



Appeal Decision

Site visit made on 29 October 2025

by Andreea Spataru BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 25th November 2025

Appeal Ref: APP/N4205/W/25/3371494

375 Tonge Moor Road, Bolton BL2 2JR

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant approval required under Article 3(1) and Schedule 2, Part 3, Class MA of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).
 - The appeal is made by Jennifer Carr (JCA Accountants Limited) against the decision of Bolton Metropolitan Borough Council.
 - The application Ref is 20386/25.
 - The development proposed is described as 'Change of Use from accountancy offices (Class E (c) (i) to single family dwelling (Class C3)'.
-

Decision

1. The appeal is dismissed.

Background and Main Issue

2. Article 3(1) and Schedule 2, Part 3, Class MA, of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (the GPDO) provides for a permitted development right for the change of use of a building falling within use class E (Commercial, Business and Service) to class C3 (dwellinghouses). This is subject to limitations and conditions, as set out in Article 3 of the GPDO and the subsequent paragraphs under Class MA.
3. The Council's second reason for refusal concerns the proposed building layout, specifically the access to the bathroom. In this context, reference is made to a development plan policy. However, the principle of development is established by the GPDO and provisions of Schedule 2, Part 3, Class MA of the GPDO do not require regard be had to the development plan. At the appeal stage, the appellant suggested changes to address the bathroom access issue. Nevertheless, as this matter falls outside the scope of the considerations under Class MA and Article 3, my assessment below focuses solely on the issue relevant under the GPDO.
4. In light of the above, the main issue is whether or not the proposed development would be permitted development with particular reference to the requirements of paragraph 9A of Article 3 of the GPDO in respect of compliance with the National Described Space Standard.

Reasons

5. Paragraph 9A of Article 3 states that Schedule 2 does not grant permission for, or authorise any development, of any new dwellinghouse that (b) does not comply

with the nationally described space standard¹ (NDSS). The submitted plans do not include specific measurements for the individual rooms or a gross internal floor area (GIFA) for the proposed dwelling. The Council's concerns relate to the GIFA and the floor area for bedroom 2, as they do not meet the minimum requirement as set out in the NDSS.

6. The figure advanced by the Council with regard to the GIFA is approximately 62.6 square metres, and for the bedroom 2 floor area approximately 6.75 square metres. These figures have not been disputed by the appellant. Therefore, in the absence of any substantiating evidence to the contrary, I have no reason not to rely upon the Council's figures.
7. The proposal seeks to convert the existing two-storey building into a dwelling with two bedrooms at first-floor level. The NDSS requires a minimum floor area of 7.5 square metres for a single bedroom, which bedroom 2 does not achieve. In addition, for a two-storey dwelling with a double size bedroom and a single bedroom, a minimum GIFA of 70 square metres is required, and the development falls short of this standard. Consequently, the proposal fails to comply with the NDSS and so paragraph 9A of Article 3 of the GPDO states that permission cannot be granted.
8. Therefore, the proposed development would not be permitted development with particular reference to the requirements of paragraph 9A of Article 3 of the GPDO.

Other Matters

9. The appellant argues that the size of the dwelling and its rooms is adequate for the proposed use, noting that the building was originally a residential property before its conversion to office space and that neighbouring dwellings are of similar size. It is further contended that the proposal would provide sufficient space, outlook, and light, along with several benefits, which I have considered. However, the scope of this determination, in the context of this application, requires compliance with the NDSS, which the development does not achieve. Therefore, the building's historical use and other factors do not alter my conclusion above.

Conclusion

10. For the reasons set out above I conclude that the appeal should be dismissed.

Andreea Spataru

INSPECTOR

¹ The nationally described space standard issued by the Department for Communities and Local Government on 27th March 2015.