



Appeal Decision

Site Visit made on 8 December 2020 by S Watson BA(Hons) MSc MRTPI

Decision by R C Kirby BA(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12 January 2021

Appeal Ref: APP/Z2830/D/20/3259404

5 Parsons Close, Nether Heyford, Northampton, NN7 3NJ

- 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 Mrs Suzanne Richer and Mr Stephen Merson against the decision of South Northamptonshire District Council.
 - The application Ref S/2020/1103/FUL, dated 23 June 2020, was refused by notice dated 1 September 2020.
 - The development proposed is proposed garage conversion and side first floor extension.
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Decision

1. The appeal is dismissed.

Appeal Procedure

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

Main Issues

3. The main issues in this case are the effect of the proposal on:
 - The living conditions of the neighbouring occupiers at No 4 Parsons Close with regard to light, outlook and privacy.
 - Highway safety, with regard to the provision of parking at the appeal site.

Reasons

Living Conditions

4. The appeal site is on the south side of a turning head serving Parsons Close, it contains a large, detached, two-storey dwelling with an attached, single-storey garage to the side. To the north-west is a similar property, No 4 Parsons Close, set closely and at right angles to the appeal site. No 4 is double-fronted with a bay window either side of the central front door. The bay window to the left of the door serves the living room, while on the first floor above the bay and front door are a pair of windows which serve a bedroom.
5. The orientation of No 4, and its relationship with the appeal dwelling, means that direct sunlight reaching the living room bay window would be likely to be limited. However, given its largely open outlook, the living room of No 4 receives a good level of ambient light from the bay window.

6. Given the proposed height and close proximity of the extension to the bay window at No 4, there would be a significant and unacceptable loss of light to the living room that this window serves, making it a less pleasant space to use. The windows on the rear of the property serving a dining area would not project light to the living area of this through room to sufficiently offset this harm.
7. Moreover, whilst not raised as a concern by the Council, I share the neighbouring occupiers' concern that the proposal would as a result of its relationship to No 4 and its design, have a significant enclosing effect on the outlook from the living room bay window of No 4. This would be intrusive and overbearing to the occupiers of this property and would be likely to make the living room less pleasant to use as a result.
8. I find that the first floor front bedroom would also be affected by a loss of light and outlook, but that due to its height in relation to the proposal, and the fact it is served by two windows, the impact would not be so harmful to result in harm to the living conditions of the occupiers of No 4 in terms of outlook and light.
9. However, the close proximity of the new extension and proposed front bedroom window to the bedroom windows of No 4 would be likely to result in a loss of privacy to No 4's bedroom, particularly if somebody was standing in each of the respective bedroom windows where clear views of each other would be obtained. This would significantly erode the levels of privacy that the occupiers of No 4 currently experience and would be likely to make the bedroom space less pleasant to use.
10. Given my findings above I conclude that the proposed first floor extension would unacceptably harm the living conditions of the neighbouring occupiers at No 4 Parsons Close by way of the loss of light, outlook, and privacy. As such the proposal conflicts with Policies SDP1 and SS2 of the *South Northamptonshire Part 2 Local Plan* (LP) which, amongst other matters, requires development to be of a high-quality design and to not unacceptably harm the amenity of occupiers and users of neighbouring properties. It would also conflict with the guidance regarding the protection of privacy, outlook and light contained within South Northamptonshire Design Guide and the Supplementary Planning Guidance (SPG). While the examples and use of the 45° splay line within the SPG are not directly relevant to the appeal before me I find the overarching thrust of the guidance is still material.

Highway Safety

11. The main length of Parsons Close is wide enough for two-way traffic and has very few dropped kerbs which would limit on-street parking. At the time of my visit there were no vehicles parked on the street. I also noted that Middle Street was wide enough for on-street parking and that it also had very few vehicles parked on the road during my visit. Although a 'snapshot' in time, there is nothing before me to suggest my observations were untypical.
12. Whilst the proposal would result in the loss of garage space for vehicle parking, vehicles associated with the dwelling would be able to park within the appeal site on the driveway. In the event that vehicles associated with the dwelling, including occupiers and visitors, were to park within the highway, it would be unlikely to result in harm to pedestrian or vehicle safety given the likely low

pedestrian and traffic volumes within this cul-de-sac. Moreover, even if vehicles were to park within the turning head, there would be a high probability that other road users, including delivery and refuse vehicles, would be able to turn safely and exit the cul-de-sac in a forward gear.

13. Accordingly, and on the basis of the evidence before me, I conclude that whilst the proposal would result in the under provision of off-road parking spaces when assessed against the Council's standards, harm to highway safety would not result. I find Policy SDP1 of the LP referred to by the Council is not directly relevant to highway safety and so I have reverted to the National Planning Policy Framework (the Framework). In this case the proposal complies with the Framework, and in particular Paragraphs 109 and 110 as no unacceptable, or severe cumulative, impact on highway safety or access for service and emergency vehicles has been found. The proposal would also comply with the main thrust of the guidance within the Parking: Standards and Design supplementary planning document, to protect the safety and free flow of traffic within the highway.

Other Matters

14. Although the Council have not raised any concerns regarding the character and appearance of the proposal within the street scene, I find a lack of harm to not in itself be a benefit. Therefore, it is only a neutral factor in my consideration of the case.
15. The Council have referred to a Grade II listed building from the 17th Century close to the west of the site. Having regard to my statutory duty I am satisfied that the relationship of the appeal proposal to this heritage asset would have a neutral effect upon its setting. Harm to the significance of the nearby heritage asset would therefore not occur. It is noteworthy that the Council did not raise the impact on the nearby heritage asset as a concern when it refused the planning application.

Recommendation

16. For the reasons given above I recommend that the appeal should be dismissed.

S Watson

APPEAL PLANNING OFFICER

Inspector's Decision

17. I have considered all the submitted evidence and the Appeal Planning Officer's report and concur that the appeal should be dismissed.

RC Kirby

INSPECTOR