
Appeal Decision

Site visit made on 9 May 2017

by Andrew McCormack BSc (Hons) MRTPI

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

Decision date: 13 June 2017

Appeal Ref: APP/J4423/W/17/3169338

36 Priory Road, Sheffield, South Yorkshire S7 1LX

- 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 Chris Travis against the decision of Sheffield City Council.
 - The application Ref 16/04163/FUL, dated 26 October 2016, was refused by notice dated 17 January 2017.
 - The development proposed is conversion of attic to form two flatted dwellings.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is whether the proposed development would provide acceptable living conditions for future occupiers, with regard to internal space.

Reasons

3. The appeal relates to a large detached property which is split into 4 apartments. The appeal proposal would be situated within the roof space of the property which, I am led to understand by the Council, has been used previously as a habitable room. The property is set back from the public highway on a sizeable plot in an established residential area where properties vary significantly in size and architectural style. It is approximately 3 kilometres from the city centre, although from my observations, it is a relatively short distance to local facilities and services and public transport.
 4. Policy H5 of the Sheffield Unitary Development Plan 1998 (UDP) states that living conditions should be satisfactory for occupiers of the accommodation. However, the policy does not provide residential space standards. These standards are provided by the South Yorkshire Residential Design Guide (RDG) which I note the Council refers to as best practice guidelines. The RDG states that studio flats should have a minimum floor space of 33 square metres and that one bedroom flats should have a minimum of 46 square metres.
 5. Policy H14 of the UDP states, amongst other matters, that development will only be permitted provided that it is well-designed and would not lead to over-development of a site. The reason for this policy is to ensure that development does not lead to an unsatisfactory environment for people living in Sheffield. Although of some age, I am satisfied that the aims of these policies are consistent with the National Planning Policy Framework (the Framework).
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6. The proposed floor space for the studio flat and the one bedroom flat are 24.7 square metres and 39.9 square metres respectively. As a result, the floor space of both dwellings would be significantly below the minimum space standards set out in the RDG. I acknowledge the appellant's point that the RDG should be considered as only a guide. Furthermore, I note the arguments that the proposed dwellings would meet RDG space standards for bathrooms and that storage space could be provided. In addition, the appellant points to Houses in Multiple Occupation (HMO) standards which allow for bed/living/kitchen units of 13.3 square metres for one person and 20.5 square metres for two persons, excluding bathrooms. As such, it is argued that both of the proposed dwellings would exceed these HMO standards.
7. Notwithstanding this, I find that the limitations on space resulting from the proposal due to its position within the roof space of the property would be significantly detrimental to the living conditions of future occupiers. Moreover, the effect of the sloping roof planes would give the impression of the accommodation being small. Despite the appellant's view that the proposal would meet the referenced space standards, I find that the amount of living space which would be available and useable in these dwellings would be limited. As a result, the proposed living space would be claustrophobic and unsatisfactory. Therefore, I find that the harmful effect on living conditions would override the appellant's points regarding partial compliance with the space standards referred to.
8. It is argued that there are many examples of approved studio flats in Sheffield which do not meet the minimum space standards set out within the RDG. I appreciate that this may be so and that similar developments will exist elsewhere. However, I have no details of any other schemes before me. In any event, I must assess the appeal proposal on its own merits and within its own circumstances.
9. The proposal would create two small dwellings within an established and accessible residential area. Furthermore, the scheme would not result in any significant alteration to the external appearance of the host property or increase its overall footprint. However, I find that the adverse impact of the limited living space within the proposed dwellings would be significantly harmful to the living conditions of future occupiers. As a result, I find that the benefits of the proposal would be outweighed by the harm I have identified.
10. Consequently, I conclude that the proposed development would have a significantly adverse impact on the living conditions of future occupiers with regard internal space. It would, therefore, be contrary to Policies H5 and H14 of the UDP, the space standards set out in the RDG and the relevant guidance within the Framework. Amongst other matters, these policies and guidance seek to ensure that development provides satisfactory living conditions for occupiers, including appropriate living space.

Conclusion

11. For the above reasons, and having had regard to all other matters raised, I conclude that the appeal should be dismissed.

Andrew McCormack

INSPECTOR