



Appeal Decision

Site visit made on 13 June 2017

by Andrew McCormack BSc (Hons) MRTPI

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

Decision date: 17 July 2017

Appeal Ref: APP/V2825/W/17/3171501
54 Bostock Avenue, Northampton NN1 4LN

- 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 Alan Byrne against the decision of Northampton Borough Council.
 - The application Ref N/2017/0005, dated 21 December 2016, was refused by notice dated 15 February 2017.
 - The development proposed is change of use from C3 to C4 for 5 persons.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposed development with regard to parking and highway safety.

Reasons

3. The appeal property is a two storey, mid-terrace, four bedroom dwelling which is situated within an established residential area with similar terrace properties on both sides of the street and in the surrounding locality. The property is within walking distance from Wellingborough Road and Kettering Road which I note have a wide range of services and facilities, including public transport links into the centre of Northampton.
4. The Council's Interim Houses in Multiple Occupation (HMO) Policy requires HMOs with limited or no parking to be located close to bus routes and local services and facilities. However, this must be weighed carefully against other considerations such as the current parking situation and the capacity of the surrounding streets to accommodate any additional traffic.
5. At the time of the site visit, which was around lunchtime, I noted that a number of parking spaces were available on Bostock Avenue. I acknowledge that this can only offer a snapshot in time and may not reflect the circumstances experienced at other times of the day. Notwithstanding this, I observed that parked vehicles were present on and around all four corners of the nearby junction between Bostock Avenue and Billington Street. This resulted in poor visibility for vehicles approaching that junction from all directions. Furthermore, I found there to be an increased possibility of pedestrians emerging suddenly from between closely parked vehicles to cross the street. In my mind, this constitutes a significant danger to all road users

and pedestrians and undoubtedly has a significant adverse impact on pedestrian and highway safety.

6. In addition, I find that as such circumstances exist in the area at a time of day which could reasonably be considered to be quieter, with fewer parked vehicles around, the potential for conflict between all road users and pedestrians would only be exacerbated at busier times. I note from photographs submitted to the appeal that parking spaces are very limited in the area during evenings and overnight. This is supported by comments made by the highway authority, dated 15 May 2017, which reports the results of parking surveys undertaken in the area.
7. I note that the proposal could produce a demand for up to 5 or 6 additional vehicles. This would be significantly more than would be generated by a single residential unit. Furthermore, the proposal would not provide any off-street parking as there is no land available at the site to do so. As a result, the potential additional number of vehicles would need to be accommodated by the existing on-street parking provision. The highway authority states that on-street parking in the area is considered to be at capacity. Therefore, based on the evidence before me, I find that any increase in demand would result in a much greater probability of dangerous parking and conflict between pedestrians and all other road users.
8. The proposed development would have the potential to increase car ownership in the area. It would therefore lead to an increase in demand for on-street parking which would not be met in the locality. As a result, having had regard to the issues raised, I find that any increase in demand would be harmful and would exacerbate the difficulties already experienced by residents and road users with regard to parking and highway safety.
9. The appellant states that an application for a HMO at 100 Bostock Avenue was allowed as parking capacity in the area was found to be sufficient to accommodate that development. It is therefore argued that this similar scheme should also be allowed. Furthermore, I acknowledge that other proposals nearby which have been refused on parking grounds have been subsequently allowed on appeal. However, each proposal must be considered on its own merits and in its own circumstances. As such, it is evident that circumstances change within an area every time a development is undertaken.
10. In the case of 100 Bostock Avenue, whilst I do not have the full details of that scheme before me, I find that the granting of planning permission would very likely have had an impact upon parking capacity in the locality. Similarly, where appeals have been allowed, so have the circumstances and context changed for future proposals, including the likely increase in demand for on-street parking in the area.
11. The appellant argues that the case officer found the proposal to be acceptable and recommended approval of the scheme as it is in a sustainable location and, in their view, would have no material harm on its surroundings. Therefore, the Committee should have taken the advice of the case officer. Notwithstanding this, I find that the Committee was entitled to come to a different view based on the information available to it. Furthermore, I find that the reasons for refusal were clearly set out and justified in the Council's decision notice.

12. Whilst I acknowledge that great weight must be given to the sustainable and accessible location of the appeal property, this must be assessed against the significant adverse impact the proposal would have on parking provision and highway safety in the area. I appreciate the sustainable and accessible location of the property. However, I find that this would not necessarily result in reduced car ownership. Whilst there would be a possibility that not all future residents of the proposal would own a car, I find there also to be a reasonable probability that they would.
13. From the evidence before me and from what I saw during the site visit, I find that the proposal would provide good residential accommodation for up to five people in an established accessible and sustainable residential location. Furthermore, it would have no material detrimental impact on the living conditions of future and neighbouring occupiers within their properties. However, I find that these benefits, even when considered cumulatively, would not outweigh the significant harm I have identified with regard to the impact on highway safety and on-street parking.
14. Consequently, I conclude that the proposed development would have a significantly adverse impact on parking provision and highway safety in the local area. Therefore, it would be contrary to Policy H5 of the West Northamptonshire Joint Core Strategy (CS), Policy H30 of the Northampton Local Plan (LP) and the relevant guidance within the National Planning Policy Framework (the Framework). Amongst other matters, these policies and guidance seek to ensure that development proposals have no detrimental impact on the demand for on-street parking, highway safety and the surrounding amenity of residents and all other pedestrians and road users.

Conclusion

15. For the above reasons, and having had regard to all other matters raised, I conclude that the appeal should be dismissed.

Andrew McCormack

INSPECTOR