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# Appeal Decision

Site visit made on 16 July 2024

**by Samuel Watson BA (Hons) MSc MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 2 August 2024**

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**Appeal Ref: APP/R0660/W/24/3336882**

**7 Chester Street, Crewe, Cheshire CW1 2EW**

- 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 Farman Khursid of Kanya Property Ltd against the decision of Cheshire East Council.
  - The application Ref is 23/0105N.
  - The development proposed is for the change of use to create self contained flats.
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## Decision

1. The appeal is dismissed.

## Main Issue

2. The main issue is whether the proposal would provide suitable standard of living conditions for future occupiers.

## Reasons

3. The appeal site contains a three-storey building at the junction between Chester Street and Market Street. The ground floor contains a hot food takeaway, I understand the upper two floors contain offices. The proposal comprises the conversion of the upper floors to provide six flats, three on each floor. The flats would be arranged as bedsits providing one mixed-use room and a separate en-suite for each unit. Unit 1 on the ground floor also provides a separate kitchenette room.
4. The Council have, through Policy HOU 8 of the Site Allocations and Development Policies Document (the SADPD), adopted the Technical Housing Standards – Nationally Described Space Standards (the NDDS). In part, these standards set out the minimum gross internal floor areas for residential units. The smallest acceptable unit under the NDDS would need an area of at least 37m<sup>2</sup>. From the information available to me it is clear that the proposed units would not meet this minimum area. I note the Council's measurements which show the units providing between 22m<sup>2</sup> and 30m<sup>2</sup>.
5. As they are bedsits, these units would likely accommodate single people or couples. Although the appellant has described them as family flats, it is unlikely that residents would include families with children. In my mind therefore, the typical needs of future occupiers would include a space to sleep, socialise, relax, cook and eat. Further space would also be needed for the storage of clothes and other personal items.

6. Although it would be possible to include additional furniture alongside the kitchenette and table, the resultant space would be cramped once the types of furniture usually associated with sleeping, socialising and relaxing, as well as for storage, have also been provided. For each unit, the provided space therefore would not be sufficient to afford future occupiers with a comfortable and pleasant space to carry out the typical needs noted above or to introduce personal effects. Given the limited amount of space available, it is unlikely that future occupiers would be able to socialise with friends. This would be further exacerbated where units are occupied by couples rather than a single occupier.
7. The appellant has suggested that the units would provide space to accommodate the growing needs of occupiers, but this has not been demonstrated. Whilst a mix of housing type and tenure may be supported by the Council, that does not preclude the assessment of new residential dwellings against other relevant policies.
8. In light of the above the proposed flats would not provide sufficient space to afford a suitable standard of living conditions for future occupiers. The proposal would therefore conflict with the requirements set out under SADPD Policy HOU 8 as outlined above. The proposal would also conflict with Paragraph 135 of the National Planning Policy Framework (the Framework) which seeks proposals to promote well-being with a high standard of amenity for future users.

### **Other Matters**

9. The appellant consider that the proposal would allow for the renovation of the host building with appropriate materials so as to respect the character and appearance of the surrounding area. Whilst the proposal may do this, it has not been demonstrated how or to what extent the outside of the building would be renovated. This matter has not, therefore, been determinative in my considerations.

### **Conclusion**

10. The Government's objective is to significantly boost the supply of housing and the proposal would provide 6 flats in a location with access to services. Given the small scale of the proposal these matters would at most attract moderate weight.
11. Conversely, the proposal would result in harm by way of not providing suitable living conditions for future occupiers in conflict with the development plan taken as a whole. This attracts significant weight and outweighs the benefits associated with the proposed development.
12. The proposal would therefore conflict with the development plan and there are no other considerations, including the Framework, that outweigh this conflict. Therefore, for the reasons outlined above, I conclude that the appeal should be dismissed.

*Samuel Watson*

INSPECTOR