The Planning Inspectorate

Appeal Decision

Site visit made on 16 January 2017

by Siobhan Watson BA(Hons) MCD MRTPI

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

Decision date: 25th January 2017

Appeal Ref: APP/U4230/W/16/3162066
188A Langworthy Road, Salford, M6 5PP

- 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 David Klein (Langworthy Ltd) against the decision of Salford City Council.
- The application Ref 16/68559/FUL, dated 18 July 2016, was refused by notice dated 14 September 2016.
- The development proposed is the change of use of the first floor only from A1 (shop) to a 9 bedroom HMO (house in multiple occupation) sui generis, together with alterations to elevations.

Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is whether the proposed development would provide satisfactory living conditions for future occupiers in respect of outlook and natural light.

Reasons

3. Bedrooms 5 and 8 would have one window each. Both windows are within a narrow gap between outriggers. These outriggers are long and I saw at my visit that they have an enclosing and shading effect upon the windows. The rooms would therefore be short of daylight and sunlight. Furthermore, the outriggers would be unacceptably overbearing upon the outlook from the bedrooms.

4. The lounge/kitchen would be in an open-plan "L"-shape. The kitchen would have 2 windows which would directly face an outrigger about 3m away which, due to its close proximity, would severely enclose the windows. This enclosure would result in a very poor outlook from and a lack of sunlight and daylight to, the kitchen.

5. The lounge area would be partially dependent upon the kitchen windows for light but being some distance from these windows it would not get much light from them. There would be a glazed external door in the lounge but this would be flanked by the two long outriggers. Therefore, the positions of the windows would not allow sufficient natural light into the lounge. The lounge would also have a very poor outlook due to the windows' enclosure by the outriggers. I

therefore consider that the lounge/kitchen would be gloomy and claustrophobic.

6. I note the submitted "indicative daylight study" but for the above reasons I find that the 2 bedrooms and the communal area would not get enough natural light. I note the appellant's comments that the first floor was once in residential use, but as the proposed use would be an HMO, the occupants of bedrooms 5 and 8 are unlikely to have the use of any room in the house with an acceptable level of natural light or a reasonable outlook.

7. I therefore conclude that the proposed conversion would not provide satisfactory living conditions for future occupiers. Consequently, the proposal would conflict with Policies H1, H5 and DES7 of the City of Salford Unitary Development Plan, which, together seek to ensure that development provides a satisfactory level of amenity in terms of sunlight, daylight and aspect.

Other Matters

8. I note the appellant's comments that the proposal would provide adequate room sizes and that the building is in a poor state of repair but these matters do not outweigh the harm I have found.

Conclusion

9. For the above reasons the appeal is dismissed.

Siobhan Watson

INSPECTOR