



Appeal Decision

Site Visit made on 3 February 2021

by R Morgan BSc (Hons) MCD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15 February 2021

Appeal Ref: APP/U4230/W/20/3258891

Brindley Arms, Whittle Street, Worsley, MANCHESTER, M28 3WY

- 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 Viking Luxury Properties Ltd against the decision of Salford City Council.
 - The application Ref 19/73741/FUL, dated 13 June 2019, was refused by notice dated 6 March 2020.
 - The development proposed is conversion of former public house to create 8 apartments and 1 studio, together with alterations to elevations.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The scheme was amended during the course of the application, and the Council's decision relates to the revised plans. I have therefore used the description of development from the decision notice and appeal form, which relate to the amended proposal.

Main Issue

3. The main issue is whether the proposal would provide satisfactory living conditions for future occupiers, with particular regard to i) space and internal layout; and ii) light levels and outlook.

Reasons

Space and internal layout

4. The appeal property is a former public house located in a residential area, close to Walkden town centre. The business closed in 2018 and, given the proximity of alternative facilities in the local area, the Council has raised no objection to the loss of the pub use, or to the conversion of the building to apartments.
 5. Of the nine flats proposed, six would have two bedrooms and the remaining three would be one-bed units. Although there would be no three-bedroom apartments, the proposed scheme would contribute to the range of dwelling types in the surrounding area, which is characterised by terraced and semi-detached dwellings. Furthermore, the proposal would be consistent with the guidance in paragraph 4.31 of the Salford Housing Planning Guidance 2006 (HPG), which requires that the majority of apartments in new developments should normally have two or three bedrooms.
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6. Five of the proposed two-bedroom units would have a floorspace of 57m² or above (apartments A, D, F, G and J). In terms of size, these units would meet the recommendations for two- or three-bedroom apartments contained in HPG paragraph 4.31. As well as guidance on typical floorspace, the HPG also emphasises the importance of new apartments providing layouts which make them adaptable to changing needs. In this respect the layouts of the five larger units would be generally acceptable, although I note that the proportion of circulation space in apartment D would result in the living area in that unit being somewhat restricted.
7. Apartment H would have two bedrooms and a floorspace of 50m², which would be lower than that suggested in the HPG for this type of unit. However, the proposed layout shows a reasonable amount of space for living and sleeping, including space for a dining table which could be used for home working.
8. Apartments B and C are shown as having a floorspace of 40m² each. Although this is considerably below the 57m² suggested for a two- or three-bed unit, these would be one-bedroom apartments, for which the proposed floorspace does not seem unreasonable. The bedroom area for apartment B would be small, but there appears to be flexibility within the living/kitchen area to alter the layout to suit the specific needs of future occupiers.
9. Apartment C would be located on the ground floor, and like apartments H and J above, would have a curved wall. This would limit the way in which the available space could be used to some extent, and could reduce the scope for adapting the spaces. However, the proposed layout for apartment C shows an adequate amount of living/dining space, and the bedroom would be of a reasonable size too.
10. Whilst apartments B, C and H would not be large, they would provide a reasonable standard of accommodation, with sufficient space to meet basic requirements and some scope for adapting the layouts. By contrast, the submitted plans show that the floorspace of studio apartment E would be very small at just 23m².
11. Small dwellings can meet particular needs and are likely to be more affordable than larger accommodation, but the proposed layout for unit E shows that the room would be extremely cramped, with furniture close together, leaving very little space to comfortably carry out basic functions such as cooking. Apartment E would fail to provide an acceptable standard of accommodation, and the restricted layout would give minimal scope to adapt the space to meet changing needs.
12. The Council has not incorporated the Nationally Described Space Standards (NDSS) in its development plan policies. However, the standards provide a useful benchmark for considering the quality of accommodation in terms of floorspace. In this case, the internal floorspace proposed for apartment E would be significantly less than the 37m² minimum recommended by the NDSS for a one bedroom, one person flat with a shower room. Whilst failure to meet this standard is not in itself a reason to dismiss the appeal, it reinforces the significant concerns about the standard of accommodation proposed for this unit.
13. Due to the extremely restricted size and layout of apartment E, the proposal would fail to provide satisfactory living conditions for future occupiers in

respect of space and internal layout. Consequently, the scheme as a whole would conflict with Saved Policies H1 and DES 7 of the Salford Unitary Development Plan 2006 (UDP), which require that new housing development provides a high quality environment and an adequate level of amenity, including consideration of space and layout. There would be further conflict with paragraph 127f) of the National Planning Policy Framework (the Framework), which requires a high standard of amenity for future users. The proposal would also fail to comply with guidance in the HPG regarding the need for to provide flexible and adaptable layouts.

Light and outlook

14. The former Brindley Arms has an open position and is surrounded on three sides by residential streets. As a result, the main elevations are not overshadowed or enclosed by other buildings, and most of the windows have an open aspect.
15. The appellant has commissioned a Daylight Sunlight report, which assessed the proposal in accordance with guidance produced on behalf of the Building Research Establishment. An assessment of the light levels at each window and within each room concluded that all rooms and windows met the industry standard. This study provides reassurance that all of the proposed apartments and individual rooms would have adequate levels of daylight and sunlight.
16. Apartments D and E would have windows on the south-east elevation, which faces Springside Avenue. Whilst I note the Council's concerns about the depth of these spaces, the number and size of windows would ensure a good level of daylight to the main living spaces, with direct sunlight during the morning.
17. The only windows serving apartment B would be located on the elevation facing Whittle Street. The bulk of the central section of the building would itself cause some overshadowing of these windows, and due to its close proximity, mass and height could feel oppressive to future occupiers of this unit. However, the south westerly aspect would mean that the space would have direct sunlight, particularly during the afternoon. The windows would be of a reasonable size and the glazed door would provide additional light to the space.
18. The deep floor plan proposed for apartment B would mean that the kitchen and bathroom areas would be some distance from the window. Although the submitted floor plan shows the dining table in a position from which it would not be possible to see directly out of the window, there may be scope to adapt the layout to achieve this. Additional daylight would be provided by roof lights, so the space would have adequate levels of natural light. Overall, the light and outlook for apartment B would be acceptable.
19. The proposed landscaping scheme would enhance the area surrounding the building, and the creation of paved areas with planting would help to enhance the outlook from most of the apartments. I note the planning officer's comments that the bin store would need to be repositioned away from the windows of apartments A and F, but that this could be achieved through a suitable condition.
20. I conclude that the proposal would provide satisfactory living conditions for future occupiers with particular regard to light and outlook. In respect of these matters, the scheme would comply with the requirements of Saved UDP

Policies H1 and DES 7, and paragraph 127 of the National Planning Policy Framework.

Other Matters

21. The scheme would provide outdoor amenity space for the use of future residents, including paved areas outside the apartments, which could be used for sitting outside. The landscaping scheme also shows the creation of a small courtyard garden for use by future residents, as well as space for parking and cycle parking. Whilst the amount of outdoor space would not be particularly large, the Council has not provided details of any specific requirements which it may have for outdoor amenity space, and I note that the site is within walking distance of outdoor recreation facilities and public open space, including Blackleach Country Park.
22. The proposed development would provide additional housing, contribute to the mix of accommodation in the area and bring a vacant building back into use. However, all new accommodation should be of a high quality, and the scheme fails to achieve this in respect of apartment E.
23. I note that the scheme has been designed to comply with guidance in the Council's Supplementary Planning Document on Design and Crime, and that the proposed landscaping works and enlargement of some of the windows would improve the external appearance of the site. However, this lack of harm, even when combined with my findings about light and outlook, are not sufficient to overcome the significant deficiencies of the scheme which I have identified in relation to Apartment E.

Conclusion

24. The proposal would conflict with the development plan as a whole and there are no other considerations which outweigh this finding. Therefore, for the reasons given, the appeal should not succeed.

R Morgan

INSPECTOR