

Appeal Decision

Site visit made on 18 January 2017

by John Morrison BA (Hons) MSc MRTPI

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

Decision date: 17 February 2017

Appeal Ref: APP/H0520/W/16/3160441

Land north of Grove Place, Rampley Lane, Little Paxton, St Neots PE19 6EL

- 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 AMA Development Limited against the decision of Huntingdonshire District Council.
 - The application Ref 16/00692/FUL, dated 4 April 2016, was refused by notice dated 2 June 2016.
 - The development proposed is the erection of two semi-detached studio apartments and associated infrastructure, following relocation of bicycle parking.
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Decision

1. The appeal is dismissed.

Main Issues

2. There are three main issues. These are:
 - The effect of the proposed development on the character and appearance of the area;
 - The effect of the proposed development on the living conditions of future occupiers; and
 - Whether the proposed development would make sufficient provision for the storage of refuse bins and cycles.

Reasons

Character and Appearance

3. The appeal site is part of the car park to the front of Grove Place which itself is a former commercial building now occupied as self-contained flats. Mostly hard surfaced, it also comprises a single storey timber clad building with a mono pitched sheet metal roof and a small area of grass with two young trees.
 4. The appeal site is relatively enclosed by other trees, boundary walls and fences and being part of a private development, separated from the public realm. However it is a wide and open space which contains a contextually small building. The long, straight and relatively wide access is also open and more noticeable. Along with its ornate metal gates, it forms a significant and defining designed element of the access, contributing further to an open character.
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5. By virtue of having to provide a replacement bin and cycle store, the proposed building would displace existing vehicular parking which is currently contained and neat in its layout and siting. Whilst there would be no harm to the safe and effective use of the highway through the revised parking arrangements, the proposed linear arrangement along the majority of the length of the access would appear contrived and more obvious a feature. The arrangement would give a cluttered appearance, reducing the sense of spaciousness that the current access provides.
6. The proposed building would be substantially larger than the existing, occupying significantly more space to the frontage of Grove Place. This, along with removing what is the only area of green space to the frontage, would further erode the open and spacious feel to the appeal site. The fact that the building would not be easily seen from public vantage points would not lessen the harm in this case.
7. The design of the proposed building would be modern, proposing contrasting materials and a green roof. I accept it would be larger than the existing store although it too appears modern and obvious through its design and use of materials. The larger scale would not, in my view, lead to a greater level of harm purely in design and appearance terms, when considering also how hidden it would be in the public realm. My findings here do not however overcome the harm which would be caused by its physical presence.
8. As a result of the siting of the proposed building therefore, the character and appearance of the appeal site and thus the area would be unacceptably harmed. Consequently, it would be contrary to saved Policy En25 of the Local Plan¹, Policy HL5 of the Local Plan Alterations² and emerging Policy LP 13 of the Draft Local Plan³. These Policies seek to ensure that, amongst other things and along with section 7 of the Framework⁴, new development is of a high standard and contextually appropriate design and appearance and respects the townscape, landscape and character of the locality.
9. I note the Council's reference to saved Policy H32 of the Local Plan in respect of the above. However, this Policy is more concerned with the effects of a given development proposal resulting from the sub division of large curtilages and so is not directly applicable in this case.

Living Conditions

10. The proposed development would provide two self-contained residential units. They would be arranged over a ground floor, open plan layout comprising a single en suite bedroom which would be separated from a living/kitchen and dining space. Full height narrow windows would serve each room, with additional and similar sized glazing units (incorporating double patio style doors) to the front elevation. An area of external amenity space would be provided to the side elevation of each unit.
11. I accept that there are no policy defined minimum standards for amenity space and expectation for such within flatted developments is different to single dwellings. However, the areas provided would be narrow and according to the

¹ Huntingdonshire Local Plan Part One 1995

² Huntingdonshire Local Plan Alteration 2002

³ Draft Huntingdonshire Local Plan to 2036: Stage 3

⁴ The National Planning Policy Framework 2012

evidence before me, open to areas used for pedestrian and vehicle circulation. The spaces would therefore be of an unacceptably poor quality. The lack of designated amenity space for the existing flats in the area does not change my view of the quality of the space for the proposed development.

12. In the absence of any details pertaining to boundary treatment, all of the windows that serve the bedrooms and the living/kitchen/dining space would look onto the same aforementioned circulation areas. This would represent a poor standard of outlook from the entirety of the habitable space contained within the units and would add to the harm that I have identified.
13. For the above reasons, the proposed development would fail to provide adequate living conditions for future occupiers. As such, it would fail to accord with Policies H31 of the Local Plan and emerging Policy LP 15 of the Draft Local Plan. These Policies, along with one of the core principles of the Framework, seek to ensure, amongst other things, a good level of amenity for existing and future occupiers of land and buildings.

Storage for Bins and Bicycles

14. The existing building currently used for the storage of bicycles and refuse bins for Grove Place would be relocated to the opposite side of the car park and would be of roughly the same size. The evidence before me would suggest that this building currently serves the needs of four flats.
15. It appears to me that the additional space that would be required for the two further flats has not been taken into account. If they were, the proposed new building would have been larger. I note the Council's suggestion that this could be suitably addressed by planning condition. However, the solution to what is clearly a lack of space may result in a larger building or an enclosure elsewhere that is yet to be either formally consulted on or assessed. As such its effect, at this stage, is unknown and therefore a condition would not be appropriate.
16. In the absence of details, I am unable to reach a conclusion that storage provision would meet the needs of the development, to ensure its proper functioning. Consequently it would fail to meet the high standards of design required by Policy HL5 of the Local Plan Alterations, emerging Policy LP 13 of the Draft Local Plan and section 7 of the Framework.

Other Matters

17. The building known as Grove Place was, according to the evidence before me, formerly an extension of Grove House. Whilst the two buildings have since been separated, they are both grade II listed. I am required, by Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving the setting of these buildings.
18. Grove Place was built as an office block in the 1980s and whilst I have found that harm would be caused to the open and spacious character of the appeal site, it was itself historically used as a car park. As such its value in terms of the historic or architectural setting of Grove Place is limited in its overall significance. The overall effect of the proposed development on the setting of Grove Place, considering it would replace an existing modern building, would therefore be neutral. Due to the siting and orientation of Grove House and its enclosed curtilage, I would come to the same conclusion on the effect of the proposed development on it.

19. I note the Secretary of State's successful appeal to the High Court on the matter of planning obligations for small scale development in relation to the West Berkshire case⁵. I make this comment with regard to a completed Unilateral Undertaking (UU) for a financial contribution to the cost of wheeled bins. Even if I were to take the UU into account in the determination of this appeal in light of the outcome of the aforementioned case, it would not change my conclusions on the proposed development.
20. The proposed development would provide for two units designed around single person living. A growing need, the appellant states, that is evidenced by the Strategic Housing Market Assessment in 2013. I also note that, through the use of design and modern materials, a high level of energy efficiency could be achieved. Whilst these matters clearly weigh in favour of the proposed development, they would not be sufficient to outweigh the harm that it would cause.

Conclusion

21. Having regard to the above and all other matters raised, including those by local residents, the appeal is dismissed.

John Morrison

INSPECTOR

⁵ Secretary for State for Communities and Local Government v West Berkshire District Council and Reading Borough Council.