



Appeal Decision

Site visit made on 20 March 2023

by S Crossen BA (Hons) PgCert PgDip MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 19 June 2023

Appeal Ref: APP/V2825/W/22/3306400

83 Abington Street, Northampton NN1 2BH

- 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 S Boydev of Homes of England Ltd against the decision of Northampton Borough Council.
 - The application Ref WNN/2022/0360, dated 22 March 2022, was refused by notice dated 1 June 2022.
 - The development is creation of 1 No. additional student accommodation room within existing building.
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Decision

1. The appeal is allowed and planning permission is granted for the creation of 1 No. additional student accommodation room within existing building at 83 Abington Street, Northampton NN1 2BH in accordance with the terms of the application, Ref WNN/2022/0360, dated 22 March 2022, and plan numbers R1035-001 Rev 1 and 21032/3.

Preliminary Matters

2. Since the Council issued the decision, it has been brought to my attention that the Northampton Local Plan Part 2 2011-2029, (NLPP2) was adopted. The NLPP2 replaces the Northampton Central Area Action Plan, including Policy 1 which was referred to in the Council's Statement of Case, and the saved policies of the Northampton Local Plan 1993-2006, adopted June 1997 (NLP). The Council has confirmed that NLPP2 policies Q1 and Q2 are now relevant to this appeal, the appellant has had the opportunity to comment on these policies. It is incumbent on me to take into account the current development plan in reaching a decision and I have therefore dealt with the appeal on this basis.
3. At the time of my site visit, I saw that the conversion was complete. I have dealt with the appeal on this retrospective basis.

Main Issues

4. The main issues of this appeal are the effect of the conversion on the living conditions of the occupants with particular reference to outlook, and the living conditions of the other occupants of the building with reference to communal amenity space.

Reasons

5. The appeal is for the conversion of a communal room to a student room. The room is located within a former office block which has been converted into

- student accommodation. At my site visit I was able to see the room which included an open plan bedroom and kitchenette with separate en-suite.
6. The main windows are a series of windowpanes and openings which occupies almost two thirds of the outside elevation wall of the room. Approximately a third of these windows directly face a blank wall in close proximity and a bed occupies the space immediately next to this portion of windows. The remaining portion of windows have an outlook of a car park and many buildings beyond. There is a work desk in the room which was sited immediately adjacent this portion of windows.
 7. Although the presence of a wall so close to a main window would usually be oppressive, in this case the area this affects the outlook of, is only a smaller portion of the overall glazed area forming the outside elevation of this room and is where the bed is located. A larger portion of glazing does not face the wall and allows unrestricted views. Consequently, the conversion provides a high standard of amenity for occupants of the student room.
 8. The conversion of the room has meant a reduction in communal rooms in the building from 3 to 2 serving 99 residents and now as a result of the development, 100 residents.
 9. The plans indicate and the appellant states that the room sizes for residents are adequate for other students to meet in their rooms. These rooms are illustrated to provide space for en-suites and kitchenettes, as well as a bed and chairs. I have no reason to believe that these rooms cannot be used in this way and at my site visit I found the room to be of sufficient size to provide an appropriate amount of space to share with others. In addition, the building is also centrally located, and I saw several other nearby public places indoors and outdoors which residents could also use to socialise at, including a community hub and public houses adjacent and nearby. Consequently, the function of the building is not significantly affected, and a high standard of amenity remains for the other occupants of the building.
 10. For these reasons I conclude that the development provides satisfactory living conditions for the occupants of the student room by way of outlook, and for occupants of the building in respect of communal amenity space. It therefore accords with Policies H1 of the West Northamptonshire Joint Core Strategy (Part1) adopted December 2014, policies Q1 and Q2 of the NLPP2 and relevant policies of the National Planning Policy Framework in particular paragraph 130. These policies seek, amongst other things, that good design is sustainable and appropriate to its location, scale, function and has a high standard of amenity for existing and future users.

Conditions

11. I have had regard to the conditions suggested by the Council. I have not imposed the suggested conditions requiring the development to be carried out within three years of the date of this permission because the development has been completed and so this is not necessary, and I have identified the relevant plans within the terms of my decision for certainty.

Conclusion

12. For the reasons given above and having had regard to the development plan as a whole and all other matters, I conclude that the appeal should succeed.

S Crossen

INSPECTOR