



Appeal Decision

Site visit made on 4 February 2020

by Conor Rafferty LLB (Hons), AIEMA, Solicitor

Decision by Kenneth Stone BSc(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 04 March 2020

Appeal Ref: APP/M3455/W/19/3239560

75 – 77 Church Street, Stoke, Stoke-on-Trent, ST4 1DQ

- 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 T Malik against the decision of Stoke-on-Trent Council.
 - The application Ref 64380, dated 12 August 2019, was refused by notice dated 14 October 2019.
 - The development proposed is the change of use of first floor landlord's site office to a studio apartment.
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Main Issue

3. The main issue is whether the proposed development would provide acceptable living conditions for future occupiers, with particular regard to floorspace and amenity space.

Reasons for the Recommendation

4. 75 – 76 Church Street comprises a two storey building, formerly the premises of Barclay Banks and now divided into residential flats and a landlord's site office on the first floor with a ground floor comprising washing and drying facilities with bike storage. The proposal relates to the change of use of the landlord's site office into a studio apartment. In terms of internal space the appellant has stated that the proposed studio apartment would have a floor area of 29 square metres (sqm) while the Council contend that the floor area would be 27.5 sqm.
5. Although the Council has not adopted any floorspace standards as part of its development plan it contends that regard should be paid to the minimum floorspace standards stated in the Government's 'Technical Housing Standards – Nationally Described Space Standard' of March 2015 (the THS). While Planning Practice Guidance advises that these standards should only be used if there is an associated policy in an adopted development plan the THS nonetheless provides a useful guide for assessing the acceptability of the size

of the proposed studio. In the absence of any other identified standard I attach significant weight to the THS in this regard.

6. There is no provision in the THS for a studio apartment. However, it is indicated that for a one bedroomed, one person flat there should be a minimum of 37 sqm of gross internal floor area and storage. Even if I accept the appellant's stated size of 29 sqm, the studio apartment is less than the minimum space standard for a one bedroomed flat in the THS, which I consider is indicative of the apartment being unduly small.
7. At the time of the site visit the office was laid out and furnished as a studio apartment. The shape of the room affects the positioning of furniture such that the layout presented at the site visit is the most practical setup for the studio. Due particularly to its long and narrow shape the room feels cramped with an awkward setup and minimal useable circulation space. Limited room has been provided for sitting or storage and no communal recreational or amenity space is available within or outside the building. Furthermore, while the appellant has stated that the proposal is a one person studio, and a single armchair has been provided rather than a sofa, a double bed is in place. This suggests that the room could be for use by two people, which would exacerbate the cramped feeling of the room and serve to further highlight the lack of adequate floorspace provided.
8. From the evidence provided and from my observations, the internal living space provided is not sufficient to meet the needs of its likely future occupants. For the reasons given above, the proposal would have a materially harmful impact on the living conditions of the future occupiers, with particular regard to floorspace and amenity space. It would therefore be contrary to Policy CSP1 of the Local Development Framework Newcastle-under-Lyme and Stoke-on-Trent Core Spatial Strategy 2006 – 2026, October 2009 and Stoke-on-Trent Urban Design Guidance Supplementary Planning Document 2010.

Other matters

9. The appellant has stated that the proposal is in a sustainable location and meets a current local demand for studio apartments. These benefits of the development are acknowledged, however the matters raised in this instance do not attract sufficient weight in planning terms to override the harm that would arise as identified above.
10. Reference has been made to other examples of development in the surrounding area with similar or smaller floorspace provisions. However, limited information on the precise nature or location of these other developments has been provided, nor on their comparability to the development in question. In any event, the appeal is decided on its own site-specific circumstances and reference to other development nearby does not outweigh the harm identified above.

Conclusion and Recommendation

11. Having had regard to all matters raised, I recommend that the appeal should be dismissed.

C Rafferty

APPEAL PLANNING OFFICER

Inspector's Decision

12. I have considered all the submitted evidence and the Appeal Planning Officer's report, and, on that basis, I agree that the appeal should be dismissed.

Kenneth Stone

INSPECTOR