
Appeal Decision

Site visit made on 28 June 2021

by Gary Deane BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 19 July 2021

Appeal Ref: APP/V2825/W/21/3267053
24 Clare Street, Northampton NN1 3JF

- 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 Andy Lord (Clayson Country Homes) against the decision of Northampton Borough Council.
 - The application Ref N/2020/1320, dated 19 October 2020, was refused by notice dated 14 December 2020.
 - The development proposed is the conversion of terrace house into a studio and 2-bed apartment.
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Decision

1. The appeal is dismissed.

Main issue

2. The Council has raised no objection to the proposed 2-bedroom apartment. From the evidence before me, I, too, find this element of the appeal scheme acceptable. Therefore, the main issue is whether or not the proposal would provide satisfactory living conditions for future occupiers of the ground floor studio with particular regard to outlook.

Reasons

3. The proposal is to convert the appeal property, which is a 3-storey terrace house, to a ground floor studio and a 2-bedroom apartment above with a shared front entrance and hallway. It follows a proposal to convert No 24 into 2 flats that was recently dismissed at appeal¹.
4. Compared to the previous appeal scheme, part of the ground floor accommodation would be laid out differently with an open plan living room and bedroom towards the front of the building. A ground floor window in the front elevation and a high-level window at the rear would serve this room. For brevity, I shall refer to these hereafter as the front and rear windows respectively. A kitchen and dining area would be within a separate room at the rear of the building beyond which would be a small external courtyard.
5. As living room and bedroom would provide the main space to sit, entertain, relax and sleep, it is likely that future occupiers would spend much of their time at home in this space. External views from the rearmost section of this room

¹ Ref APP/V2825/W/20/3250888 dated 1 September 2020

- would be limited to a corner with only glimpses of the sky possible by looking upwards through the rear window. Consequently, the main external outlook from this room in its entirety would be largely confined to the front window.
6. From the proposed layout, the bedroom would be set back from the front window with the line of sight between them partly restricted by the bathroom wall projecting outwards into the living room broadly opposite the entrance door. Given this arrangement and the depth of the room, the rearmost section would feel confined and uninviting as a result. Similarly, views from the proposed bedroom towards the rear glazed door and window of the kitchen diner would be restricted to a long, narrow corridor and available only if the internal door were to be left open. For these reasons, the proposed layout of the studio would not provide a satisfactory external outlook. The main outcome is that future occupiers would find the rearmost section of the living room and bedroom oppressive and materially harmful to their living conditions.
 7. I appreciate that the appeal property is a 5-bedroom dwelling and that it could be re-used as such with the existing ground floor layout unaltered. This represents a realistic fall back position against which to assess the proposal. In those circumstances, the number of people occupying the existing building as a family home and the ground floor living room served only by the rear window could be considerable. However, a single dwelling would be a large residential unit where space elsewhere within the building could adequately compensate for any deficiencies in the living space at ground floor level. As the proposed studio would be a self-contained residential unit, that extra space would not be available to future occupiers. Therefore, I am not persuaded that the proposal would offer a better standard of amenity to future occupiers than the fall back position as a single-family home. Consequently, I attach only limited weight to this consideration in support of the appellant's case.
 8. On the main issue, I conclude that the proposal would not provide satisfactory living conditions for future occupiers. As such, it conflicts with Policies S10 and H1 of the West Northamptonshire Joint Core Strategy Local Plan (Part 1) insofar as they aim to safeguard residential amenity. It would also fail to achieve the high standard of amenity for future users sought by paragraph 127 of the National Planning Policy Framework (the Framework).

Planning balance

9. The appellant states that the Council is unable to demonstrate a 5-year supply of housing, which is supported by evidence in the form of the Housing Land Supply Assessment for Northampton Borough 2019. There is no information before me to the contrary. In those circumstances, paragraph 11 d) of the Framework makes clear that planning permission should be granted, unless any adverse impacts of doing so would significantly or demonstrably outweigh the benefits. ^[1]_[SEP]
10. The proposal would add to the supply and choice of housing in an accessible location. The net addition of 1 residential unit would contribute to reducing the housing supply shortfall albeit in a very modest way. Future occupiers of the new studio would benefit from the use of the rear external courtyard and the accommodation provided would exceed relevant minimum space standards. I attach moderate weight to each of these considerations.

11. The appeal property falls within the Boot and Shoe Quarter Conservation Area (CA). No significant external alterations to the building are proposed and the general level of activity associated with the proposal would not necessarily be greater than if it were occupied as a single-family house. For these reasons, the character and appearance of the CA would be preserved. I also note that others raise no objection. These particular considerations neither weigh for or against the proposal. They are neutral in weight.
12. The proposed studio would not, however, provide satisfactory living conditions for future occupiers. I attach significant weight to this harm and the conflict that arises with the most important development plan policies. On balance, I consider that the adverse impact of the proposal would significantly and demonstrably outweigh its benefits.

Conclusion

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

Gary Deane

INSPECTOR