

Appeal Decision

Site visit made on 24 July 2025

by **S Hartley BA (Hons) Dist.TP (Manc) DMS MRTPI MRICS**

an Inspector appointed by the Secretary of State

Decision date: 28 July 2025

Appeal Ref: APP/W4223/W/25/3365529

92 Burnley Lane, Oldham, OL1 2PW

- 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 Abjal Hussain against the decision of Oldham Metropolitan Borough Council.
 - The application reference is FUL/353816/25.
 - The development proposed is the erection of a new, self-contained, single storey residential studio accommodation in the rear garden.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is whether the proposed development meets the Nationally Described Space Standards 2015 (as amended). (NDSS)

Reasons

3. The appeal site is an end of terrace property at the junction of Burnley Lane and Wakefield Street, set within an urban area of mainly two storey properties. It includes a rear yard area with a shed abutting Wakefield Street.
4. The proposed development is to demolish the shed and to erect in the rear space a self-contained, single storey, separate residential studio accommodation to form a separate dwellinghouse within its own planning unit.
5. The originally submitted plans, which include the floor area of the shed and the rest of the rear yard, have been replaced by amended plans to include the internal measurements of the proposed residential development, at 11 metres by 3.5 metres, giving a stated gross internal space of 38.5 m².
6. Policy JP-H3 of the Places For Everyone Joint Development Plan Document for Bolton, Bury, Manchester, Oldham, Rochdale, Salford, Tameside, Trafford and Wigan (2024) (PfE) requires that new residential development must comply with the minimum space requirements set out in the NDSS and which provide that for a one-bed dwelling, the minimum gross internal floor area is 37 m², and for a greater floor area for properties with more than one bed.

7. The measurements shown on the amended plans indicate that the minimum space requirement is met. However, the local planning authority (LPA) considers that when the submitted plans are scaled, the actual proposed floor area would be 19.9 m².
8. My own assessment is that the scaled drawings support the LPA's assertion that the minimum space standard in the NDSS is not met.
9. Moreover, the originally submitted plans include the floor area of the existing shed (11.5 m²) and the rest of the yard (18.5 m²), providing a total available space of 30 m². Not all of the yard area is proposed for the use of the proposed building, but even if that were to be the case, there would be insufficient space to meet the minimum requirements of the NDSS.
10. Therefore, I conclude that, based upon the submitted plans, the proposed development would not accord with Policy JP-H3 of the PfE.

Conclusion

11. There are no material planning considerations that indicate that the application should be determined other than in accordance with the development plan. Therefore, the appeal should be dismissed.

S. Hartley

INSPECTOR