The Planning Inspectorate

Appeal Decision

Site visit made on 14 March 2017

by A Jordan BA Hons MRTPI

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

Decision date: 29th March 2017

Appeal Ref: APP/E2530/W/16/3165313
Baxters Yard, Stuart Street, Grantham, Lincs, NG31 9AF

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
- The appeal is made by Invicta Rentals Ltd against the decision of South Kesteven District Council.
- The application Ref S16/0312, dated 28 January 2016, was refused by notice dated 19 October 2016.
- The development proposed is demolition of existing workshops, erection of nine apartments and managers store.

Decision

1. The appeal is dismissed.

Procedural Matter

2. The application is made in outline form with the matters of access and landscaping reserved for later approval.

Main Issues

3. The main issues for the appeal are whether the proposal would provide acceptable living conditions for future residents, having regard to internal living space and natural light and the effect of the proposal on the living conditions of existing residential occupiers having regard to access to on-street parking.

Reasons

4. Baxters Yard is a builder's yard which is adjoined on 3 sides by terraced housing. It fronts onto Stuart Street, which lies close to the town centre, and the surrounding area is predominantly residential, with little or no off-street parking. The appeal relates to the erection of a residential development comprising 9 flats, which would front onto Stuart Street. The Council consider that the form of development proposed would harm living conditions as a result of the size and configuration of the rooms proposed, and would have a harmful impact on the living conditions of existing residents as a result of increased pressure for on-street parking.

5. The Council have raised concerns with regard to the outlook provided by the roof windows in the attic flats. Taking account of the size and likely position of these openings in relation to floor level, I consider that they would provide future residents with natural light and some outlook which would be sufficient to provide adequate living conditions. The Council have also raised concerns

with regard to the amount of natural light that would be provided to some of the units at ground and first floor, which have relatively long rooms, served by single windows on the front and rear elevations. I note that in the case of Unit 1 and Unit 5 it is likely that the kitchens areas would be reliant on artificial light. As these kitchens are "galley-style" and would not also be used for dining I do not consider that a lack of natural light would represent a significant deficiency in the quality of accommodation provided.

6. However, in the case of the ground floor Unit 3, the position of windows towards the rear kitchen area would mean that the main living area would be very poorly served by natural light. In addition, the position of the 2 windows to the kitchen area would mean that they look onto areas in shared use at ground floor level and so are likely to require the use of curtains or blinds to preserve privacy, further diminishing available light to the living area beyond. As a result, the living room in unit 3 would be likely to be a gloomy and oppressive space, which would fail to provide acceptable living conditions for future residents.

7. Increased demand for on-street parking is a source of some concern to existing residents. Properties on Stuart Street open directly onto the street, and whilst private garaging is located opposite, most residents will be reliant upon on-street parking for their vehicles. Although at the time of my visit, which was mid-morning on a weekday, there were barely any vehicles parked on the street, I would expect that competition for on parking would be much greater in the evenings and at weekends. I also accept that parking from trips to the nearby school would occur on the street and lead to parking pressure at drop off and pick up times.

8. Nevertheless, the site is located within easy walking distance of the town centre. The development proposed comprises one bed units and is unlikely to appeal to families. I therefore accept the appellant's view, that car ownership within the development would be likely to be relatively low. Taking into account the removal of vehicular activity associated with the builders yard, and the addition of one on-street space which would arise from the removal of the access, I am of the view that the increase in vehicles arising from the proposal, even during evening hours, would not lead to a significant level of increased parking stress.

9. I note the other concerns of residents, but on the basis of the information before me I find no evidence that the proposal would lead to problems with prostitution or drugs. I also consider the arrangements for waste storage and collection to be adequate, and find no evidence to suggest that the proposal would cause problems in regard to light pollution.

10. The Council have referred to Policy EN1 of the *Local Development Framework for South Kesteven – Core Strategy*, which relates primarily to the effects of development on the character of an area. Having regard to the form of the development, which seeks to reflect the scale and architectural detailing of adjoining dwellings, and reflects the established grain of the surrounding street pattern, I share the Council's view that the appearance of the proposal is acceptable. Furthermore, as I consider that any effects of parking pressure would not be significant, I do not consider that this factor would have a material effect on the character of the area. Therefore insofar as Policy EN1 can be considered relevant, I find no conflict with it.

11. Nevertheless, although I find that the development would not harm the living conditions of existing occupiers, due to the deficiencies identified in the proposed Unit 3, it would fail to provide adequate living conditions for future residents. It would therefore conflict with guidance in the *National Planning Policy Framework* which seeks to achieve a good standard of amenity for all existing and future occupants of land and buildings.

12. Therefore, having regard to all matters raised, the appeal is dismissed.

Anne Jordan

INSPECTOR