



Appeal Decision

Site visit made on 26 July 2017

by Andrew Owen BA(Hons) MA MRTPI

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

Decision date: 7 August 2017

Appeal Ref: APP/V2825/W/17/3173997

12 Brookland Road, Northampton NN1 4SL

- 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 Ms Kathleen Karpauskas against the decision of Northampton Borough Council.
 - The application Ref N/2016/1634, dated 12 December 2016, was refused by notice dated 2 February 2017.
 - The development proposed is erection of new detached dwelling.
-

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are
 - i) the effect of the proposal on the character and appearance of the area;
 - ii) whether the development would provide satisfactory living conditions for its future occupiers; and
 - iii) the effect of the proposal on highway safety.

Reasons

Character and appearance

3. The area is strongly characterised by terraced houses with small front gardens and fairly long rear gardens. No 12 is positioned on the corner of Brookland Road and The Drive. The proposed dwelling would be located in the rear garden of No 12, replacing a detached garage, and would face The Drive.
4. The dwelling would be well designed in terms of its form and appearance, would be approximately the same size as the other houses in the area and would generally maintain the building line along The Drive. However the plot would be significantly smaller than the other plots in the area and as a result the house would substantially fill the plot. Minimal gaps would be retained to the rear and west boundaries and only a small garden would be provided to its east side. Consequently the house would be hemmed in by the neighbouring gardens and would appear very cramped on its plot. It would therefore contrast with the more spacious character of its surroundings.

5. The other examples of properties with small gardens, provided by the appellant, are a significant distance away and do not influence the context within which the proposal would be seen. I could see no comparably small gardens within the context of the site.
6. The appellant suggests the garage is unused, and I acknowledge the support for making a more effective use of land in Policy H1 of the West Northamptonshire Joint Core Strategy (WNJCS) and the National Planning Policy Framework (the 'Framework'). Nonetheless, I do not consider this outweighs the development's failure to reflect its setting.
7. Accordingly, the development would harm the character and appearance of the area. It would therefore be contrary to Policy H1 of the WNJCS and Policy E20 of the Northampton Local Plan which expect development to have regard to the character of the surrounding area, and Policy S10 of the WNJCS which requires development to protect the built environment. It would also be contrary to the advice in the Framework which, as one of its principles, advises that proposals take account of the character of areas.

Living conditions

8. The Council do not have standards for minimum garden sizes and I have no reason to consider that the garden provided for the proposed house, or that retained for No 12, would be of insufficient size to facilitate the everyday recreational activities that occupiers would reasonably expect to be able to carry out.
9. However I do consider that the garden for the proposed dwelling would not provide private amenity space as it would be closely and directly overlooked by the first floor windows in the rear elevation of No 12. Indeed, no part of this garden would not be adversely overlooked by this neighbouring house.
10. Consequently, due to the lack of privacy, the proposal would not provide satisfactory living conditions for its future occupiers. As such the development would fail to accord with Policies H1 and E20 which both require development to provide adequate living conditions for future occupiers.

Highway safety

11. The development would result in the loss of the existing garage. The appellant states that due to its poor structural condition it is not suitable for parking. Nonetheless, there appears to be room for one car to be parked on the site in front of the garage, and photographic evidence from neighbouring residents confirms this. As such the proposal would result in the loss of, at least, one off-street parking space. Furthermore, the opportunity for off-street parking to the front of No 12 is very limited by the size of the garden and its position on a street corner, notwithstanding the fact that it is currently landscaped.
12. The appellant's Parking Assessment shows that during the night, when local residents are most likely to be at home, around 74% of the on-street parking space in the area is occupied. This is based on an allowance of 5 metres for each parking space. The Council suggest that an allowance of 5.5 metres should be used instead and that on this basis around 90% of the on-street parking space in the area is occupied. The appellant provides evidence suggesting that a 5 metre allowance is widely used nationwide, whilst the Council state 5.2 to 5.9 metres per space is generally found in Northampton.

However this could be indicative of the room available and not necessarily reflective of the space required to park a vehicle, particularly if space is at a premium. As such I give more weight to the appellant's methodology and consider there remains some capacity locally. Indeed even the Council found there to be 13 spaces across Brookland Road and The Drive at the time of their survey, although I recognise this is just a snapshot and availability would vary from day to day.

13. Consequently, on the basis of the evidence before me, I consider there would be sufficient on-street parking capacity in the area to accommodate two spaces to serve the development, in accordance with the Northamptonshire Parking Standards, and one space to replace that which currently appears to be provided on the site.
14. As such the parking demand from the development would not be likely to lead to parking in positions that would have a harmful effect on highway safety. Therefore the proposal would not conflict with the advice in the Framework which requires development to create safe and secure layouts.

Other matters

15. The Council do not dispute that they have no five year supply of housing. Nonetheless, the benefit of one additional house would make a very limited contribution to the mix of local housing.

Planning balance and Conclusion

16. Although the provision of one house would be of benefit and I have found that the development would not compromise highway safety, the harm that would be caused by the development to the character and appearance of the area and its failure to provide acceptable living conditions for its occupiers would significantly and demonstrably outweigh the benefits.
17. Therefore for the reasons given above, and taking account of all other considerations, I conclude that the appeal should be dismissed.

Andrew Owen

INSPECTOR