

Appeal Decision

Site visit made on 7 February 2017

by Jameson Bridgwater PGDipTP MRTPI

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

Decision date: 27 February 2017

Appeal Ref: APP/X2410/W/16/3161122

8a Brook Lane, Barrow upon Soar LE12 8PW

- 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 Darren Hickman (Hickman Retail Ltd) against the decision of Charnwood Borough Council.
 - The application Ref P/16/0972/2, dated 4 May 2016, was refused by notice dated 13 September 2016.
 - The development proposed is described as 'Changing use from Hair Salon to Royal Mail Sorting Office'.
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Decision

1. The appeal is dismissed.

Main issues

2. The main issues in the appeal are:
 - the effect of the proposal on the living conditions of the occupiers of residential properties close to the site, with particular regard to noise and disturbance; and
 - the effect of the proposal on highway safety with particular regard to parking.

Reasons

3. The appeal property is part of a detached building on Brook Lane which was previously used as a hair/beauty salon. The sorting office is accessed via a door to the front of the property. Brook Lane is residential in character and there are houses on either side of the building and on the opposite side of the road. There is a car park to the rear with an existing access drive which passes between the appeal property and 4 Brook Lane.

Living conditions

4. I have carefully considered the appellant's representations with regard to the use of the site, in particular the potential for the alternative uses such as a convenience store. Further, I accept that it is likely that postal staff will be away from the site during the day once the morning sorting process has concluded. However, based on the evidence before me and my observations during the site visit, the sound of post office vehicles loading and unloading would result in a concentrated level of noise and disturbance, to those living adjoining the site, particularly early in the morning. Whilst I accept that other
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uses within Use Classes A1/A2 could also require the loading and unloading of goods; it is likely that deliveries would be spread across the day rather than a concentrated period in the early morning. I therefore conclude that the proposed use of the appeal premises as a sorting office would result in noise and disturbance early in the morning to the material detriment of living conditions of the occupiers of residential properties close to the site.

5. Having reached the conclusion above, the proposal would conflict with Policy CS2 of the Charnwood Local Plan Core Strategy (2006 to 2028) and Policy EV/1 of the Borough of Charnwood Local Plan (1991 - 2006). These policies seek amongst other things to ensure that development would not have an adverse impact on the amenity of people who live or work nearby. Such a conclusion is not altered by the environmental or social considerations advanced by the appellant or local residents.

Highway safety

6. The Council have raised concerns with regard to the parking provision for the proposed use (3 cars spaces to the front of the property and 3 vans spaces to the rear). They have stated that this could result in the displacement of parking onto the residential street to the detriment of highway safety. However, whilst it is clear from the photographs supplied by local residents that postal vehicles do park on the street, there is no evidence before me that demonstrates that the on-street parking would prevent the safe and free flow of pedestrians and vehicles in the area given the width of the highway and footpaths on both sides of the road close to the site. Moreover, the parking provision at the rear of the site could be reasonably secured by way of an appropriately worded condition. In reaching this conclusion I have taken account of traffic and parking that could be reasonably generated by a hair/beauty salon including parking for both staff and customers. It is therefore likely that the change of use from a hair/beauty salon to a sorting office would have a neutral effect on on-street parking demand and therefore would not result in material harm to the safety of vehicular and pedestrian traffic.
7. I therefore find that the proposal is consistent with Policy CS2 of the Charnwood Local Plan Core Strategy (2006 to 2028) and Policy EV/1 of the Borough of Charnwood Local Plan (1991 - 2006). These policies seek amongst other things to ensure that development would not have an adverse impact on highway safety. I also find that there is no conflict with the National Planning Policy Framework.

Conclusion

8. As explained above, in this case, the effect of the proposal on highway safety is a neutral factor. However, the proposal would result in noise and disturbance that would result in material harm to the living conditions of occupiers of nearby residential properties.
9. For the above reasons, and having carefully considered all other matters raised. I conclude that the appeal should be dismissed.

Jameson Bridgwater

INSPECTOR