
Appeal Decision

Site visit made on 15 July 2015

by Ian McHugh Dip TP MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 18 August 2015

Appeal Ref: APP/A2525/W/15/3032626

Rear of 18 West End, Holbeach, Spalding, PE12 7LW

- 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 A W Jackson against the decision of South Holland District Council.
 - The application Ref H09-0016-15, dated 7 January 2015, was refused by notice dated 10 March 2015.
 - The development proposed is a change of use of redundant building to apartment.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is whether the proposal would provide a good standard of amenity for future occupiers of the building.

Reasons

3. The vacant single-storey appeal building is situated within an existing yard area at the rear of properties on West End. It is within the Holbeach Conservation Area (CA). The building was previously used for the preparation of meat in conjunction with the appellant's butchery business. The site is within the town centre, which (in the vicinity of the site) contains a mixture of uses including residential units to the south, a car park to the west and a tyre-fitting centre to the north. A single-storey building, described by the Council as a "bed-sit", lies on the opposite side of the yard area. The Council states that the "bed-sit" was granted planning permission because the building is of historic interest. Therefore, in my opinion, it does not create a precedent for the appeal proposal, which must be considered on its own merits.
 4. The proposal is to convert the appeal building into a two-bedroomed apartment, with an open plan living/dining/kitchen area, plus shower room. Vehicular and pedestrian access would be available from Boston Road South (to the east of the site), and the plans also show pedestrian access to a car-parking area, which is owned by the appellant (to the west of the site). Proposed external alterations include the insertion of new windows on the south and west elevations of the building.
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5. The Council states that, whilst the building is in a sustainable location close to the town centre, the proposal would result in sub-standard living conditions for future occupants, due to a poor outlook; restricted private external space; and the likelihood of noise and disturbance from the neighbouring tyre-fitting premises. Accordingly, the Council contends that the proposal would conflict with Policies SG14 and SG17 of the adopted South Holland Local Plan 2006 (LP).
6. Policy SG14 seeks to ensure that new development is designed to make a positive contribution to the architectural and visual quality of its surroundings. Policy SG17 (which I consider to be most relevant to this appeal) states that planning permission will be granted for development that does not cause harm to residential amenity (although the explanatory text to Policy SG17 refers to the effect of new development on existing and nearby residents). In reaching my decision, I have also taken into account paragraph 17 of the National Planning Policy Framework (the Framework), which states (amongst other things) that planning should always seek to secure a good standard of amenity for all existing and future occupiers of land and buildings.
7. I note that the proposed internal space would comply with the Council's Residential Conversions Policy Note 2010 and, in that regard the proposed living accommodation would be acceptable. In addition, the appellant has submitted a plan showing an external area of amenity space on land within his ownership. During my site visit, I observed that this area had been laid out with seating and planting. I consider that it would provide an adequate external space for any future occupants of the apartment, and its retention could be controlled by a planning condition, if the appeal is allowed.
8. However, in my opinion, the backland nature of the site would mean that future occupants of the apartment would suffer from a poor and unattractive outlook from the building, as the main windows serving the property would face the rear elevations of other buildings and the boundary walls of the existing yard area. Paragraph 58 of the Framework states (amongst other things) that developments should create attractive and comfortable places to live. The proposal would fail to achieve this.
9. Furthermore, I share the Council's concerns regarding the potential for noise and disturbance from the neighbouring tyre-fitting centre. I have taken into consideration the fact that the appeal building is detached; roof and wall acoustic insulation would be incorporated into the proposed apartment; and the current hours of opening of the fitting centre. However, I have no substantive evidence, in terms of a detailed noise assessment and associated attenuation measures, to demonstrate that future residents would not be adversely affected by noise. In my experience, tyre centres can be noisy and, consequently, this adds weight to my conclusion that the proposal would be unacceptable, as it would fail to provide a good standard of amenity for future occupiers of the building. I acknowledge that the proposal would re-use a vacant building that is close to the town centre, but this does not outweigh the above harm.

Other Matter

10. The site is situated within the CA, which encompasses much of the town centre. As a result, the character and appearance of the CA is varied, with a range of

building styles and ages. The appeal building is of no particular architectural or historic merit, and the proposed conversion would have little effect on its external appearance. Consequently, the proposal would preserve the character and appearance of the CA. However, this does not outweigh my findings above.

Conclusion

11. For the reasons given above, it is concluded that the appeal should be dismissed.

Ian McHugh

INSPECTOR