relocation of the existing first floor 3 panel window with a narrower 2 panel window, closer to the side of the dwelling, would unbalance the symmetrical appearance of the existing rear elevation, rather than improve it as suggested by the appellants.
8. The increased depth of the side elevations would project well beyond the established strong rear building line of adjacent properties. Other side elevations in the area comprise simple tall, narrow gable walls. Although the extension would have windows in the side elevations, the increased massing of brickwork and the high-level eaves, created by the link between the dual pitched roofs of the original dwelling and the extension, would result in an unsympathetic, bulky and unbalanced appearance to both side elevations.
9. As the junction of Mulberry Close is flanked by footpaths and single storey garages that are set back from the front elevation of the houses on either side of the road, views down this road from Ironwood Avenue are relatively unrestricted. Due to the position of the house on a corner plot, with a shared driveway to the rear, and the high density of the area, wherein properties are sited close together with small rear gardens, the extension would be highly visible from numerous public and private vantage points. This is notwithstanding the fact that the side of the house and the extension are set back from the road and footpath behind the boundary wall, garage and driveway. These would do little to screen the upper floors of the extension and its mismatched roof.
10. The visual effects of development upon the character and appearance of an area can be far reaching and there are no restrictions on who may or may not comment upon planning applications. All of the representations received are from owners or occupiers of nearby properties and accordingly I have taken these into account in reaching my decision.

11. Various other buildings in the area have been drawn to my attention, which are larger than the appeal property. However, these were all designed as part of the original estate and reflect their siting within it, for example angled corner blocks. These display the same simple roof form, proportions and separation distances as other original properties on the estate and have not been subject to large additions that significantly alter their original design form.
12. For these reasons, I conclude that the proposed extension and alterations would significantly detract from the scale, form and proportions of the host dwelling and the established building line of adjacent properties within the planned estate, wherein other rear extensions are limited to modest ground floor additions that are largely screened by boundary walls, fences and planting. This would result in harm to the well-designed character and appearance of the area. Consequently, the proposal fails to accord with Policy 8 of the North Northamptonshire Joint Core Strategy 2011 - 2031 (the Core Strategy), which seeks amongst other things to ensure that development responds to the site's immediate and wider context and local character

Living conditions

13. The red line boundary shown on the submitted plans includes part of the rear access road, which is outside of the domestic curtilage of the dwelling. Despite being identified on the appellants property deeds as land within their ownership, curtilage and ownership are not the same thing. Moreover, the extent of land within the appellants ownership does not alter the separation distance between properties.
14. The proposed extension would be less than seven metres from the rear boundary of the garden. Although small gardens are not uncommon in this area, and the extension would project no further from the rear wall of the dwelling than other ground floor rear extensions in this area, the proposal before me is not single storey, and its height and steeply pitched roof would make it more visually prominent and obtrusive from surrounding properties. Higher buildings tend to require greater separation from their neighbours to mitigate the increased effect they can have in terms of overlooking, overshadowing and overbearing outlook. In this respect I note that the two-storey dwellings to the rear of the site are lower in height than the appeal property and the proposed extension.
15. Windows are proposed in all three sides of the extension on all three levels, although I acknowledge that those in the side elevations are proposed to be non-opening and fitted with frosted glass, which could be secured by a condition. Nevertheless, the extension would reduce the separation distance between the existing dwelling and those to the rear of it, namely Nos.21 and 22 Mulberry Close, by almost four metres. This would result in increased overlooking and loss of privacy to the occupiers of those dwellings, particularly when using their gardens. Whether a property is occupied by its owner or a rental tenant does not alter the weight given to the effects of a development upon it. The long-term future of trees and landscaping in these neighbouring smaller gardens, which are outside of the appellants ownership and control, cannot be guaranteed or relied upon to mitigate any effects. The proposed extension, due to its height and the limited separation distance between properties, would also appear overbearingly large and dominant in the outlook from Nos.21 and 22 Mulberry Close.

16. I note that no representations have been received from the owners or occupiers of No.15 Ironwood Avenue, which has a conservatory to the rear with an obscure glazed roof. However, although the extension would be set in from the side boundary shared with this property, it has not been demonstrated that the height and depth of the proposed extension would not result in over shadowing in the late afternoon or early evening, due to its position to the west of this property. Having regard to the previous appeal decision and plans that have been referred to me by the appellants, relating to a three storey extension which would have been closer to the boundary but would not have projected so far from the existing rear wall of the house, I consider that the revised proposal would be equally or more overbearing and oppressive in the outlook from No.15.
17. For these reasons, I conclude that the proposed extension would result in harm to the living conditions of occupiers of nearby dwellings with particular regard to privacy and outlook. Consequently, it fails to accord with Policy 8 of the Core Strategy, which seeks amongst other things to ensure that development does not result in an unacceptable impact on the amenities of neighbouring properties.

Other Matters

18. The development is described by the appellants as a 'variation to permitted development'. I understand that the Council has previously granted a lawful development certificate for a smaller three storey rear extension, which was believed to constitute permitted development under the provisions of the GPDO. The appellants consider the proposal currently before me to be a minimal variation of that scheme.
19. The weight to be given to any material consideration is a matter for the decision maker. In this case, representations made in relation to this appeal indicate that the extension that the Council previously granted a lawful development certificate for, would not comply with the provisions of the GPDO, due to the fact that the extension would be greater than single storey and would project more than three metres from the original rear wall of the dwelling at first and second floor levels. I concur with this view and also note the extension would be less than 7 metres from the rear curtilage boundary (not ownership boundary) and would not have the same roof pitch. As such I afford very limited weight to the lawful development certificate, which it appears incorrectly concludes that the proposal subject to that application would have been permitted development. Furthermore, even if that development was lawful, or was amended to be so, it would be smaller and thus less harmful than the scheme currently before me. The proposal before me is not permitted development and as such must be determined in accordance with the development plan unless material considerations indicate otherwise.
20. In reaching my decision I have had due regard to the Public Sector Equality Duty (PSED) contained in Section 149 of the Equality Act 2010, and to the provisions of the Human Rights Act 1998. These aim to eliminate discrimination, to advance equality and to foster good relations.
21. I acknowledge that the purpose of the extension is to enable the appellants to stay in their existing home during their retirement and that they envisage that one of them may require wheelchair access in the future. However, there is very little information or evidence before me regarding the need for the appellants to remain in their existing property, their need for a specific type of lift or for a live in carer, or

why accessible accommodation cannot be provided at ground floor level. Furthermore, the plans indicate that the lift would be provided within the existing dwelling, not the extension, and it has not been demonstrated that the appellants future personal needs cannot be met by a different internal reconfiguration of the property or by a more sensitively designed scheme. As such, I afford these matters limited weight.

22. With regard to internally upgrading the dwelling to improve its insulation and energy efficiency, this is not dependent upon an extension. Internal works to a dwelling, which do not alter its external appearance, do not require planning permission. I therefore afford such benefits limited weight. The economic benefits of the proposal would also be very modest and as such would not outweigh the harm identified.
23. Reference is made to various government priorities, but these do not outweigh the local policies set out in the development plan, which planning applications must be determined in accordance with. I note the appellants concerns relating to the Council's handling of the application and the handling of previous applications and appeals, but this is not a matter for my consideration. Any alleged unlawful actions of the Local Planning Authority or the Planning Inspectorate, in respect of the current or previous applications and appeals, are a matter for the Courts.
24. The appellants have suggested that should I have any concerns regarding the proposal I should meet with them to find an alternative solution. However, that is not the purpose of the appeal process. Inspectors must remain impartial and consider only the plans that were determined by the Council and on which others were consulted.

Conclusion

25. For the reasons given above I conclude that the proposal conflicts with the development plan taken as a whole and there are no material considerations which indicate a decision should be made other than in accordance with the development plan. The appeal is therefore dismissed.

R Bartlett

INSPECTOR