
Appeal Decision

Site visit made on 7 May 2024

by E Catcheside BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18 June 2024

Appeal Ref: APP/M2840/W/23/3331630

3 Skegness Walk, Corby, Northamptonshire NN18 9BD

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Dan Zeka against the decision of North Northamptonshire Council.
 - The application Ref is NC/23/00013/DPA.
 - The development proposed is change of use from single dwelling to 2 dwellings.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The application form does not indicate that planning permission is sought part-retrospectively. However, on my site visit, I observed two separate, self-contained properties at the appeal site, each with access to a single, shared garden area. At the time of my site visit the proposed extension had not been constructed. Because the development appears to have commenced but has not yet been completed, I have considered the appeal with regard to the submitted plans rather than the layout of the properties I observed.
3. I cannot be certain from the evidence whether the properties are currently occupied as Use Class C3 dwellinghouses or as Use Class C4 houses in multiple occupation, as defined by the Town and Country Planning (Use Classes) Order 1987 as amended. Nevertheless, I have determined the appeal with regard to the description of the development, which proposes two dwellinghouses.
4. In its evidence, the Council has referred to the two proposed properties as a "new dwelling" and a "retained dwelling". Throughout this decision, I shall refer to those dwellings as 3A Skegness Walk and 3 Skegness Walk, respectively, to reflect the property addresses I observed on my site visit.

Main Issue

5. The main issue is whether the proposed development would provide an adequate standard of accommodation for future occupiers, with particular regard to the size of the internal living space and the outdoor amenity space.

Reasons

6. 3 Skegness Walk would be a large, six-bedroomed property, with capacity to accommodate a large household. Consequently, it is reasonably likely that future occupiers of the dwelling would require a mix of private and shared

rooms to meet the typical day to day needs of a family, including spaces for communal cooking and dining, socialising, and entertaining.

7. I have not been directed to any development plan policy which defines the minimum space standards for new or converted dwellings. However, the total internal living space within No 3 would exceed the standards set out in the Nationally Described Space Standards¹ (NDSS). Moreover, the proposed bedrooms would be generously sized, and some would include ensuite shower rooms and kitchenettes. Therefore, the proposed dwelling would cater generously for the private needs of its future occupants.
8. However, other than the kitchen, the only internal communal space proposed in No 3 would be the living/dining area, which would also serve as an entranceway to the rear garden and a passageway to bedroom 2. Given its modest size, there would be insufficient space within the room for the placement of the full range of dining and living furniture that would typically be required by a large family living together. Therefore, the size of the room would not be conducive to the activities that would normally be carried out by a family, including communal dining, socialising and entertaining.
9. Moreover, the lack of space within the living/dining area would also inhibit movement around the room. This would cause it to feel cramped and unpleasant for future occupiers of the dwelling.
10. I have not been directed to any local standards for garden sizes. However, the proposed garden would be disproportionately small when compared to the large size of the proposed dwelling. Moreover, due to its narrow depth and U-shaped layout, there would be limited useable space available for socialising and other typical garden activities particularly given that the garden would also store refuse bins. Consequently, the proposed garden would not provide for the normal day to day needs of a large family.
11. 3A Skegness Walk is proposed to be a one-bedroom property with a bedroom and home office at first floor level and an open plan kitchen, living and dining space on the ground floor.
12. The internal living area within No 3A would exceed the NDSS for a one-bedroom, two-storey dwelling. Moreover, the submitted plans show there would be sufficient space within the property for the placement of dining, lounge, bedroom, and storage furniture without impeding circulation space around the property. At over 50sqm, and given its flat topography and square shape, the proposed rear garden would also provide sufficient, useable, outdoor amenity space for two people. Overall, I am satisfied that No 3A would provide an adequate standard of accommodation for future occupiers.
13. Whilst I have not found harm in respect of the proposed accommodation for No 3A, I conclude that proposed No 3 would provide an inadequate standard of accommodation for future occupiers, with particular regard to the size of the internal living space and the outdoor amenity space. Therefore, there would be conflict with Policy 8 of the North Northamptonshire Joint Core Strategy 2011-2031 (Adopted July 2016) which, amongst other things, expects development to incorporate flexible and resilient designs for buildings and their settings, including access to amenity space.

¹ Technical housing standards – nationally described space standards (Department for Communities and Local Government, March 2015).

14. There would also be conflict with the National Planning Policy Framework insofar as it requires developments to provide a high standard of amenity for existing and future users.

Other Matters

15. There is sufficient on-street parking capacity in the local area to meet the needs of the proposed development. Therefore, no undue harm would arise in respect of parking and highway safety. The absence of harm weighs neither for nor against the proposal.
16. I acknowledge the appellant's willingness to discuss any concerns regarding the proposal. However, I have determined the appeal scheme as submitted and based on the evidence before me. Therefore, potential alterations to the appeal scheme fall outside of the scope of this appeal.

Conclusion

17. The proposal conflicts with the development plan and the material considerations do not indicate that the appeal should be decided other than in accordance with it. Therefore, for the reasons given above the appeal should be dismissed.

E Catcheside

INSPECTOR