



Appeal Decision

Site visit made on 9 February 2023

by David M H Rose BA(Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 31 March 2023

Appeal Reference: APP/W2845/W/22/3304435

Land adjacent to 204 Kingsley Road, Northampton, NN2 7BU

- 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 Perry (Archway Developments Limited) against the decision of West Northamptonshire Council.
 - The application Reference WNN/2021/0777, dated 10 September 2021, was refused by notice dated 29 April 2022.
 - The development proposed is 2 no. one-bedroom apartments within the roof space of the approved building for 7 no. one-bedroom apartments.
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Decision

1. The appeal is allowed and planning permission is granted for 2 no. one-bedroom apartments within the roof space of the approved building for 7 no. one-bedroom apartments at land adjacent to 204 Kingsley Road, Northampton, NN2 7BU in accordance with the terms of the application, Reference WNN/2021/0777, dated 10 September 2021, and the plans submitted therewith, subject to the following condition:

The areas shown for car parking and vehicular manoeuvring, the internal cycle store and the area for bin storage, as shown to be provided on the application drawings, shall be available and thereafter retained for those purposes for the duration of the development hereby approved.

Preliminary matters

2. By way of clarification, in order to accommodate the proposed apartments in the roof space of the approved building, the appeal scheme involves a change to the roof form. In this regard, the road frontage, south, elevation would be gabled rather than hipped, with consequential amendments to the east and west elevations. In turn, the three-storey rear elevation would be carried to ridge level to incorporate north facing, fourth floor, windows¹.
3. The appeal was accompanied by a revised site plan indicating the provision of 9 parking spaces (2 additional spaces) and the relocation of the communal bin store. Further, a parking beat survey, post-dating the Council's decision, assesses the availability of on-street parking in the locality.

¹ The proposed rear elevation would include windows at lower ground floor, ground floor, first floor and second floor

4. At my site visit, I noted that the development had been completed and parts of the building appeared to be occupied². However, the works undertaken do not entirely accord with the submitted drawings. In addition, neither the originally proposed parking layout, nor that implemented, are consistent with the drawings before me. I shall therefore determine the appeal based on the plans which formed the subject of the Council's decision to refuse planning permission.

Main Issues

5. The first main issue is whether or not the proposal would reflect the scale, proportions and appearance of neighbouring properties and thereby integrate with the character and appearance of the street scene. The second is the adequacy, or otherwise, of the proposed parking arrangements.

Reasons

The first main issue: Design

6. The area in which the site is located consists, generally, of groups of buildings each with a distinctive form. In particular, the three pairs of semi-detached dwellings adjoining the site have a primary hipped roof with forward facing gables. Those on the opposite side of the road, save for one pair of dwellings under a hipped roof, are gabled in configuration. The arrangement in Fairway is predominantly hipped.
7. Although the initial design for the new apartment building sought to mimic its immediate neighbours, it had notable differences in proportions and detail. These included a 'compressed' front elevation, a narrower spacing and atypical fenestration between its projecting gables and the presence of a central doorway. In my opinion, when viewed in direct association with no. 204, the now modified roof form does not present itself as striking incongruity.
8. Further, looking from a north-westerly direction, the new apartment building effectively masks the roof form of its neighbouring buildings and, in turn, these render insignificant the new roof form which lies beyond.
9. Overall, I am satisfied that the new development adequately reflects the scale, proportions, bulk and appearance of neighbouring properties and that it integrates with the character and appearance of the street scene.
10. As such I find no conflict with the Policies S10 a) and H1 of the West Northamptonshire Joint Core Strategy Local Plan (Part 1) (2014); saved Policy E20 of the Northampton Local Plan (1993-2006); and emerging Policy 3 of the submitted Northampton Local Plan Part 2 (Submission Version 2020). Similarly, the proposal would not be at odds with the design objectives of the National Planning Policy Framework.

The second main issue: Parking

11. It is evident that the majority of properties in the immediate locality rely on on-street parking. Parts of Kingsley Road and Fairway are subject to double yellow lines and prohibition of parking at any time. The parking beat survey submitted with the appeal, whilst showing some indiscriminate parking, demonstrates that opportunities for roadside parking are far from saturated.

² The Council's appeal statement (post-dating my site visit) records 'The construction works for the originally approved scheme have been started on site.'

12. Although the application determined by the Council showed a deficiency of two on-site spaces, and a parking beat survey had been precluded by Covid restrictions, I am satisfied that the shortfall is not material especially as the site is located on a bus route and within walking distance of a range of local facilities. On this basis, I consider that there would be no adverse effects on highway safety or local residential amenity and the objectives in Policy S10 e) of locating new development in sustainable locations would be fulfilled.
13. Similarly, there would be no conflict with the Framework having regard to the accessibility of the development, the availability of opportunities to use public transport and the type of additional accommodation to be provided.
14. I have noted that the planning application attracted one letter of objection, the contents of which are addressed by my consideration of this main issues.

Planning balance and conditions

15. From the foregoing, I conclude that the proposal would accord with the development plan when read as a whole and that the appeal should be allowed.
16. Turning to the conditions suggested by the Council, as the development the subject of the appeal has 'commenced', there is no need to impose the standard time condition or to list the approved plans. The measures relating to tree protection during construction; ground contamination; site levels; materials; boundary treatments; hard and soft landscaping; bin store; car parking spaces and manoeuvring areas; and cycle stores in the form sought by the Council have been overtaken by the completion and occupation of the development.
17. The Council has failed to respond to a request for an updated schedule of conditions to reflect the works already carried out. The grant of permission relates to those drawings which formed the basis of the planning application and subsequent appeal before me. The retention of the car parking and vehicular manoeuvring areas, the internal cycle store and the area for bin storage, in accordance with the submitted drawings, are of importance in terms of highway safety, sustainability and visual amenity.

David MH Rose

Inspector