



Appeal Decision

Site visit made on 12 November 2025

by J Hobbs MRTPI MCD BSc (hons)

an Inspector appointed by the Secretary of State

Decision date: 25 November 2025

Appeal Ref: APP/W2845/W/25/3370215

Land North of Old Farm Lane, Ashton

- 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 Richard Gartside against the decision of West Northamptonshire Council.
 - The application Ref is 2025/1025/FULL.
 - The development proposed is the erection of a pool house to the rear of the property.
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Decision

1. The appeal is allowed and planning permission is granted for the erection of a pool house to the rear of the property at Land North of Old Farm Lane, Ashton in accordance with the terms of the application, Ref 2025/1025/FULL, subject to the following conditions:
 - 1) The development hereby permitted shall be carried out in accordance with drawing nos OH 200.10, OH 200.11, OH 200.13, OH 200.14, and OH 200.15.
 - 2) The external finish of the development hereby permitted shall be constructed in the materials shown on drawings nos. OH 200.14, and OH 200.15.
 - 3) The pool house hereby approved shall only be used ancillary to the main house and shall not be used, let, sold, or otherwise disposed of as a separate unit or commercial use.

Preliminary Matters

2. During my site visit I observed that works were ongoing in relation to the construction of the dwellinghouse, and the ground works for the proposed pool house appeared to be complete. Both the Council and the appellant acknowledge that the application was for retrospective development. However, the proposed works on the pool house have not been completed. Therefore, I will refer to it as the proposed development, albeit some aspects may be complete.

Main Issue

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

Reasons

4. The appeal site forms part of an area where several houses are under construction. Based upon the appeal representations and my observations on site, these properties are proposed to be large and set within very spacious plots. The proposal is for an extension of a property which is under construction to form a

pool house. Even without the proposed pool house, the appeal property would be of a substantial scale and massing and would have a complex plan form; it would also benefit from a large garden. Many of the surrounding properties are proposed to have similar characteristics. Given the appeal site's location on the edge of the village and the low density of development, the area is semi-rural in character.

5. The proposed pool house would be a single storey extension which would project a long distance from the rear elevation of the appeal property and would introduce a significant amount of massing. Nonetheless, the scale and massing of the proposed pool house would not be excessive when compared to the size of the appeal property. Due to its height and shallow pitched roof, the proposed pool house would appear subservient to the appeal property.
6. The depth of the proposed pool house would be deeper than the depth of the appeal property. Notwithstanding this, the proposed extension would contribute to the appeal property's complex plan form. Moreover, a projecting element with a gable end would appear similar to other projecting elements to the rear of the appeal property and preserve the property's architectural form.
7. The use of red facing bricks to match the finish of the garage and the link element would be appropriate as it would help distinguish the proposed pool house and the garage from the main section of the appeal property. Taking all of the above into account, the proposal would respect the character of the appeal property.
8. The proposed pool house would reduce the size of the rear garden. However, there would still be a substantial amount of garden space remaining and a similar amount of circulation space around the property. Even with the proposed pool house, the appeal property would still be within a very spacious plot. Furthermore, the proposed pool house would be largely screened from public views by the boundary treatments and the appeal property itself. As such, it would not appear overbearing or as an overdevelopment of the plot, nor would it have a harmful effect on the setting of the village.
9. I conclude that the proposal would not have a harmful effect on the character and appearance of the area. It would comply with policies SS2 and SDP1 of the South Northamptonshire Local Plan Part 2 2011-2029 and policies ANDP6 and ANDP8 of the Ashton Neighbourhood Development Plan 2019-2029, May 2021. These policies indicate that planning permission will be granted where the proposed development uses a design-led approach to demonstrate integration with its surroundings, and new development is expected to conserve the local landscape setting, amongst other matters. The proposal would also be in accordance with Chapter 4 of South Northamptonshire Design Guide, where it advises that rear extensions should complement the character of the original building. Furthermore, it would comply with paragraphs 135 and 139 of the National Planning Policy Framework (the Framework) where they advise that planning decisions should ensure that developments are visually attractive and development that is not well designed should be refused.

Other Matters

10. The Council has indicated that an occupier of a neighbouring house has a medical condition that requires a quiet environment. Even with the proposed pool house, there would still be a significant distance between the appeal property and neighbouring properties. Given these separation distances, it would not be

necessary for the windows of the proposed pool house to be fixed permanently shut. Furthermore, the proposal does not include a change of use. Given the above factors, the proposal would not have a harmful effect on the living conditions of occupiers of neighbouring houses.

11. As above, construction works appear to have begun prior to planning permission being granted. However, Section 73A of the Town and Country Planning Act 1990 allows planning permission to be granted for development carried out before the date of the application. Accordingly, the proposal is not contrary to legislation.

Conditions

12. The Council has indicated the conditions that it considers would be appropriate if I were to allow the appeal. I have considered the suggested conditions in light of the guidance within the Framework and Planning Practice Guidance.
13. A condition specifying the approved plans is necessary in the interest of certainty. However, it is not necessary to include 'DAS', drawing no. OH 200.16, within the list of approved plans, as the pertinent details shown on this drawing are included on other drawings. It would also not be necessary to include the 'Site plan pool plus landscaping', drawing no. OH 100.12, within the list of approved plans, as the proposed landscaping is not required to conserve the character and appearance of the area or to ensure that the living conditions of neighbouring occupiers would not be harmfully affected.
14. A condition specifying that the external surfaces shall be constructed in the materials shown on the plans is necessary in the interest of conserving the character and appearance of the area. Furthermore, a condition specifying that the pool house shall only be used ancillary to the main house is necessary to preserve the living conditions of occupiers of neighbouring properties.
15. It is not necessary to include a condition specifying a time limit for the commencement of works as it is common ground that works on the proposed pool house have already begun.

Conclusion

16. In reaching my decision I have had due regard to the Public Sector Equality Duty set out under the Equality Act 2010. The protected characteristic of disability may be relevant to an occupier of a neighbouring property. The proposal would not cause harm to their living conditions. As such, granting planning permission would not be contrary to the need to eliminate discrimination of people with protected characteristics, advancing equality of opportunity for those persons, and fostering good relations between them and others.
17. I have also had regard to the rights of the neighbouring occupiers under Article 8 of the Human Rights Act 1998. Article 8 affords the right to respect for private and family life and home. Allowing the appeal would not interfere with the neighbouring occupiers' rights under Article 8, as they could continue to live in their home without being subjected to unacceptable living conditions.
18. For the reasons given above the appeal should be allowed and planning permission should be granted.

J Hobbs INSPECTOR