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## Appeal Decision

Site visit made on 28 October 2020

**by William Walton BA MSc Dip Env Law LLM CPE BVC MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 16<sup>th</sup> November 2020

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### **Appeal Ref: APP/N2535/W/20/3256447**

### **Former RAF accommodation, adjacent to community centre, Kent Road, Brookenby, Market Rasen LN8 6EW**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant full planning permission.
  - The appeal is made by Mr Dirk Terjung against the decision of West Lindsey District Council.
  - The application Ref 140672, dated 24 February 2020, was refused by notice dated 27 May 2020.
  - The development proposed is described as the conversion of former RAF accommodation into 4 flats, construction of a new car park, bin store, ASHP compound and footpaths.
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### **Decision**

1. The appeal is dismissed.

### **Procedural Matter**

2. No site address was provided on the planning application form. In the alternative, I have used that provided in the officer's report.

### **Main Issue**

3. The main issue is whether the proposed development would provide for satisfactory living conditions of the future occupants of the 4 flats, with particular regard to internal space provision and outlook.

### **Reasons**

4. The appeal property is a derelict 2-storey former RAF accommodation block located close to the centre of the village of Brookenby which is within the confines of what used to be known as RAF Binbrook in north Lincolnshire. The block is one of 3 set around a 3-sided grassed area with a crescent shaped road running past.
5. The former accommodation block is connected to the adjacent, larger block by an enclosed passageway. This adjacent block includes a community centre and a theatre. The block on the other side of the grassed area includes a drop-in centre and a church. The end section of the block subject to this appeal was used until recently as a shop and take-away called 'Lifestyle Express'.
6. The appeal proposal comprises the conversion of most of the now derelict former accommodation block to 4 flats which would be let out at affordable rates by a housing association or a private company. Flats 1 and 2 on the

ground floor would be 1 and 2-bedrooms respectively and Flats 3 and 4 on the first floor would both have 2 bedrooms. The internal and external walls would be lined and insulated in accordance with the requirements of the Building Regulations.

7. A ramp would serve the existing door on the western elevation of the accommodation block. Vehicle parking would be provided a short distance away to the north of the block. The enclosed passageway would be removed to facilitate easier pedestrian access to the car park. An enclosed landscaped garden for the communal enjoyment of the occupants would also be provided to the north and east of the block. This garden would also accommodate an air sourced heating pump for the flats.
8. Flats 1-4 would have internal floor spaces of, respectively, 44 square metres, 55 square metres, 47 square metres and 55 square metres. In each instance these would fall below the Nationally Described Space Standards (NDSS) which are 50 square metres for the 1-bedroom (2-person) flat and 61 square metres for the 2-bedroomed (3-person) flats. It should be noted that the NDSS advises also on minimum bedroom sizes, but the submitted drawings only provide aggregate floorspace areas for each flat.
9. The Planning Practice Guidance (PPG) states that "where a local planning authority (or qualifying body) wishes to require an internal space standard, they should only do so by reference in their Local Plan to the nationally described space standard". The NDSS is not referred to in the Central Lincolnshire Local Plan 2017 (LP) and therefore cannot be given full weight in this case. It does, however, provide a useful point of reference.
10. The absence of any reference to the NDSS in the LP was cited by the Inspector determining an appeal against refusal of planning permission for conversion of a former hairdressing salon to a residential flat in a back garden in Hykeham, Lincoln<sup>1</sup>. In that case, however, the proposed development fell only 0.5 square metres below the 37 square metre standard advised in the NDSS. Furthermore, it included a garage which could be used for the storage of personal belongings and had a private garden.
11. In contrast, each of the proposed flats in the former RAF accommodation block would fall considerably below the advised standard. Specifically, Flats 1, 2 and 4 would each fall 6 square metres below the standard and Flat 3 would fall 14 square metres below it. Within the context of small flats, these shortfalls in internal space provision are extremely significant.
12. It is acknowledged that the future occupants would have access to an abundance of open space within the immediate environs of the block and generally across the former RAF base, but this would not be the equivalent of a private garden with private access.
13. Consequently, because of the scale of the internal space shortfall, the lack of a garage for storage and the difference in the quality of the outdoor space provision, the proposed development can be clearly distinguished from that considered in the Hykeham appeal decision.
14. Flat 1 and Flat 3 would be about 4 metres from the enclosed emergency stair exit attached to the side elevation of the adjacent, larger block. The window of

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<sup>1</sup> See ref APP/R2520/W/18/3214922

Bedroom 1 of Flat 1, the window in Bedroom 1 of Flat 3 and the 2 windows in Bedroom 2 of Flat 3 would all look onto the emergency stair exit.

15. However, a new window in the north facing elevation of Bedroom 1 of Flat 1 would mean that the occupants would still have a good outlook over open space towards the car park. Furthermore, the first-floor location of Flat 3 would allow the future occupants to have a satisfactory outlook over the roof and beyond the emergency staircase. The windows of the kitchen / lounge / dining room of both flats would provide a good outlook across the front of the larger block towards the church.
16. Notwithstanding the satisfactory outlook however, the proposed development would still fail to provide for the acceptable living conditions of future occupants due to the very cramped level of accommodation in each of the 4 flats. Policy LP26: Design and Amenity of the LP does not directly address the issue of the living conditions of the future occupants of the host building and so the proposal would not conflict with that policy.
17. However, it would fail to accord with the advice handed down in Paragraph 127f) of the National Planning Policy Framework (the Framework) that new development should provide a high quality of living accommodation for future occupants. Since this is recently articulated Government policy it is accorded considerable weight.

### **Other Matters**

18. The proposal would make a positive contribution to improving the appearance of this part of the village by converting a derelict and unloved building on a brownfield site to a socially beneficial use. Notwithstanding the lack of an appropriately worded s.106 agreement, it would also help meet the need for new, affordable accommodation for young couples and families identified in a local housing survey undertaken by the Brookenby Community Land Trust, dated March 2018. Many local people have supported the proposal. There is strong Government support for new housing as identified in the Appellant's Statement.
19. As the settlement is identified as a medium sized village (the 5<sup>th</sup> tier of 8) by the Council the proposal would comply with policy as regards housing numbers. The flats would be located about 350 metres from a bus stop and so would allow occupants to use public transport to access local towns and villages. Finally, construction of the flats would produce a short-term employment benefit.
20. These are all matters that, to one degree or other, support the proposal. However, even when taken together they do not outweigh the clear conflict with the Framework that has arisen due to the unacceptably limited size of each of the proposed flats which would fail to provide a satisfactory standard of living conditions for future occupants.

### **Conclusion**

21. For these reasons the appeal should be dismissed.

*William Walton*

INSPECTOR