

Appeal Decision

Site visit made on 3 April 2017

by Robert Parker BSc (Hons) Dip TP MRTPI

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

Decision date: 13 April 2017

Appeal Ref: APP/G1250/W/16/3168173

R/O 282 Charminster Road, Bournemouth, Dorset BH8 9RT

- 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 Mark Furnell against the decision of Bournemouth Borough Council.
 - The application Ref 7-2016-8188-B, dated 18 August 2016, was refused by notice dated 7 November 2016.
 - The development proposed is change of use of office/store to s/c studio flat.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is whether the proposed development would provide adequate living conditions for future occupiers, with regard to the size of the accommodation, outlook, daylight, sunlight and outdoor space.

Reasons

3. No 282 Charminster Road lies within a commercial parade and comprises a laundrette with a maisonette above. To the rear of the premises is a vacant ground floor room containing a small kitchenette and toilet. The proposal is to convert this space to a self-contained studio flat.
4. The Council does not have any specific guidance on what it considers to be appropriate in terms of minimum sizes for flatted development. However, my attention is drawn to the *Technical housing standards – nationally described space standard*¹. Although not formally adopted by the Council, these national standards are capable of being a material consideration. They are reflective of the Government's aspirations for a good standard of design and amenity and as such I have attached them significant weight.
5. The technical housing standards indicate that the minimum gross internal area for a one-bedroom, one person dwelling with shower room is 37 square metres. At approximately 22 square metres, the accommodation proposed would fall well below this size. Whilst the shortfall is not determinative, I am unconvinced that adequate space would be available for basic living requirements for future occupants.

¹ Department for Communities and Local Government, March 2015

6. Indeed, the accommodation proposed would be so restricted in my view as to feel oppressively confined. Although reasonably large, the windows for the main habitable room would have an outlook towards a blank wall at close quarters. The new kitchen window would look directly onto a parking space and bike store – this area is already overshadowed by a raised balcony belonging to the maisonette above. Whilst levels of daylight within the unit would be acceptable, there is limited prospect of sunlight penetrating the internal living spaces. The deficiencies would be exacerbated by the lack of any usable outdoor amenity space which, although not fatal to the scheme by itself, is indicative of the poor living environment that would be provided.
7. Guidance in Bournemouth's Residential Development Design Guide (2008) emphasises the need to provide future residents with good standards of accommodation with suitable space and a reasonable outlook from habitable rooms. The appeal proposal fails to have proper regard to this advice.
8. Overall, I conclude that the proposal would result in unacceptable living conditions for future residents. As such, the proposal would be contrary to Policies CS21 and CS41 of the Bournemouth Local Plan: Core Strategy (2012) and paragraphs 17 and 64 of the National Planning Policy Framework which, among other things, require good design which provides a high standard of amenity to meet the day to day requirements of future occupants.

Other Matters

9. I acknowledge that there are other dwellings to the rear of properties on Charminster Road. However, without information regarding the size and layout of these properties, or the circumstances under which they came about, it is impossible to draw any comparisons with the appeal scheme. I have therefore dealt with the case on its own merits.
10. I note the appellant's claim that the unit was in residential use before being utilised as an office/store. However, there is no evidence to substantiate this assertion and furthermore nothing to demonstrate that any residential use was lawful. I have therefore given this aspect of the appellant's case limited weight.
11. I am told that there is very high demand in the area for the type of accommodation being proposed. This statement is not supported with evidence. Regardless, the need for housing does not justify the provision of substandard accommodation.
12. The Council refers to the need for a financial contribution towards measures which would mitigate the adverse impact of the proposed development upon the Dorset Heathlands European protected sites. The appellant has indicated a willingness to pay the requested monies but no planning obligation is before me. However, as I am dismissing the appeal for other reasons, the decision does not turn on this matter.

Conclusion

13. For the reasons given above I conclude that the appeal should not succeed.

Robert Parker

INSPECTOR