



Appeal Decision

Site Visit made on 29 June 2021

by Jonathan Edwards BSc(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 01 July 2021

Appeal Ref: APP/K3415/W/21/3271580

44 High Street, Chasetown, Burntwood WS7 3XF

- 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 Mrs Roxanna Parisi (Parisi Properties Limited) against the decision of Lichfield District Council.
 - The application Ref 20/01799/FUL , dated 11 December 2020, was refused by notice dated 8 February 2021.
 - The development proposed is conversion of existing single double bedroom apartment into 2no. single bedroom flats.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is whether the proposal would provide satisfactory living conditions for its occupants.

Reasons

3. The proposal relates to the ground floor of the appeal property, which is currently a single residential apartment with 2 bedrooms. The upper floor of the building is used as a separate dwelling. The proposal would change the ground floor to provide 2 single bedroom flats.
4. The appeal plans indicate the proposed flat nearest to High Street (the front flat) would comprise of just a kitchen/living room, a bedroom and a bathroom. The kitchen/living area would be served by no windows but by a single door leading to a side passageway. Even if it is fully glazed, the views from this door would be directly out onto the flank wall of the adjoining property. Given the height and close proximity of this side elevation, the outlook from the kitchen/living area would be highly restricted.
5. The front flat would have only one other window which would face out onto the High Street. This would provide a view of the outside but it would be next to the pavement and so would allow easy views into the flat from public vantage points. Also, this front window would serve the bedroom and so it would provide no view of the outdoors from the kitchen and main living area. As such, the front flat would provide a poor living environment for its occupants.
6. The on-site outdoor area to serve the proposal would be limited to the side passageway and an area to the rear of the building. The evidence indicates that these external spaces would be shared by occupants of the proposal with the occupiers of the first floor apartment.

7. The passageway is narrow and is enclosed by the appeal property, the adjacent building and a boundary fence. As such, it would not be an attractive area for sitting out or outdoor recreation, although it could be used for clothes drying and for external storage of domestic items. The fence could be removed to form a more open area but this would compromise privacy of the passageway.
8. The rear area is less enclosed but it has an open boundary with the adjoining property and a palisade fence and gate allows easy views from Queen Street into the site. As such, it is not private. Also, the submissions show this area would provide 3 parking spaces, irrespective as to whether residents would need such facilities and the presence of alternative parking off the site. Therefore, only a limited amount of useable recreation space would be provided, which is unlikely to be of a suitable size to serve the needs of occupants of 3 separate flats. Consequently, the proposal would not provide adequate private outdoor space for its occupiers.
9. Chasetown Memorial Park would provide external space for residents of the flats within a short walking distance. Chasewater Country Park would provide a larger recreation area, although this is further away from the property. However, such facilities are public and so they would not provide convenient private outdoor space for the occupants of the proposal.
10. The internal floor space for each of the flats would exceed the minimum requirements set out in the nationally described space standards for housing. Also, the window serving the kitchen and living room of the proposed flat to the rear would be away from the adjoining building and would provide views over the boundary fence of the sky. As such, it would provide a satisfactory outlook. However, acceptability in these regards does not address the identified shortcomings in respect of the front flat and private outdoor space.
11. For the above reasons, I conclude the proposal would not provide satisfactory living conditions for its occupants. In these regards, it would not accord with policy BE1 of the Lichfield District Local Plan 2015 and the National Planning Policy Framework. Amongst other things, these aim to ensure high quality built development with a high standard of amenity for users.

Other considerations and planning balance

12. The proposal would be near to facilities and would provide an extra small residence which would help address an identified need. However, it would represent only a small contribution to the housing stock. Also, I saw the existing flat was occupied so the scheme would not enable the use of a vacant property.
13. The harm identified in respect of the main issue means that the proposal would be contrary to development plan policies when read as a whole. The benefits and other considerations are of insufficient weight to justify making a decision other than in accordance with the development plan.

Conclusion

14. For the above reasons, I conclude the appeal should be dismissed.

Jonathan Edwards

INSPECTOR