
Appeal Decision

Site visit made on 14 March 2017

by Elaine Worthington BA (Hons) MTP MUED MRTPI

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

Decision date: 30th March 2017

Appeal Ref: APP/V2825/W/16/3162023

1A Junction Road, Northampton, NN2 7JQ

- 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 David Blackburn against the decision of Northampton Borough Council.
 - The application Ref N/2016/0635, dated 10 May 2016, was refused by notice dated 29 July 2016.
 - The development proposed is the demolition of printing works and construction of 2 new houses.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue in this case is the effect of the proposal on the living conditions of nearby occupiers, with particular reference to outlook, daylight and sunlight.

Reasons

3. The appeal site is a single storey commercial building fronting Junction Road. It adjoins the rear off-shoot of 109 Oliver Street which is a two storey detached house on the corner of Junction Road. The surrounding area is predominantly residential. A previous application for two dwellings on the appeal site was refused in 2015. The amended scheme subject of this appeal seeks to address the reasons for refusal in that case and the Council confirms that it would be acceptable in terms of the provision of amenity space.
 4. Even so, the proposed houses would be sited close to the site's boundaries and the adjoining houses in Oliver Street. The rear garden of No 109 abuts the site to the south west and the proposal's tall blank flank elevation would be seen at very close quarters from there. Although not raised as an issue by the Council, it would also be appreciated in close proximity from the first floor gable end window on the north east flank elevation of No 109's rear off-shoot. The garden of 105 Oliver Street is longer and extends beyond the appeal site directly behind the proposal. The first floor rear windows would serve landings and bathrooms and the use of obscure glass could be required by a condition. On this basis the Council raises no objection to the proposal in terms of overlooking. Nevertheless, the houses would be positioned very near to No 105's rear garden and would introduce tall two storey development with a pitched roof directly adjacent to, and along much of, its side boundary.
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5. Whilst the existing building has a close relationship with its neighbours, it is a much more modest single storey structure. Given the height and scale of the appeal scheme, it seems to me that the rear gardens of both No 105 and No 109 would be unduly dominated and enclosed by the proposal. This would be to the extent that it would appear as an obtrusive and overbearing feature that would lead to an unsatisfactory loss of outlook for the occupiers of Nos 105 and 109. It would also lead to the material loss of daylight and sunlight to their rear gardens which would become significantly more shaded.
6. Immediately to the north east of the appeal site is a relatively new terrace of three houses which was permitted in 1998 and replaced a garage block. However, in contrast to the appeal site, that plot is much deeper and seems to take in parts of the former gardens of the properties fronting Milton Street. Given their longer rear gardens, the houses to the north east are located much further away from their neighbours than would be the case in the proposal before me. Thus, I do not regard this existing development to be directly comparable to the appeal scheme.
7. I therefore conclude that the proposal would be harmful to the living conditions of nearby occupiers, with particular reference to outlook, daylight and sunlight. This would be contrary to Policy H1 of the West Northamptonshire Core Strategy (Core Strategy) which expects housing developments to have regard to a number of considerations including the impact on the amenities of occupiers of neighbouring properties (g). The proposal would also conflict with Core Strategy Policy S10 concerning sustainable development principles which indicates that development will protect, conserve and enhance the built environment (i). It would fail to align with Policy E20 of the Northampton Local Plan which is permissive of new development subject to it being designed , located and uses in a manner which ensures adequate standards of privacy, daylight and sunlight (B). Furthermore, it would undermine the core planning principle of the National Planning Policy Framework to secure a good standard of amenity for all existing and future occupants of land and buildings.

Other matters

8. The proposal is intended to provide much needed low cost housing and would add to housing land supply. Whilst this is a benefit of the scheme, given its limited scale, its contribution in this regard would not be great. The appellant also argues that the proposal would introduce smart houses which would improve the look of Junction Road and is happy to be flexible in terms of their design. The Council raises no objections to the proposal's effect on the character and appearance of the area and accepts that the existing building is unattractive. That said, although industrial in appearance, to my mind it is not a particular eyesore in the locality and does not detract from the street scene to any great extent. As such, this factor adds only very limited weight in favour of the appeal scheme. Therefore, overall, I confirm that the benefits of the proposal, even when taken together, are insufficient to outweigh the harm I have identified in relation to the main issue.

Conclusion

9. For the reasons set out above, I conclude that the appeal should be dismissed.

Elaine Worthington

INSPECTOR