



Appeal Decision

Site visit made on 8 February 2021

by Mr Ben Plenty BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15 February 2021

Appeal Ref: APP/V2825/D/20/3263468

4 Harold Street, Northampton NN1 5QZ

- 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 T Devasia against the decision of Northampton Borough Council.
 - The application Ref N/2020/0405, dated 6 April 2020, was refused by notice dated 30 September 2020.
 - The development proposed is for a loft conversion including a dormer to the rear.
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Decision

1. The appeal is allowed, and planning permission is granted for a loft conversion including a dormer to the rear at 4 Harold Street, Northampton NN1 5QZ, in accordance with the terms of application Ref N/2020/0405, dated 6 April 2020, and 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: 17-C319-100 and 17-C319-102a.
 - 3) No development shall take place until samples of the slate tile hanging facing material have been submitted to and approved by the Local Planning Authority in writing. The relevant works shall be carried out in accordance with the approved sample details.
 - 4) The dormer window hereby permitted shall not be occupied until the rear facing window of 'bedroom 3' has been fitted with obscured Pilkington level 3 (or equivalent) glazing, and no part of that window that is less than 1.7 metres above the floor of the room in which it is installed, shall be capable of being opened. Once installed the obscured glazing shall be retained thereafter.

Procedural matters

2. The proposal includes the retention of two rooflights on the front elevation. The Council has raised no objection to this element. I concur and find them to have a neutral effect on the street scene and would thus preserve the conservation area. I shall therefore focus on the effect of the proposed rear dormer window.
3. The proposed dormer would replace an existing larger dormer window. The existing dormer is wider and deeper than that proposed, with the only commonality being its roof height. The proposal is described as being

'retrospective'. However, due to its variance to the existing dormer I have dealt with this appeal within the framework that the dormer window is instead a proposed development.

Background and Main Issue

4. The proposed rear dormer is a revised version of the existing dormer, which was subject to an appeal decision¹. That version was dismissed due to its harmful impact on the character and appearance of the Boot and Shoe Conservation Area (CA). The proposal represents a material change to the previous proposal due to its reduction in scale and having revised materials. Three subsequent applications for adapted versions of the rear dormer were then made and refused by the Council, most recently refused solely with respect to visual impact.
5. Consequently, the main issue is whether the proposed rear dormer would preserve or enhance the character and appearance of the CA.

Reasons

6. The appeal site is within a dense urban area. The area mainly consists of residential terraced properties with buildings located on the back of footway. The local street pattern contains an enclosed perimeter block formation with many rear aspects enclosed. The existing properties along Harold Street combine to form a clear sense of symmetry, as identified by the previous Inspector. The appeal site, without regard to the current dormer window, makes a positive contribution towards the character and appearance of the area.
7. My statutory duty², requires me to pay special attention to the desirability of preserving or enhancing the character or appearance of the conservation area. Furthermore, paragraph 193 of the National Planning Policy Framework (the Framework) requires great weight to be given to an asset's conservation when considering the impact of the proposal on its significance. The significance of the CA appears to derive from its importance to the boot and shoe making industry and the retained close-knit relationship of residential and factory buildings. The CA Appraisal identifies that much of its interest lies in the footprint and streetscape of the area.
8. Continuous rooflines are also an important component of the pattern of development within the CA. Nevertheless, such rooflines also include building heights that vary from two to three-storey and some that include front and rear dormer windows. Furthermore, my attention has been drawn to examples of rear dormer windows that have been approved by the Council in a similar context. Although each case must be considered on its own merits, consistency in decision making is important for public confidence. The existing dormer windows contribute towards the established character of the area.
9. The Council's Residential Extensions and Alterations Design Guide (Design Guide) advises that dormer windows should be in proportion to the roof and not be dominant. It also advises that flat roofed dormers should be avoided. The proposal would reveal around 50% of the lower part of the roof slope and sections of roof to both of its sides. The effect of this would be to reduce and

¹ Planning Appeal Reference: APP/V2825/D/18/3195725

² section 72(1) of the Planning (Listed Building and Conservation Areas) Act 1990

minimise the scale and bearing of the proposal. It would be further minimised by the proposed use of slate hanging tiles. Overall, these elements would largely blend the proposal in with the existing roof. The proposal would reveal a significant section of roof that would accord with the roofscape of surrounding dwellings. This would maintain the visual balance of both the host dwelling and surrounding development. Therefore, although being flat roofed, the proposal would not dominate the roof slope. Consequently, the proposal would broadly satisfy the objectives of the Design Guide and would not lessen the significance of the CA.

10. Views of the proposal, from neighbouring gardens and windows, are important to the integrity of the historic structures. However, these views are of lessened significance to the CA due to their private nature and many would gain only discrete views of the proposal. The proposed dormer would have a minimal impact on such views being a modest and subservient addition. Private views of the proposal and surrounding buildings would retain the evident unified and continuous rear roof scape. Consequently, the proposal would represent a discrete addition to the roofscape that would preserve the CA.
11. Accordingly, the proposal would comply with policies S10 and BN5 of the West Northamptonshire Joint Core Strategy (Part 1) (2014). These require, amongst other things, for development to protect, conserve and enhance the built environment and to conserve and enhance designated heritage assets. Furthermore, the proposed dormer window would satisfy saved policies E20, H18 and E26 of the Northampton Local Plan 1993-2006 (1997) that requires development to reflect the character of its surroundings, be in keeping with the appearance of the original dwelling and preserve the character of the Conservation Area. The proposal would also satisfy the Council's Design Guide and CA Appraisal which seeks to ensure that new development complements the existing streetscene. These policies are generally consistent with the Framework.

Conditions

12. I have considered the use of conditions in line with the guidance set out in the Government's Planning Practice Guidance (The Guidance). I have applied conditions that require the development to start within 3 years, to accord with the Guidance and list the approved plans, for certainty. The Council has not suggested any conditions. However, it is also necessary for the proposal to include slate tile hanging to enable the dormer to blend in with the roofscape in the interests of the character and appearance of the area. Furthermore, it is necessary for the rear window to be obscurely glazed to prevent harm to neighbouring living conditions through otherwise substantive overlooking. Both of these provisions were offered by the appellant in evidence and therefore would not be prejudiced by my inclusion of them.

Conclusion

13. For the above reasons, the appeal is allowed, and planning permission granted subject to the attached conditions.

Mr Ben Plenty

INSPECTOR