



Appeal Decision

Site visit made on 3 January 2024

by H Senior BA (Hons) MCD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 25 January 2024

Appeal Ref: APP/A3010/W/23/3323355

19 Beckett Avenue, Carlton in Lindrick, Worksop S81 9LJ

- 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 Balbir Samra against the decision of Bassetlaw District Council.
 - The application Ref 23/00357/COU, dated 13 March 2023, was refused by notice dated 16 May 2023.
 - The development proposed is change of use from vacant store to new flat.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. There has recently been a revised National Planning Policy Framework (the Framework) published by Government. Those parts of the Framework most relevant to this appeal have not been amended. As a result, I consider that there is no requirement for me to seek further submissions on the revised Framework, and I am satisfied that no party's interests have been prejudiced by my taking this approach.
3. I note that there was a previous application for the conversion of the building as part of a larger application to provide three flats with extensions to the existing building in 2014. I do not have the details of this application and I have determined this appeal on the evidence before me.

Main Issues

4. The main issues are:
 - whether the appeal scheme would secure acceptable living conditions for future occupiers of the development with particular regard to internal space and light, and
 - highway safety with particular regard to parking.

Reasons

Living conditions

5. The appeal site is in a predominantly residential area within Carlton in Kendrick, in an area where the principle of development would be acceptable. The proposal is to change the use of a single storey building from a store to a

flat. At the time of my visit the conversion of the building had commenced, although the outdoor amenity area and timber screen was not in place.

6. Since the previous approval for the use of the building as a flat, the 'Technical housing standards- nationally described space standard' (March 2015) (NDSS) have been published. They have not been adopted by the Council and are not referred to in the development plan and I am therefore only able to give them limited weight in my decision. They do however provide useful guidance of the appropriate size for a one person flat.
7. The proposed flat would have a gross internal area of approximately 24 square metres with a window and door to the front elevation. This is well below the minimum floor area for a 1 bed, 1 storey dwelling set out in the NDSS. Given that the proposal falls so far short of the standard, and the available living space is restricted, the accommodation within the unit would feel cramped and would not provide a satisfactory living environment.
8. The front of the flat would be served by a full width and height window, incorporating a glazed door. Although set back from the highway, this would reduce the privacy afforded to the occupiers and light may be reduced by methods of increasing privacy. It would however provide adequate light for the living area of the flat. In addition, the bedroom area is served by a rooflight. Whilst there would not be any outlook from the bedroom area, the rooflight would provide adequate light for the rear part of the flat.
9. Whilst the proposal would provide sufficient light, I conclude that the change of use from vacant store to new flat would not secure acceptable living conditions of future occupiers with particular regard to internal space. It would conflict with Policy DM4 of the Bassetlaw Core Strategy and Development Management Policies Development Plan Document 2011 (DPD) and Policy 8 of the Carlton in Lindrick Neighbourhood Plan which together, amongst other matters seeks to ensure development is of a high quality design. It would also conflict with paragraph 135 of the Framework.

Parking

10. The proposal would provide an off street parking space for the development, which is currently a hardstanding with a dropped kerb. Due to the inclusion of the timber screen and bin store, this parking area would be limited to 5 metres in length. The Highway Authority require off street parking spaces to be 5.5 metres in length to prevent vehicles overhanging the highway. Whilst it is likely that this could be accommodated on the site, I do not have any alternative details before me. I must determine the appeal on the plans submitted and I cannot be certain that an acceptable parking space could be provided.
11. I conclude that the proposal would harm highway safety with particular regard to parking. It would conflict with Policy DM4 of the DPD which amongst other matters seeks to ensure that development is not to the detriment of highway safety. It would also conflict with paragraph 114 of the Framework.

Other Matters

12. There may be a need for single person accommodation in the local area, although there is no evidence on the level of need before me. In any event I have found that the proposal would not secure acceptable living conditions for future occupiers of the flat.

Conclusion

13. The proposed development conflicts with the development plan as a whole and there are no other considerations that outweigh this conflict. I therefore conclude that the appeal is dismissed.

H Senior

INSPECTOR