



Appeal Decisions

Site visit made on 17 March 2026

by J Moore BA (Hons) BPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 31 July 2026

Appeal A Ref: APP/Z4310/W/25/3371699

14 Holly Road, Liverpool L7 0LH

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
- The appeal is made by Yakel Property Investment against the decision of Liverpool City Council.
- The application Ref is 24F/3419.
- The development proposed was originally described as: Adaptation/change of use of former nuns' shared accommodation to form a 12 room HMO (sui generis) with shared communal facilities, associated internal and external alterations/refurbishments (including external rendering and new/replacement windows and rooflights) and erection of bin and cycle stores.

Appeal B Ref: APP/Z4310/Y/25/3371700

14 Holly Road, Liverpool L7 0LH

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) against a refusal to grant listed building consent.
- The appeal is made by Yakel Property Investment against the decision of Liverpool City Council.
- The application Ref is 24L/3421.
- The works proposed were originally described as: Adaptation/change of use of former nuns' shared accommodation to form a 12 room HMO (sui generis) with shared communal facilities, associated internal and external alterations/refurbishments (including external rendering and new/replacement windows and rooflights) and erection of bin and cycle stores.

Decisions

1. Both Appeal A and Appeal B are dismissed.

Applications for costs

2. An application for costs was made by Yakel Property Investment against Liverpool City Council. This application is the subject of a separate decision.

Preliminary Matters

3. Both appeals relate to the same proposal under different but complementary legislation. To avoid duplication, I have dealt with the two appeals together, except where otherwise indicated.
4. During the course of the appeal, the Council advised that the appeal notification letter and site notice for Appeal B did not properly detail the application reference or description. A further notification letter and site notice was issued, with a period of 21 days for representations to be made for Appeal B. I am satisfied that no party has been prejudiced in this regard.
5. As the proposal concerns a listed building, I have had regard to sections 16(2) and 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act), which requires me to have special regard to the desirability of preserving the

building or its setting or any features of special architectural or historic interest which it possesses.

6. It is not disputed that works have commenced to the listed building, including but not limited to the removal of some internal walls. The appellant advises that an outbuilding and external stairway have been removed on safety grounds, and that these works do not form part of the proposal. However, the Strip Out/Demolition Ground Floor Plan shows the outbuilding annotated as *“existing outbuilding of little heritage value to be demolished and discarded.”* It therefore forms part of the proposal before me. Although s8(3) of the Act provides for ‘retrospective’ listed building consent applications to be made, any consent would only be effective from the date of consent rather than any prior point in time. Appeal B is therefore considered to seek the retention of the proposed works in part.
7. The appellant submitted an amendment to the appeals which seeks to overcome the Council’s concerns regarding levels of light to a bedroom 4 and is accompanied by a daylight study. Having regard to the ‘Wheatcroft Principles’ and the Holborn judgement¹, the amendment would not result in a substantial or fundamental change to result in a different application. The Council and interested parties have had an opportunity to comment on this matter. Therefore, no party would be prejudiced by my acceptance of the amendment, and I have determined the appeals accordingly.
8. The evidence refers to Policy HD11 of the Liverpool Local Plan 2013-2033 adopted January 2022 (LLP), which was not fully submitted to the appeals. Further reference is made to Draft Policy H7 of the emerging LLP 2025-2014 published September 2025, which was not submitted to the appeals. I have therefore relied upon the publicly available versions of these policies on the Council’s website and consider that no party’s interests would be prejudiced by my doing so.

Main Issues

9. Having regard to all the evidence before me, the main issues are:
 - the effect of the proposal upon the balance and mix of housing;
 - whether the proposal would provide acceptable living conditions for future occupiers, with particular regard to internal space, outlook and levels of light; and
 - whether the proposed works would preserve the Grade II listed building 14 Holly Road (Ref:1075188) or any features of special architectural or historic interest which it possesses.

Reasons

The appeal site and its surroundings

10. The appeal site is adjacent to a primary school, whose playground is located at the rear of the appeal site. The neighbouring property at No 12 Holly Road is given to be in residential use. Properties on this side of the street vary in form, scale and age to include grander buildings like the appeal building, with some in larger grounds and there is a children’s nursery on the other side of the primary school. On the opposite side of the street there is a greater variety in built form to include

¹ Bernard Wheatcroft Ltd v SSE [JPL 1982 P37]; Holborn Studios Ltd v The Council of the London Borough of Hackney [2017] EWHC 2823 (Admin).

modest semi-detached properties, larger properties that appear to have been converted to smaller units of accommodation, a church (of stone construction with a tower) which appears to be converted and extended into flats, and an employment site. Consequently, I find the character of the immediate area to be a mixed one.

Balance and mix of housing

11. Taken together, LLP Policies H10 and H11 seek to ensure balanced communities and protect the character and amenity of an area, by (among other things) preventing the loss of family dwellings and managing concentration levels of HMOs. Criterion (l) of LLP Policy H10.2 requires a proposal to accord with LLP Policy H11, which does not permit HMOs in designated neighbourhoods. The appeal site is not within such a designated neighbourhood.
12. The reason for refusal on this main issue concerns criterion (n) of LLP Policy H10.2, which permits the conversion of dwellings and buildings to Houses in Multiple Occupation (HMOs) providing that the development would not cause the loss of a dwelling that is suitable in size, design, layout and location for continued use as a family dwelling.
13. The main parties are in dispute as to the existing lawful use of the building. The evidence indicates the building was last occupied by nuns living together as a religious community. The appellant considers that such a use would be tantamount to a large HMO, and thus it would not be a family dwelling. However, the Council is not satisfied that robust evidence of lawful use has been provided for the appealed applications, such that it considers Class C3 (c) to be the lawful use, where up to six people live together as a single household.
14. For the avoidance of doubt, it is not the role of an Inspector dealing with a linked s78 and s20 appeal to determine the existing lawful use of the building. Notwithstanding the dispute, the determining factors for LLP Policy 10.2 (n) are size, design, layout and location. There is no dispute that the appeal site is within a suitable location, and I find no reason to consider otherwise.
15. The evidence indicates that as originally built, the property had 8 bedrooms, but was later partitioned to form 10 bedrooms, and these partitions were removed before the applications were made. Either way, it is of a considerable footprint and volume, being two storeys, with a large attic and large basement, and rooms are of a considerable size. Although family sizes vary and there is demand for properties with 4 or more bedrooms, the size, design and layout of the property is such that it would be much larger than a typical family dwelling, even one desired by a very large family.
16. The Council's Supplementary Planning Guidance Note 7: Conversion of Buildings into Flats and Houses, 2001 (SPG7) sets out the type of buildings normally considered suitable for conversion to include older larger houses which because of their size and location may be difficult to sustain as single dwellings. The appeal property would accord with this example in terms of size and by being an older, larger property.
17. The proposal was accompanied by marketing evidence updated during the determination phase and for the appeals, whereby the site was marketed for a period of over a year with marketing on three websites. I share the Council's concerns that the marketing brochure is very limited. It includes only one external

photograph and provides no floor plans. Although it states that full renovation is required, there is no explanation of any renovation works required and/or recently undertaken. The asking price is over 50% greater than the purchase price some 18 months before, with only one property identified as a comparator.

18. In any event, the fact that enquires were made for use as an HMO and flats (even though the brochure excluded such uses) and no offers or requests to view were made for use as a single dwelling lends some weight to my finding that the property is of such a size, design and layout that it would probably not be suitable for use as a single dwelling. In reaching this view, I have taken account of the appeal decision for Alton Road (APP/Z4310/W/24/3344339), where an Inspector made a similar finding, albeit with the benefit of acceptable marketing evidence.
19. Drawing all the above together, I am satisfied that on balance, and even if the lawful use of the appeal property were to be Class C3 (c), the proposed development would not result in the unacceptable loss of a dwelling in the terms of LLP Policy H10.2 (n).
20. The Council draws my attention to Draft Policy H7 of the emerging LLP published in September 2025 alongside a SHMNA², after the determination of the applications. In doing so, the Council accepts that the emerging LLP attracts limited weight in accordance with the National Planning Policy Framework (the Framework) but contends that the emerging LLP continues and augments the approach to managing the balance and mix of housing in regard to HMOs.
21. Draft Policy H7 of the emerging LLP would not permit the conversion of a building or dwelling-house to a HMO where one of any four criteria were satisfied, including a 10% concentration level within a 100m radius. The Council's HMO analysis within the SHMNA calculates that the proposal would result in a concentration level of between 7.5 and 10% and thus considers the proposal would likely breach this proposed criterion.
22. However, the emerging LLP is at the second stage of preparation (Regulation 18 Consultation Stage), and it is not clear whether there are any unresolved objections to the plan and/or its evidence base. As such, I cannot be certain that draft Policy H7 would be adopted in its present form. Nor can I be certain that a 10% threshold within 100m radius would be breached now or in the future, given the lower end of the range at 7.5%. For these reasons, the emerging LLP and its evidence base attract limited weight and do not overcome my earlier findings.
23. The Council argues that the analysis demonstrates that the proposal would have an adverse impact on the character of the area by boosting the supply of HMOs to a level which is harmful or likely to become harmful in the near future, in conflict with criteria (b) and (n) of LLP Policy H10.2. Criterion (b) seeks to ensure the conversion of a property or building to a HMO has no adverse impact upon the amenity of neighbouring properties and the character of the surrounding area in particular through increased activity, noise or disturbance.
24. Occupiers of a HMO are likely to lead lives which are independent from one another in comparison to a large family occupying a single dwelling or a community of nuns living in a large property, whether retired or in active service. Twelve individual people are likely to have separate routines that would likely result in

² Strategic Housing Market Needs Assessment May 2025

increased footfall and generate more noise. However, I have not been provided with compelling evidence that any increase in comings and goings arising from the development would cause unacceptable levels of noise or disturbance itself, or in comparison to use of the property by a very large family or a religious community.

25. I therefore conclude that the proposal would not have an unacceptable effect upon the balance and mix of housing. It accords with LLP Policies H10.2(n) and H11 insofar as related to this main issue.

Living Conditions

26. LLP Policy H10.1 seeks to ensure that HMOs do not cause significant harm to the living conditions of occupiers. The supporting text sets out that “*The minimum size of communal lounge space is 12 square metres of useable floorspace, equating to 3 square metres per person, assuming a small four person size HMO. For HMO accommodating more residents, proportionately more communal lounge space should be provided.*” As the HMO would accommodate 12 persons, a proportionate requirement would be a minimum of 36m².
27. The proposal includes a communal lounge and a TV/cinema lounge to the ground floor, which when taken together would be about 32m², resulting in a 4m² shortfall. The proposed study area in the basement would not be a communal lounge and would not be a habitable room in terms of the guidance within SPG7.
28. Although the requirement is clearly for a singular communal lounge, it seems to me that two lounges to serve a large HMO would allow for sufficient socialisation albeit in smaller groups. The seating arrangements indicate that the two lounge spaces would accommodate 10 persons, two persons short of the proposed occupancy level. However, two lounge seats are shown on the proposed plans in the kitchen/dining area, over and above some 13 spaces shown for seated dining. Furthermore, some bedrooms would have generous floorspace to accommodate seating as shown on the plans, which would provide additional space for some occupiers.
29. On balance, I am therefore satisfied that the shortfall in communal lounge space would be acceptable in the above circumstances and would not significantly harm the living conditions of future occupiers.
30. Paragraph 6.12 of the Council’s guidance for HMOs³ sets out that no kitchen should have more than two sets of facilities or be used by more than 10 persons. Paragraph 6.14 sets out the maximum number of persons per kitchen facilities in a table. For an HMO of 11-15 persons, the requirement is for more than one kitchen, by either three kitchens each of 7m² or by two kitchens, 1x 7m² and 1x 12m² with two sets of facilities. As only one kitchen is proposed, the proposal would not accord with the guidance. Although the floor area for the proposed kitchen/dining area is 33.1m², the dining area would accommodate over half of that space and therefore the kitchen requirement would not be met in floorspace terms.
31. The appellant suggests a pro-rata requirement based on the guidance for 5-10 persons, where a kitchen of 10m² is deemed adequate for 8-10 persons. However, paragraph 6.7 sets out (with my emphasis in italics) that kitchens should not *normally* be shared by more than 5 persons and paragraphs 6.8 - 6.10 set out that

³ Houses in Multiple Occupation Standards and Management February 2022

- a kitchen can be shared by more than 5 persons, based on an allowance of 7m² plus a further 1m² for each additional person, *up to a maximum of 10 persons*, and an adjacent dining area of a suitable size must be provided.
32. For the above reasons, the proposal would not provide satisfactory kitchen facilities with sufficient space in which to safely prepare and store foods. The provision of a separate laundry/utility room in the basement would not overcome the harm that I have found.
33. SPG7 sets out that *'The arrangement and shape of rooms in HMOs should aim to maximise the amenity of occupants ..., and have a window providing light, ventilation and a view.'* Further, that *'Living rooms, kitchens and bedrooms should avoid overlooking adjoining properties and facing towards nearby high boundary walls.'*
34. The window serving the kitchen/dining area would face towards the school with an intervening existing chain link fence. The window serving the communal lounge would face an existing tall boundary wall between the appeal property and No 12 Holly Road. The window serving the TV/Cinema Room would face the rear boundary towards the school playground, where a solid fence has been erected. The outlook from these windows would largely be limited by the distances towards the existing boundaries of the plot and their boundary treatments, given to be about 3.5m–3.91m.
35. However, and notwithstanding the lawfulness dispute, the property exists and was previously in some form of residential use. Save for the proposed TV/Cinema Room which previously served a utility space, these ground floor windows previously served habitable rooms. Therefore, the outlook from these windows would not be significantly different nor significantly more harmful than that experienced by previous occupiers.
36. While some vegetation has been removed within the boundaries of the plot, a suitable scheme for landscaping and boundary treatments could be secured by condition. A solid fence would not significantly harm the outlook from ground floor windows or levels of light and would also assist in preventing any overlooking towards the primary school and/or its grounds.
37. The evidence indicates that the window serving proposed Bedroom 4 previously served a bathroom, with obscure glazing to its lower portion, and therefore did not play an important role in the outlook for previous occupiers. The proposed layout is such that the window would be in a narrow space separating the bed area from the ensuite. The daylight study demonstrates little light penetration at peak summer daylight levels into the main usable area of Bedroom 4. For these reasons, the proposal would not provide acceptable living conditions in terms of a satisfactory outlook and levels of light and would harm the health and well-being of future occupiers of Bedroom 4.
38. The appellant draws my attention to paragraph 130 of the National Planning Policy Framework (the Framework), which seeks to encourage appropriate densities and sets out that local planning authorities should take a flexible approach in applying policies or guidance relating to daylight and sunlight where they would otherwise inhibit the effective use of a site. However, this is providing that the resulting scheme would provide acceptable living standards.

39. The Council considers that the proposal would not accord with interface distances within Supplementary Planning Guidance Note 10: New Residential Development 1996 (SPG10), which applies to all new development and excludes flat conversions and makes no mention of HMOs, unlike SPG7. The stated purposes of the interface distances refer to ensuring privacy, avoiding excessive overshadowing and a cramped appearance. In terms of spaces around buildings, the stated purposes are to protect outlook in small infill developments, to ensure compatibility with adjacent housing plots; and to ensure sufficient space between all old and new buildings in backland developments. Such purposes are not reflected in the reasons for refusal, and therefore SPG10 attracts little weight in my consideration of the proposal.
40. In reaching my findings, I have taken account of examples of other developments where in the appellant's view, the Council have granted consent where internal space, outlook and levels of light would be materially worse than the proposal, and the Bryanston Road appeal decision⁴. The full details of these examples are not all before me and they are not all directly comparable. While I accept that a relaxation of standards may apply in certain circumstances based on the planning merits of the proposal, I am not bound by other decisions, and I have made my own assessment of the proposal before me. The fact that the proposal exceeds certain other standards such as bedroom size and rooms include ensuite facilities does not overcome the harm that I have found in this main issue.
41. I therefore conclude that the proposed development would not provide acceptable living conditions for future occupiers with particular regard to internal space for kitchen facilities; and outlook and levels of light to Bedroom 4. It conflicts with LLP Policy H10.1, whose objectives I have set out above and I attach significant weight to this conflict.

Listed Building

42. **Significance**: The listed building dates from the 1840s and is of stucco with a steep slate roof, tall chimneys and elevated porch. From the evidence before me, it is a surviving element of the former affluent suburb of Fairfield and was the home of a named Alderman in the 1920s. The listing description describes the windows in the front elevation which include canted/angled bays with mullions and transoms, and panels including shields and tracery. These particular windows are a key characteristic of the special architectural interest of the listed building.
43. It is not disputed that the building is in need of repair and past alterations to the listed building have not been entirely sympathetic, including a casement window in the front elevation at the upper projecting gable serving the attic, described in the listing description; and some windows within other elevations. Prior to works taking place, some original rooms had been divided unsympathetically with partitions cutting into windows. Nonetheless, the evidence and my own observations indicate that many original internal features remain, including highly decorative plaster work, skirtings, internal shutters and fireplaces.
44. Insofar as related to the appeals, I find the significance of the listed building to be largely derived from its historic and architectural interest. The surviving historic fabric, including fenestration and internal features; and traditional construction methods and materials are important and key contributors to its special interest.

⁴ APP/Z4310/W/25/3363724

45. Effects: The reason for refusal for Appeal B concerns the sufficiency of information for the proposed replacement of single glazing with vacuum glazed units. The Council's case makes clear that no objection is made to the other proposed works. Therefore, my reasoning focusses on the information submitted with the proposal for these particular works. Paragraph 213 of the Framework makes clear that significance can be harmed or lost through alteration or destruction of the heritage asset or from development within its setting and that this should have clear and convincing justification. For the avoidance of doubt, I was unable to see the nature of all existing glazing and frames during my visit as many windows were boarded and/or obscured by a form of paint to the glass.
46. In broad terms, the proposal largely seeks to repair existing frames and replace existing glazing with vacuum glazing units. There would also be some sympathetic replacement of UVPC windows which would improve the appearance of the building. A basement opening would be blocked and another would be fitted with a sympathetic window.
47. The proposal is accompanied by a window schedule in the form of a table (the table), and a window schedule report (the report) which details the nature of each window. The report provides only one photograph of each window taken at some distance, updated during the determination phase to state that existing glazing at each window is not 'original', with little detailed evidence to demonstrate this position. It is not entirely clear from the table and report as to which frames are original to the building.
48. In any event, the absence of any 'original' glass to the property does not imply that the existing glazing is not of historic or architectural interest, nor of evidential or aesthetic value. Vacuum glazed units would have a different reflective quality compared to the more matt, uneven finish and appearance of a traditionally glazed window, and would thus harm the character and appearance of historic windows.
49. The proposal includes detailed drawings only for windows SW01, FW01 and FW06. Window FW01 is within the projecting front facing gable of the building. The detailed drawing appears to show a proposed section but does not provide an existing section for comparison. There are no detailed section drawings for certain other windows within the main elevation which are clearly identified in the listing description and form a key characteristic of the special architectural interest of the listed building. In particular, windows GW01 and GW05 include transoms, and window FW03 includes a gothic style arch with tracery above.
50. Moreover, vacuum glazing units of 8mm depth are indicated in the submitted floor plans for certain windows and in the detailed drawing for window FW01, in conflict with the specification of 8.3mm in the Design and Access Statement. In addition, the means of installation of the proposed vacuum units to each window is not clear, including whether or not spacers would be installed and the effect upon glazing bars. Photographs of a sample of vacuum glazing do not assist me in this regard.
51. Furthermore, I have found inconsistencies between the table, the report and the submitted plans, some examples of which I set out as follows. The table appears to address 13 Bedrooms, rather than 12. Window SW01 is stated to serve Bedroom No 13 in the table, but the floor plans show it would serve Bedroom 12. Although windows are shown on the submitted plans for Bedrooms 3 and 11, these

bedrooms are not shown in the table. The floor plans indicate window FW01 would serve Bedroom 3, but the table states it would serve Bedroom 4.

52. The table and proposed elevation drawing indicate window FW06 has a UVPC frame to be retained, but the detailed drawing indicates an existing timber frame; and the design of the panes is inconsistent between the detailed drawing and the proposed elevation drawing.
53. The table remarks for window SW01 (the existing unsympathetic UVPC window in the projecting front gable) suggest that it would be a new timber framed door rather than a window, while the floor and elevation plans indicate it would be a window. Taking account of the evidence as a whole, I accept that this window is intended to be a timber framed casement window to replace a UVPC window and thus would be an improvement to the external appearance of the listed building.
54. In this case, my analysis is unacceptably limited by the inaccuracies and deficiencies in the detail of the proposed works, including the method of installation of vacuum glazed units. It is imperative that applications for listed building consent are accompanied by drawings and specifications of sufficient and accurate detail to illustrate and/or describe the proposed works in order to avoid any uncertainty over what is proposed, and to allow a meaningful assessment of any consequent effects.
55. Consequently, I cannot be certain that all existing/original frames can accommodate the proposed vacuum glazing, nor that the works would not compromise the integrity of such windows, most notably within the front elevation, where existing fenestration is a key contributor to the special interest and significance of the building and is highly visible within the street scene. The proposed works would likely result in the irreversible loss of historic fabric, harming the special interest of the listed building, and the proposal would therefore not sustain its significance.
56. While I appreciate that the Council's Heritage Officer appears to accept the wholesale replacement of single glazing with vacuum glazing as a matter of principle, this does not overcome my finding that sufficiently detailed information has not been submitted. Even if the main parties were to have agreed samples of vacuum glazing, this would not overcome my findings. Mindful of my statutory duties and the importance of fenestration and traditional construction materials and techniques to the special interest of the building, it would not be appropriate to leave such matters to be controlled by conditions.
57. For the above reasons, I conclude that the proposal does not provide sufficient information for the replacement of single glazing with vacuum glazed units. I must also conclude that the proposal fails to provide a sufficiently clear and compelling justification for the replacement of single glazing with vacuum glazed units, in conflict with the Framework.
58. In my judgement, the proposed replacement glazing would likely harm the listed building. In accordance with the Framework, I find the harm to be less than substantial in this instance and at the lower end of that spectrum, but nevertheless of considerable importance and great weight. In such circumstances, I am required to weigh this harm against the public benefits of the proposal, which includes securing the optimum viable use of the building.

59. ***Public benefits and balance:*** In general, the undisputed works to repair and restore the historic fabric of the building would aid its preservation and improve its external appearance, including (but not limited to) roof and stucco repairs, and the replacement of existing UVPC rainwater goods with cast aluminium goods. In addition, the replacement of some unsympathetic windows and repair of existing frames would also achieve similar benefits.
60. The removal of unsympathetic partitions cutting into windows and the removal of an unsympathetic outbuilding would be a positive benefit, by better revealing the original plan form. The installation of an ensuite to serve Bedroom 2 would undermine the original plan form of a principal ground floor reception room, but its pod like form would not affect decorative plasterwork or reach the ceiling, and therefore this negative impact would be limited. Elsewhere, works to create or alter openings to provide access to individual bedroom units and/or en-suite facilities would not significantly alter the existing or original plan form of the building.
61. Heritage benefits would also arise from bringing an otherwise vacant listed building into active use. However, it has not been demonstrated that the proposal is the only way to secure an optimum viable use, nor that the preservation of the building would be clearly at risk if the appeals were to fail.
62. The proposal would support the government's environmental objective to make effective use of land. Although vacuum glazing could improve the thermal efficiency of the building, I have not been provided with substantive or compelling evidence to demonstrate that the proposal is the only or least harmful way to secure this objective, which limits the weight I attach to such potential environmental benefits. The proposal would support the government's social objectives to ensure sufficient number and range of homes; and meet wider housing needs. Temporary economic benefits would arise from the proposal during the construction phase, with permanent benefits thereafter arising from the expenditure of future occupiers, limited by the scale of the proposal.
63. Collectively, these public benefits carry significant positive weight. However, I am unable to conclude that the proposed replacement glazing has been clearly and convincingly justified; and would not harm the special interest of the listed building. Consequently, and notwithstanding their cumulative weight, the public benefits would not outweigh the harm I have identified, nor overcome the absence of detailed information upon which to assess the proposed works in dispute.
64. I therefore conclude that on balance, the proposal would fail to preserve the Grade II listed building and features of special architectural or historic interest which it possesses. The proposal would fail to satisfy the requirements of the Act and the provisions of the Framework. It conflicts with LLP Policy HD1, which seeks to ensure that development proposals conserve the significance of designated heritage assets, taking account of public benefits; and that applications are fully justified and accompanied by full information necessary to assess the impact of the proposals upon heritage assets. I note that LLP Policy H10.2 (m) seeks to ensure that proposals concerning the conversion of historic buildings to HMOs do not harm elements which contribute to its significance. While this particular criterion is not addressed in the reasons for refusal or by either main party, it seems to me that the proposal would conflict with this policy. In respect of Appeal A, the proposed development would not be in accordance with the development plan, and I attach significant weight to this conflict.

Other Matters

65. The appellant raises concerns about the Council's handling of the applications. For the avoidance of doubt and notwithstanding the appellant's claim for costs, such matters do not affect my consideration of the planning merits of the proposal.
66. I have had regard to representations made during the determination phase of the application, including but not limited to concerns regarding the proximity of the appeal site to the neighbouring school, including safeguarding concerns, overlooking and privacy; antisocial behaviour; fly tipping; congestion and parking. Interested parties also responded to the second consultation made in regard to Appeal B and these comments largely reflect those made at determination stage in regard to the proximity of the school in terms of safeguarding concerns, overlooking and privacy.
67. However, these matters were considered where relevant by the Council in the officer reports which considered the applications. I find no reason to reach a different conclusion to the Council on these matters, taking into account that the site is in an accessible location and there is no objection from the local highway authority; and that the HMO management plan, landscaping and boundary treatments can be secured by suitable conditions.
68. While fear of crime and anti-social behaviour can be a material consideration, there must be a reasonable and evidential basis for it to be afforded weight in the planning balance. There is no convincing evidence before me which would lead me to conclude that the proposal would give rise to an unacceptable increase in such activity.
69. I note support for the proposal at determination stage, on the grounds that it would restore the character of the listed building hitherto considered to have been neglected. However, such support does not render the proposal acceptable.

Planning Balance and Conclusion

70. For Appeal A, I have found that the proposed development would not unacceptably harm the balance and mix of housing. However, I have also found that it would not provide acceptable living conditions for future occupiers and would fail to conserve the significance of the listed building, in conflict with the relevant policies of the development plan. The proposed development therefore conflicts with the development plan read as a whole. The material considerations, including those of the Framework would not overcome the harms that I have found. In respect of Appeal B, I have found that the proposed works would fail to accord with the requirements of the Act and the provisions of the Framework.
71. For the reasons above and having regard to all other matters raised, I therefore conclude that both Appeal A and Appeal B should be dismissed.

J Moore

INSPECTOR