



Appeal Decision

Site Visit made on 8 December 2020 by John Gunn DipTP Dip DBE MRTPI

Decision by R C Kirby BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13 January 2021

Appeal Ref: APP/V2825/W/20/3256183

22 Watkin Terrace, Northampton, NN1 3ER

- 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. Simon Murphy against the decision of Northampton Borough Council.
 - The application Ref N/2020/0389, dated 1 April 2020, was refused by notice dated 7 July 2020.
 - The development proposed is described as 'Conversion from one flat into two'.
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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.

Procedural matter

3. The description of development in the heading above has been taken from the planning application form. However, in Part E of the appeal form it is stated that the description of development has not changed but, nevertheless, a different wording has been entered. Neither of the main parties has provided written confirmation that a revised description of development has been agreed. Accordingly, I have used the one given on the original application.
4. In carrying out my assessment of the proposed development I have taken into consideration the proposed section through the basement light well external wall. This drawing provides additional detail but does not alter the nature of the proposal.

Main Issue

5. The main issue is whether the proposed development would provide acceptable living conditions for future occupiers of the basement flat in respect of outlook.

Reasons

6. The appeal site relates to the ground floor and below ground level basement of a mid-terrace building in Watkin Terrace. To the rear of the property is a modest sized rear garden, beyond which lies the Racecourse, an area of public open space.

7. The proposal would result in the creation of a two modest sized one bedroom flats, one at ground level the other within the basement, in place of a single flat spread across the two floors. I have not been provided with evidence with regards to how the rooms within the original flat were occupied, and at the time of my site visit works had commenced on the conversion of the property removing any fixtures and fittings that might indicate how the property had previously been laid out and used.
8. The proposed basement flat would be accessed via an external staircase located in a light well on the Watkin Terrace frontage. A window within the light well would provide some natural light into the proposed bedroom located at the front of the property, but outlook would be limited. The Council has not raised specific concern about the outlook from this room and given its proposed use I have no reason to disagree with them.
9. The proposed kitchen/living area for the basement flat would be located to the rear of the building. Given the height of the proposed windows, and the deep floor plan of this room, it is likely that views would be limited to the tops of trees within the adjacent public open space and the sky. In the absence of any meaningful outlook from this room the living space would be unduly oppressive for its intended future occupiers, and an unpleasant space within which to spend time in.
10. Whilst acknowledging that a previous approval, based on providing a window within the basement, and a new light well, may have been given planning permission, I have not been provided with details of that development. Consequently, I am not able to compare it with the appeal proposal. In any event I must judge the proposal the subject of this appeal on its own merits.
11. In light of the above, I conclude that the proposed development would not provide acceptable living conditions for the future occupiers of the proposed basement flat, with regards to outlook. Consequently, it would not comply with Policy H1 of the West Northamptonshire Joint Core Strategy Local Plan (Part 1) (JCS), or the National Planning Policy Framework, which, amongst other matters, seeks to promote health and well-being, with a high standard of amenity for future users.
12. The Council's decision notice makes reference to JCS Policy S10 and saved Policy E20 of the Northamptonshire Local Plan 1993-2006 which I consider are not relevant to my consideration of this case.

Other Matters

13. The Council's delegated officer report indicates that that the appeal site lies within the Kingsley Conservation Area and is adjacent to the Boot and Shoe Quarter Conservation Area. The proposal would, given the development proposed preserve the setting of these designated heritage assets. It is noteworthy that the Council found similarly in this regard.
14. I acknowledge that the subdivision of one flat into two single bedroom flats would contribute to the housing needs within Northampton, however this benefit would not outweigh the harm to the living conditions of future occupiers that I have identified above.

Conclusion and Recommendation

15. In light of the above and having had regard to all other matters raised, I recommend that the appeal should be dismissed.

J Gunn

APPEAL PLANNING OFFICER

Inspector's Decision

16. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is dismissed.

RC Kirby

INSPECTOR