



Appeal Decision

Site visit made on 19 August 2019 by G Sibley MPLAN MRTPI

Decision by A U Ghafoor BSc (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 6 September 2019

Appeal Ref: APP/V2825/W/19/3229760

46 Palmerston Road, Northampton, NN1 5EU

- 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 Paren Parmar against the decision of Northampton Borough Council.
 - The application Ref: N/2018/1377, dated 1 October 2018, was refused by notice dated 18 April 2019.
 - The development proposed is for the change of use from dwellinghouse (Use Class C3) to house in multiple occupation (Use Class C4) for 6 occupants and installation of rear conservation roof windows revised scheme following refusal of N2018/0645¹.
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Main Issue

3. The development has already been partially undertaken. The effect of the proposed development on the living conditions of the occupiers with specific regard to outlook and daylight.

Reasons for the Recommendation

4. The Council concluded that the use of the property as a House in Multiple Occupation (HMO) would be acceptable with regard to the size of the property and its location and I agree with this conclusion. The replacement of the rear dormer window with conservation roof windows would remove an uncharacteristic feature for the Conservation Area that detracts from the appearance of the dwelling. Therefore it would enhance the appearance of the dwelling and would preserve the character and appearance of the Conservation Area.
5. The basement has already been converted into separate living room and kitchen areas with a partition wall between them, that is proposed to be removed as part of this appeal. There is no window in the kitchen and as such the occupiers have no outlook or natural light in the kitchen. The living room

¹ Taken from appeal form.

has a small frosted window set above head height which faces onto the street. The site visit was undertaken around midday on a sunny day, and as such was undertaken at a time when the room should be well lit by daylight. Despite this the room was gloomy and underlit from natural light and based on the depth of the basement, the kitchen would receive limited daylight from this window. Whilst both rooms can be well lit from artificial light it is important, in HIMO's, that communal areas have a suitable outlook and receive enough daylight as the occupants are likely to spend a considerable amount of time in these rooms. The size and location of this window would not provide a suitable outlook or enough daylight for the occupants of the HIMO.

6. The Houses in Multiple Occupation Adopted Interim Planning Policy Statement (IPPS) requires all habitable rooms to have an adequate level of natural light provided via a clear glazed window. With the partition wall removed the entire basement would become an open plan kitchen dining room and would be the main shared habitable room in the house. As noted, the existing frosted window provides limited natural light for the smaller living room. The window would not be large enough to provide enough daylight or a suitable outlook for the occupiers of the dwelling. As such the proposed development would not meet this key requirement.
7. The private sector housing team did not object to the application and the Council have permitted living rooms in basements with high level windows previously. As the Council have noted, in those situations, the kitchens were provided in a separate room that provided natural light and outlook. In this instance, the occupants would be reliant on the basement as the only communal space and it is not considered that the window would provide sufficient natural light or outlook to provide acceptable living conditions for the occupiers.
8. The proposed development would not provide an acceptable outlook or enough daylight for the occupiers using the communal space and as such this would harm the living conditions of the occupiers. Therefore, the proposed development would be contrary to Policy H30 of the Northampton Local Plan and Policies H1 and H5 of the West Northamptonshire Joint Core Strategy Local Plan (Part 1). The proposed development would also be contrary to the (IPPS).

Conclusion and Recommendation

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

G Sibley

APPEAL PLANNING OFFICER

Inspector's Decision

10. I have considered all the submitted evidence and the Appeal Planning Officer's report, and, on that basis, I too agree that the appeal should be dismissed.

A U Ghafoor

INSPECTOR