



Appeal Decision

Site visit made on 28 September 2021

by Beverley Wilders BA (Hons) PgDurp MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18 October 2021

Appeal Ref: APP/M3455/W/21/3275151

23b Carlisle Street, Stoke-on-Trent ST3 4HA

- 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 Mohammad Whaed Hussain against the decision of Stoke-on-Trent Council.
 - The application Ref 65547, dated 7 July 2020, was refused by notice dated 19 November 2020.
 - The development proposed is existing derelict garage to be converted to a single bedroom dwelling.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The Council's reason for refusal refers to the National Planning Policy Framework (the Framework) 2010. The Framework was revised in July 2021, after the appeal had been submitted. The parties have been given the opportunity to comment on the revised Framework and I have had regard to it in reaching my decision.

Main Issue

3. The main issue is whether future occupiers of the proposed dwelling would have satisfactory living conditions having regard to internal floorspace and outdoor amenity space.

Reasons

4. The appeal site comprises a two storey outbuilding positioned to the side/rear of 23 Carlisle Street and attached to it by a single storey link. The external walls of the outbuilding are painted render and it has a tiled roof as is the case with No 23. It has a limited number of door and window openings and there is a small yard area to the front of the outbuilding, set behind metal gates and partly enclosed by a rendered wall.
5. The proposal is to convert the outbuilding to a dwelling with a living/dining and kitchen area at ground floor and a bedroom and bathroom at first floor. The existing garage door at ground floor would be altered to form a door and a window and two additional windows are proposed at first floor.

6. Policy CSP1 of the Core Spatial Strategy¹ (CSS) relates to design quality and states, amongst other things, that new development should have public and private spaces that are safe and attractive. The Council's residential design guidance as set out within the Urban Design Guidance SPD² (SPD) seeks to create high quality spaces where people want to live with R16 stating that development must provide some form of outdoor space that should be useable and should relate to the house type and occupiers. R18 of the SPD states that elements such as bin storage must be considered and R19 states that dwellings must be designed to provide appropriate levels of space and light. As the SPD has been adopted by the Council, I attach significant weight to it.
7. As stated, the proposed dwelling would have one bedroom with accommodation being provided over two floors. The Council states that the combined floorspace over the two floors is 21 square metres, well below the minimum standard of 58 square metres as set out within the nationally described space standard 2015. However, the nationally described space standard relating to internal space can only be applied if there is a relevant development plan policy which does not appear to be the case here as Policy CSP1 is a general design policy not specifying internal space standards. Nevertheless, having regard to the very modest size and cramped layout of the proposed dwelling over two floors, it would not provide appropriate levels of space and future occupiers would not have satisfactory living conditions having regard to internal floorspace.
8. Moreover, the proposed outdoor amenity space to the front of the building is also very modest in size, would be required to be used for bin storage and would not be private due to its position adjacent to the pavement and road on Villiers Street providing access to a parking area. Therefore, this element of the proposal is also inadequate and would lead to unsatisfactory living conditions having regard to outdoor amenity space.
9. Notwithstanding any housing shortage in the area, the benefits arising from the proposal resulting from the provision of an additional dwelling and improvements to the external appearance of the building would be modest and would not outweigh the harm to future occupiers identified.
10. Taking the above matters into consideration, I conclude that future occupiers of the proposed dwelling would not have satisfactory living conditions having regard to internal floorspace and outdoor amenity space. The proposal is therefore contrary to Policy CSP1 of the CSS, to relevant guidance in the SPD and to relevant paragraphs of the Framework. These policies and this guidance seek, amongst other things, to ensure that new development including residential development is well designed and provides private spaces that are safe and attractive including appropriate levels of space including outdoor space.

Conclusion

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

¹ Newcastle-under-Lyme and Stoke-on-Trent Core Spatial Strategy 2006 – 2026 adopted October 2009

² Newcastle-under-Lyme and Stoke-on-Trent Urban Design Guidance Supplementary Planning Document December 2020

Beverley Wilders

INSPECTOR