



Appeal Decision

Site visit made on 9 January 2024

by Paul Cooper MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 8 February 2024

Appeal Ref: APP/W2465/W/23/3315824

1a Roman Street, Leicester LE3 0BD

- 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 Singh against the decision of Leicester City Council.
 - The application Ref 20212069, dated 5 August 2021, was refused by notice dated 3 January 2023
 - The development proposed is retrospective change of use of ground floor from class B1 to shop/office (Class E); installation of shop front; change of use of first and second floor from office (Class B1) to office (Class E) and serviced accommodation (Class C1).
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues in this appeal are the effect of the development on both the new occupiers of the residential elements of the proposal and the existing Roman Street residents in terms of living conditions.

Reasons

3. The appeal building is a three-storey building, which I understand remained unused for some time. There is also some confusion with regard to the planning history as to how the existing allocations were arrived at.
4. The appeal building is located close to a retail area, and has other businesses adjacent, but with residential properties in close proximity. The area can be considered to be of mixed use.
5. The proposal sees a change to the ground floor to a shop/office with the first and second floors becoming office use and serviced accommodation from the former alone.
6. The Council has no policies that refer to room sizes, or other forms of spatial restriction, but from examining the plans as submitted, I have a number of concerns with regard to the residential aspects of the submission.
7. My initial concern relates to the sizing of the rooms in order to accommodate a number of potential users and/or residents. These rooms are very small for occupiers, and after sleeping units are installed, there would be little room for anything else.
8. Compounded with the bathroom element, of one bathroom for residents over two floors, creates a situation that is harmful to the living conditions and

general amenities of any residents or users that would occupy the accommodation.

9. My further concern relates to the nature of what has been termed "serviced accommodation". No details have been provided as to how this is to be carried out and managed to the benefit of residents/users, which I would expect to include such basic details as refuse storage and collection details.
10. I have no precise information as to how the management of this is to take place, in terms of any presence on site, to deal with any anti-social issues and preventing harm to the general amenities of adjacent business or local residents.
11. Overall, the standard of accommodation in terms of the living conditions of occupiers, any perceived management and a strategy as to how the effect of local residents would be taken care are issues, that unresolved in the current form create conflict with policy PS10 of the City of Leicester Local Plan, and Paragraph 135 (f) of the National Planning Policy Framework, which together, seek to protect amenity for new and future users.

Other Matters

12. The appellant has stated that this will lead to an increase in quality for the area, but I find that the harms generated by the appeal scheme would far outweigh any benefits that the scheme could bring.

Conclusion

13. The proposal conflicts with the development plan as a whole, and there are no material considerations worthy of sufficient weight that would indicate a decision other than in accordance with it. The appeal should therefore be dismissed.

Paul Cooper

INSPECTOR