



Appeal Decision

Site visit made on 26 August 2020

by M Aqbal BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 2 November 2020

Appeal Ref: APP/V2825/W/20/3249179

**The Vicarage, 104 Semilong Road, Church Brampton, Northampton
NN2 6EX**

- 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 Altaf Hussain against the decision of Northampton Borough Council.
 - The application Ref N/2019/0803, dated 21 May 2019, was refused by notice dated 18 September 2019.
 - The development proposed is demolition of existing property and erection of 13 new flats and associated 15 carparking spaces.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are: a) the effect of the proposed development on the character and appearance of the area; b) the effect of the proposed development on the living conditions of the occupiers of 1a Semilong Road (No 1a); c) whether the proposed development would provide satisfactory living conditions for future occupiers; d) the effects of the proposed development on highway safety with regard to proposed car parking provision; and d) the effects of the proposed development on flood risk.

Reasons

Character and appearance

3. The appeal site occupies a prominent corner plot that is bound by roads on three sides (Semilong Road, Cambridge Street and Essex Street) with a small cul-de-sac (Essex Terrace) to the north.
4. Although the residential care facility opposite the appeal site, in part, is a three-storey building, this building is located between other buildings and therefore does not occupy a plot as prominent as the appeal site. Also, the building is located behind an extensively landscaped frontage and incorporates a shallow roof form. Accordingly, it is settled within the streetscene. Moreover, the proposed development would be largely viewed in the context of the nearby traditional two-storey terraced housing and commercial buildings of a similar scale. Along with more recent terraced housing along Semilong Road. Although the latter incorporate three floors of accommodation, the third floor is

accommodated within roofspace. Most notably, the end terrace (No 1a) adjacent to the appeal site steps down in height.

5. In the above context, the proposed building would occupy a sizeable footprint relative to the size of the overall plot, incorporating extensive elevations. These, along with its height and a substantial roof form would give the proposed block a significant overall scale. The incorporation of some modulation to the facades, rendered sections and fenestration would fail to sufficiently articulate the mass of the building.
6. The overall appearance and design of the building would be undermined by the lack of any legible pedestrian access along the principal elevation of the building facing Cambridge Street. Moreover, this frontage at street level would be dominated by the proposed vehicular access and parking spaces and although some landscaping is proposed, on the available information I cannot be certain that this would be sufficient to mitigate the overall scale of the building and enhance its setting.
7. Furthermore, the side elevation of the new building along Semilong Road because of its overall scale, limited articulation and proximity to the highway would appear particularly strident. This would not reflect the particular streetscene along here, where buildings are generally set-back behind modest frontages, with a strong rhythm associated with the terraced properties and their associated fenestration.
8. Therefore, despite the proposed building, in part, being set-back from the highway and being separated from nearby buildings. Due to its overall scale, design and siting it would be a particularly incongruous and dominant feature in the streetscene. The incongruity of the proposed building would be amplified by the prominent position of the site.
9. Consequently, the proposed development would harm the character and appearance of the area. As such, I find conflict with the design aims of Policies H1 and S10 of the West Northamptonshire Joint Core Strategy (CS) and Policy E20 of the Northampton Local Plan (LP). Taken together, amongst other things, these require that for new developments consideration is given to the location and setting of the site and that they reflect the character of the area in terms of siting, form and scale to enhance the built environment.

Living conditions (neighbours)

10. No 1a is located to the north of the appeal site and incorporates a modest sized rear garden. The proposed building would be sited a similar distance from the side boundary of No 1a but would be substantially larger in scale than the dwelling it replaces. In particular, the northern elevation of the proposed block would largely face No 1a and incorporates a number of windows serving bedrooms. As such, due to its siting, orientation and scale the proposed building would significantly increase the extent of overlooking, causing loss of privacy, along with a reduction in sunlight and overshadowing to the garden of No 1a.
11. The proposed development would therefore harm the living conditions of the occupiers of No 1a. This would be contrary to Policy H1 of the CS, Saved Policy E20 of the LP, which amongst other things seek to ensure that new housing

developments have regard to the amenities of occupiers of neighbouring properties.

Living conditions (future occupiers)

12. The bedroom window to the proposed ground floor flat to the north east of the site and the bedroom window to the proposed ground floor flat to the north west of the site would be directly adjacent to a parking space and communal path, respectively. Such arrangements would significantly compromise the privacy of these flats.
13. On the available information, it has not been clearly shown that the proposed refuse and recycling storage areas would be sufficient in size to cater for the proposed flats. Moreover, as these storage areas are served by narrow paths in close proximity of parking spaces, it would appear particularly difficult to manoeuvre refuse and recycling receptacles for collection, if the parking spaces were in use.
14. The above factors highlight poor design and as a consequence of these the proposed development would fail to provide satisfactory living conditions for all future occupiers. This would be in conflict with Policy H1 of the CS and Policy E20 of the LP, in respect of seeking good design in the interests of safeguarding the living conditions of future residents.

Highway safety

15. Based on the Council's parking standards¹ the proposal generates a requirement for 17 allocated car parking spaces. The Council has also specified the need for an additional 4 unallocated visitor car parking spaces.
16. However, the submitted scheme only proposes 15 car parking spaces. Further, I concur with Northamptonshire Highways, that a number of these parking spaces would not be of the required dimensions and/or do not have sufficient space about them to be easily accessible. The appellant is willing to provide a reconfigured parking layout via a planning condition. However, in the absence of a detailed scheme showing how this would be achieved, I cannot support this.
17. Although the appellant asserts that there are bus routes on Kingsthorpe Road and a local centre, and that the site is close to the centre of Northampton. There is insufficient information in respect of the proximity of bus stops and frequency of services. There is also limited substantive evidence to support suggestions of low car ownership amongst future occupants of the new flats and the availability of on-street parking nearby.
18. For the above reasons, the proposal fails to demonstrate adequate car parking provision for the proposed development. Due to the high number of terraced houses without on-site parking in the area, there is high demand for on-street parking, as I noted during my mid-morning visit. Although my visit represents a snapshot in time, there is no clear evidence to the contrary. Furthermore, in my experience, the levels of on-street parking would be higher during the evenings and weekends when residents return from work and other daily activities. Therefore, the proposal would add to existing parking stress and

¹ Northamptonshire Parking Standards, September 2016

most probably result in associated problems such as inconvenient and hazardous parking to the detriment of highway safety.

19. Consequently, the proposal would be contrary to the aims of Policy C2 of the CS, which along with other things requires that development mitigates its effects on the highway network.

Flood risk

20. The area of the proposed development is classified as the lowest level for flood risk (Flood Zone 1). Footnote 50 of the National Planning Policy Framework specifies the type of proposals in Flood Zone 1, where a Flood Risk Assessment (FRA) is required, this is broadly consistent with the requirements of Policy BN7 of the CS. However, there is no clear evidence before me to suggest that the proposal falls within any of the specified types requiring a FRA.
21. Nevertheless, Policy BN7 of the CS requires all new development to demonstrate that there is no increased risk of flooding to existing properties, and that the proposed development is (or can be) safe. Given the overall scale of the proposed development, I do not consider that such a matter should be subject to a condition requiring a Drainage Strategy. Accordingly, in the absence of a Drainage Strategy, the flood risks resulting from the proposed development are unknown. The proposal therefore conflicts with CS Policy BN7.

Other Matters

22. Although the existing landscaping requires some maintenance, I do not consider that this or the condition of the existing dwelling at the appeal site significantly detract from the appearance of the area. Nevertheless, national and local policies support making the most effective and efficient use of land to deliver homes and the proposal would provide a mix of housing, which would also support housing supply locally. Nonetheless, these matters do not outweigh the harm I have already identified and overall conflict with the development plan.

Conclusion

23. For the above reasons, I conclude that the appeal should be dismissed.

M Aqbal

INSPECTOR