The Planning Inspectorate

Appeal Decision

Site visit made on 07 May 2019

by Kim Langford Tejrar LLB (Hons) BSc (Hons) PGDIP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 14 August 2019

Appeal Ref: APP/V2825/W/19/3222728
Garages, Elizabeth Street, Northampton NN1 5HP

- 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 R Boswell against the decision of Northampton Borough Council.
- The application Ref N/2018/1125, dated 25 July 2018, was refused by notice dated 20 September 2018
- The development proposed is demolition of 3 no. garages and erection of a 1.5 Storey one-bedroom dwelling

Decision

1. The appeal is dismissed.

Main Issue

2. The main issues are the effect of the proposal on the living conditions of occupiers of neighbouring dwellings, and the effect of the proposal on the character and appearance of the area.

Reasons

Character and appearance

3. The appeal site is a row of flat roofed garages, fronting Elizabeth Street. Elizabeth Street comprises the rear of a predominantly single storey community building, several garages of varied design serving the rear of properties in Lower Thrift Street, and the rear of a primary school which is enclosed by a wall. At one end, Elizabeth Street comes to a dead-end with a brick cobbled surface. At the other end, an undercrofted vehicular entrance serves the rear of flats onto Elizabeth Walk.

4. The immediate surroundings of the site have a backland character without an active built-up frontage. It is characterised by various outbuildings, boundary treatments and the rear access to low-level built development which is oriented away from the street. The appeal scheme would introduce a one and a half storey dwelling fronting the street, which is not characteristic of the area and would appear isolated and incongruous with the other development in the vicinity. This would be highlighted by its scale, which would result in prominence in a section of Elizabeth Street which comprises gardens and garages and is particularly low level. Whilst the flats of Elizabeth Walk are two to three storeys high, they are set back from the road by a wide corner and large verge, and present only rear elevations onto Elizabeth Street. Similarly,

whilst 78 Lower Thrift Street has a large extension which projects almost the entire length of its garden, this extension remains set back from Elizabeth Street behind other structures and does not create a frontage. As a result, the appeal scheme would appear incongruous with the character of the surroundings.

5. Whilst the scheme has been designed to have the appearance of an industrial workshop and has taken inspiration from other converted industrial workshops arising from the manufacturing history of the settlement, the immediate surroundings are not those of an industrial yard. As a result, the design of the proposal appears out of context with the residential backland character of the site.

6. The existing garages are utilitarian in appearance and varied in respect of their design and as such they do not contribute positively to the character of the area. Whilst the appeal scheme would present an opportunity to replace these with a development of a different design, for the reasons outlined above, the appeal scheme would not be justified on the basis that it would replace the existing arrangement.

7. For these reasons, the appeal scheme would be detrimental to local character. The scheme would conflict with Policies S10 and H1 of the West Northamptonshire Joint Core Strategy Local Plan Part 1 (CS P1) and Saved Policy E20 of the Northampton Local Plan (LP). These policies seek, amongst other things, to ensure development is in keeping with the existing character of its surroundings and achieve the highest standards of design.

Living conditions

8. The appeal scheme is sited at the end of the rear garden of 74 Lower Thrift Street. The distance between the rear elevations of the appeal scheme and 74 Lower Thrift Street would be approximately 22 metres, a distance which is unlikely to result in overbearing on the dwelling itself.

9. However, the built form of the appeal scheme would direct abut the boundary of 74 Lower Thrift Street and extend across half its width, which would have an overbearing and overshadowing effect on its private garden space. Though it is often the area of garden closest to a house which is most used, the remaining garden remains useable space for the enjoyment of the property and the appeal scheme would have a detrimental impact on that by way of its overbearing and overshadowing effect.

10. There would be no facing windows at the rear of the proposal, other than a high level rooflight, and as a result there would be limited potential for overlooking neighbouring properties.

11. I note that there have been several planning appeals relating to the site and that effect of the proposal on the living conditions of neighbouring properties was not a main issue for the last appeal. It has, however, been raised as matter for this appeal and for the reasons above I have found the appeal scheme would have a detrimental effect on the living conditions of neighbouring occupiers.

12. For the reasons set out above, the scheme would conflict with Policy H1 of the CS P1 and Saved Policy E20 of the LP, which seek to ensure adequate standards of living conditions for neighbouring occupiers.

Other Matters

13. The Council cannot currently demonstrate a five-year supply of deliverable housing and the appeal scheme would represent an efficient use of under-utilised brownfield land to contribute a dwelling towards local housing need. I give this substantial weight, in accordance with Paragraph 118 of the National Planning Policy Framework (the Framework). However, the scheme represents a poor design which fails to take opportunities to improve the character of the local area and which would have an unacceptable detrimental impact on the living conditions of neighbouring occupiers, in conflict with policies of the Development Plan and guidance in the Framework.

Conclusion

14. For the reasons stated above, I find that the appeal proposal would adversely affect the character and appearance of the area and the living conditions of neighbouring occupiers. The scheme would therefore conflict with Policies S10, and H1 of the CS P1, Saved Policy E20 of the LP, as well as the guidance in the Framework. I conclude that the appeal should be dismissed.

Kim Langford Tejrar

INSPECTOR