



Appeal Decision

Site Visit made on 11 December 2020

by Ian Radcliffe BSc(Hons) DMS MCIEH MRTPI

an Inspector appointed by the Secretary of State

Decision date: 7th January 2021

Appeal Ref: APP/V2825/W/20/3258634

Little Norway, Houghton Lane, Great Houghton, Northampton NN4 7AE

- 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 A I Patel of Discovered Ltd against the decision of Northampton Borough Council.
 - The application Ref N/2020/0177, dated 13 February 2020, was refused by notice dated 18 June 2020.
 - The development proposed is the change of use from dwellinghouse (Use Class C3) to residential institution (Use Class C2) for a 3-bedroom children's care home including alterations to windows and doors.
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Decision

1. The appeal is allowed and planning permission is granted for the change of use from dwellinghouse (Use Class C3) to residential institution (Use Class C2) for a 3-bedroom children's care home including alterations to windows and doors at Little Norway, Houghton Lane, Great Houghton, Northampton NN4 7AE in accordance with the terms of the application, Ref N/2020/0177, dated 13 February 2020, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: DEC172 Rev P1, 2005-01, 2005-02, 2005-03, 2005-04, 2005-05, 2005-06.
 - 3) Prior to first occupation of the development hereby permitted, a ventilation scheme for the building that meets the requirements of section 8.6 of the Joynes Nash Ltd Noise Assessment & Mitigation Scheme dated 25/01/20 shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.
 - 4) The premises shall be used for a children's care home only and for no other purpose (including any other purpose in Class C2 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended), or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).
 - 5) The number of occupants in care shall not exceed 3 persons at any one time.
 - 6) The number of staff on the premises shall not exceed 3 persons at any one time.

Main Issue

2. The main issue in the appeal is the effect of the proposed development on highway safety.

Reasons

3. The appeal property is an isolated three bedroom dwellinghouse located within Brackmills Industrial Estate. Houghton Lane which connects the appeal site to Salthouse Road is a pedestrian cycle route. The distance from the appeal site along the lane to Salthouse Road is approximately 60 metres and there is no record of personal injury collisions on the lane or at its junction with the road.
4. The proposed care home would have up to three children resident and would employ three staff, one of whom would live at the home. Based upon the submitted information, at any one time there would be no more than two staff present. As a result, the number of trips generated by use of the building as the proposed children's home by its staff and occupants would be very similar to that generated by its current legal use as a dwellinghouse occupied by a family with children and two working parents. Whilst there would also be visitors, including professionals, the likely number of visits would not be materially greater than that which could reasonably be expected of a reasonably busy family household.
5. Whilst pedestrians and cyclists have unrestricted access to Houghton Lane, a steel field gate controls access by motor vehicles from Salthouse Road and the lane only appears to provide motor vehicle access to the appeal property.
6. Visibility at the site access along Houghton Lane in both directions is good and when exiting the site visibility is more than sufficient for sight to be had of approaching users of the lane. Similarly, at the junction of the lane with Salthouse Road, visibility along the pedestrian cycle route and carriageway in both directions exceeds that sought in national technical guidance 'Manual for Streets'. As a result, vehicles exiting the site and joining Salthouse Road would not endanger highway safety.
7. A motor vehicle approaching the site may have to wait for the gate on Houghton Lane to be opened. However, given the setback of the gate, I am satisfied that if this was the case a motor vehicle could wait clear of the carriageway on Salthouse Road and so would not cause an obstruction. Whilst such a waiting vehicle may partly obstruct the pedestrian cycle route along the road, given the lower speeds of pedestrians and cyclists, and the presence of a wide grass verge which could be used to go around the vehicle, harmful conflict would not occur.
8. Past the gate and bollards, which restrict access, the width of Houghton Lane increases to 6 metres before narrowing to 4 metres in front of the house. Having regard to the guidance contained within 'Manual for Streets', Houghton Lane is therefore sufficiently wide to allow motor vehicles and cyclists and pedestrians travelling in opposite directions to safely pass each other. At the gate only one motor vehicle could pass through at a time. In the rare event that two motor vehicles travelling in opposite directions meet at the gate, there is sufficient room for the vehicle exiting the lane to give way.
9. Taking all these matters into account, I therefore conclude that any increase in the use of the access as a result of the proposed development would be small and with the inter-visibility that exists between highway users from the site to Salthouse Road, and the width of the lane that allows users to safely pass

when travelling in opposite directions, highway safety would not be materially harmed. The proposal would therefore comply with paragraphs 108 and 109 of the National Planning Policy Framework. These paragraphs require safe and suitable access for new development and that development should only be refused on highway grounds if there would be an unacceptable impact on highway safety.

Other Matters

10. As part of the scheme a larger front porch would be created together with replacement windows and external doors. The scale and design of the front porch and the design of the windows and doors would not cause harm to the character and appearance of the building and so would be acceptable in planning terms.
11. The appeal site is located within an industrial estate. As part of the planning application a noise assessment has been submitted which includes a mitigation strategy. Subject to its implementation the Council has no objection to the proposal on noise grounds. I have no reason to disagree with those conclusions.

Conclusion

12. For the reasons given above, I therefore conclude that the appeal should be allowed. For the avoidance of doubt, and in the interests of proper planning, development needs to be carried out in accordance with the approved plans. To avoid an increase in the intensity of use which could harm highway safety, use of the building needs to be restricted to a children's care home and the number of staff and occupants needs to be restricted. In order to protect living conditions within the home from noise from the industrial estate, a ventilation scheme needs to be devised and implemented. I have required these matters by condition.

Ian Radcliffe

Inspector

