

Appeal Decision

Site visit made on 20 September 2016

by David Troy BSc (Hons) MA MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 28 September 2016

Appeal Ref: APP/V2825/W/16/3152765

133 Colwyn Road, Northampton NN1 3PU

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Paris Shah against the decision of Northampton Borough Council.
 - The application Ref N/2016/0112, dated 8 February 2016, was refused by notice dated 31 March 2016.
 - The development is alterations to form additional self-contained apartment.
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Decision

1. The appeal is allowed and planning permission is granted for alterations to form additional self-contained apartment at 133 Colwyn Road, Northampton NN1 3PU in accordance with the terms of the application, N/2016/0112, dated 8 February 2016, subject to the following conditions:
 - 1) The development hereby permitted shall be carried out in accordance with the following approved plans: PT.11711.1 and Site Location Plan received on 9 February 2016.
 - 2) Prior to the commencement of the use hereby permitted, the details of the refuse storage set out in the Design and Access Statement dated 8 February 2016 shall be implemented and retained thereafter.

Procedural Matter

2. The conversion work to form an additional self-contained apartment has already commenced. I shall determine the appeal on this basis accordingly.

Main Issue

3. The main issue is the effect of the additional car parking associated with the development on highway safety in the area.

Reasons

4. The appeal site consists of a traditional three storey mid terrace property located in a predominantly residential area of high density Victorian terraced properties around 100 metres to the west of a busy commercial area on Kettering Road, with a range of local services and facilities.
 5. The appeal property currently comprises four self-contained apartments. In 2011 planning permission was granted to convert two empty rooms at the property into a fifth self-contained apartment. The Council state that the
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- permission lapsed in January 2015 and that the new owner who thought the permission was still valid has started the work.
6. Saved Policy H21 of the Northampton Local Plan 1997 (LP) states planning permission will not be granted for conversion to flats where the introduction or increase in the numbers of flats would prejudice the character of the area. Policy H1 of the West Northamptonshire Joint Core Strategy 2014 (JCS) states that development should provide a housing mix that caters for a range of different needs and make the most efficient use of land having regards to amongst other things, accessibility to services and facilities and public transport.
 7. The Council contend that the parking demand from the development and the current shortage of car parking in the area will lead to increased parking problems on nearby streets to the detriment of highway safety. The Local Highway Authority (LHA) have objected to the development stating that parking beat surveys in the surrounding area including a recent survey in Cowper Street demonstrated there is no residual parking capacity in the overall area. The parking beat surveys do not, however, cover Colwyn Road and whilst the LHA would accept the need for a further survey, this has not been followed up by the Council. Additionally, the LHA state that this an area of high ticketing by the parking enforcement department for illegal parking and a high level of parking related complaints from residents in the area. However, I have not been provided with any substantive evidence in this regard.
 8. I acknowledge the properties in both Colwyn Road and the surrounding streets rely on on-street parking and there is likely to be competition for parking spaces at peak periods. However, there are no parking restrictions outside the appeal site and at the time of my site visit, there were parking spaces available along Colwyn Road and the nearby streets.
 9. In any event, the appeal site is located in a sustainable location within easy walking distance of the local services and facilities and public transport services. With no off-site parking provision, I consider it is likely be more attractive for occupation by people who do not use cars than those who do. Consequently, in view of the scale of development and the evidence before me, I consider that the extra demand for on-street parking generated by the development is relatively small in the context of the overall supply and availability of parking in the area. Therefore, I consider that the effect is likely to be only marginal and certainly not severe, the test set by the National Planning Policy Framework (the Framework)¹ for preventing development on transport grounds.
 10. I therefore conclude that the development would not conflict with Saved Policy H21 of the LP and Policy H1 of the JCS and would not have an adverse effect on highway safety in the area. In addition, the development complies with paragraphs 17, 32 and 35 of the Framework that seeks to ensure that developments should be located and designed where practical to make the fullest possible use of public transport, walking and cycling and that safe and suitable access to the site can be achieved for all people.

¹ Paragraphs 32 of the Framework

Other matters

11. The appeal sites lies within the Boot and Shoe Quarter Conservation Area (CA). Special attention has to be paid to the desirability of preserving or enhancing the character or appearance of the area. No external changes have been made to the property and as such the development would preserve the character and appearance of the CA.
12. I note there is some local objection to the development on the basis of the arrangements for parking, rubbish disposal and the concentration of Houses in Multiple Occupation (HiMO) and flats around the site. However, I have addressed the parking issues above and the Council's officer report confirms that only 10% of properties within a 50m radius are in HiMO use and as such this development would not have any significant impact on the overall character of the area. Details of refuse storage have been submitted by the appellant and a condition has been provided to deal with this matter.

Conditions

13. I have had regard to the planning conditions that have been suggested by the Council. I agree that a condition relating to the approved plans is necessary as it provides certainty. A condition relating to refuse storage is appropriate in the interests of amenity and I have referred to the details of the internal built-in bins provided in the appellant's Design and Access Statement dated 8 February 2016, which will be integrated into the kitchen area of the apartment.

Conclusion

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

David Troy

INSPECTOR