
Appeal Decision

Site visit made on 1 October 2023

by Elaine Benson BA(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 20.10.2023

Appeal Ref: APP/K0235/W/23/3320415

2c Cleveland Street, Kempston Bedford MK42 8DN

- 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 R Mattu against the decision of Bedford Borough Council.
 - The application Ref 23/00210/COU, dated 27 January 2023, was refused by notice dated 23 March 2023.
 - The development proposed is change of use from Nail Salon (Sui-Generis) to Residential Flat (C3).
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Decision

1. The appeal is dismissed.

Reasons

2. The bedroom for the proposed flat would have a roof light and no other window. Thus, there would be no outlook. I consider that this would result in an oppressive living environment. Even if the rooflight were to be modernised, there would be inadequate living conditions, particularly as this would be the only bedroom in a self-contained unit. This would be the case whether or not adequate levels of light and ventilation could be achieved. Attic conversions in houses cannot reasonably be compared to a proposal for a new self-contained unit. The absence of light pollution and traffic noise to the proposed rear bedroom do not affect these conclusions.
3. The internal floor area of the proposed flat would exceed the minimum requirements of the 'Technical housing standards - nationally described space standards' (March 2015) by 11 sqm. Whilst these standards also require a minimum of 1 sqm built-in storage which would not be provided, it is also necessary to consider the proposed internal arrangement of the flat. There would be a very small kitchen and the flat would have an internal bicycle and bin store for general and recycling waste. Considering these factors together, it is my judgement that the layout of the flat would be unacceptably cramped.
4. I am informed that the waste would only be collected every 2 weeks. The use of a small, enclosed and unventilated space at the entrance in this way would harm the living conditions of the occupier due to odours and could potentially harm their health. For the same reasons this refuse storage arrangement would also harm the living conditions of the occupiers of the neighbouring flat - 2B Cleveland Street which is adjacent to and beneath the proposed flat.
5. I conclude overall that the proposal would provide poor quality internal living conditions due to the lack of outlook from the bedroom, the cramped nature of

the unit and the use of an internal entrance lobby as a bicycle and bin store. Odour from the internal bin store would harm the living conditions and potentially the health and wellbeing of the occupant of the appeal unit and those of a neighbouring property.

6. Accordingly, the proposed development is contrary to Policy 2S (iii), Policies 31 and 32 (i), (iv) and (v) of the Bedford Borough Local Plan 2030 (BBLP) which, of relevance to this appeal, address matters such as design and potential disturbance from noise, smell, pollution and waste storage and collection. There would be further conflict with Policy 2 of the BBLP which aims to reduce health inequalities and promote healthier lifestyles. Its criterion iii. specifically requires development to be designed in a way to promote health and safety. For the same reasons, the proposal would be counter to the aims of Paragraph 130 (f) of the National Planning Policy Framework which requires development to promote health and wellbeing and to promote a high standard of amenity for existing and future users.
7. For the foregoing reasons, the appeal is dismissed.

Elaine Benson

INSPECTOR