



Appeal Decision

Site visit made on 26 April 2022

by Thomas Hatfield BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16 May 2022

Appeal Ref: APP/P2365/W/21/3285154

Mission Church of Saint Cyprian, Hoscarr Moss Road, Lathom, L40 4BG

- 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 Tracey Hughes against the decision of West Lancashire Borough Council.
 - The application Ref 2020/0993/FUL, dated 26 October 2020, was refused by notice dated 24 August 2021.
 - The development proposed is described as "*proposal to convert existing building into 3 bed residential dwelling*".
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The site address given above is taken from the Decision Notice rather than the planning application form, as the latter refers to Mission House which is not within the appeal site boundary.

Main Issue

3. The main issue is the effect of the development on the living conditions of neighbouring occupiers with regard to noise and disturbance.

Reasons

4. The appeal site consists of a disused former church building on the northern side of Hoscarr Moss Lane. It is set in a backland location to the rear of Mission House, which is an adjoining dwelling immediately to the south.
5. The development would introduce 2 parking spaces in close proximity to habitable room windows in Mission House. These windows serve a large kitchen-diner and the main living room to the property, which are likely to be in frequent use by its occupiers. The proposed parking spaces would result in turning manoeuvres, vehicle noise, door slamming, and voices, in close proximity to these windows, including from deliveries and visitors to the property. This could take place at any time of the day through into the evening. Headlight glare in such close proximity to these windows would also be intrusive in low light. In my view, the level of disturbance and intrusion that would arise from parking spaces in this position would be significant. The

planting of a hedge in front of the kitchen-diner window would provide only limited mitigation and would not overcome my concerns in this regard.

6. It is asserted that the land in front of the appeal building was previously used as a car park for the former church. However, this is disputed by neighbouring occupiers, who state that it was only used as a drop off point for those with limited mobility. In any case, parking associated with the church would have been restricted to days and times when services were taking place. That would not be the case here. Moreover, the former church use ceased several years ago, and there is no indication before me that this is likely to resume. Given the peripheral location of the building this also seems highly unlikely.
7. I note that the Council's Environmental Health Officer did not raise any objection to the development at application stage. However, I have come to my own view on this matter, based on the evidence before me and my observations on site.
8. For the above reasons, I conclude that the development would significantly harm the living conditions of neighbouring occupiers with regard to noise and disturbance. It would therefore be contrary to Policy GN3 of the West Lancashire Local Plan (2013) which seeks to ensure, amongst other things, that development proposals create reasonable levels of amenity for occupiers of neighbouring properties.

Conclusion

9. For the reasons given above I conclude that the appeal should be dismissed.

Thomas Hatfield

INSPECTOR