
Appeal Decision

Site visit made on 15 December 2014

by John L Gray DipArch MSc Registered Architect

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 24 December 2014

Appeal Ref. APP/R4408/A/14/2224936

69 Park Road, Worsborough, Barnsley, S70 5DD

- 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 Keystone Asset Management Ltd against the decision of Barnsley Metropolitan Borough Council.
 - The application, ref. 2014/0600, dated 23 May 2014, was refused by notice dated 3 July 2014.
 - The development proposed is the change of use of a dwelling into two single-person apartments.
-

Decision: the appeal is dismissed.

Main Issue

1. The main issue in the appeal is the suitability of the size and layout of the proposed apartments.

Reasons

2. The crux of the matter lies in the Council's Supplementary Planning Document (SPD) on Designing New Housing Development, adopted in March 2012, which refers to the Technical Requirements in the South Yorkshire Residential Design Guide, which in turn sets different minimum internal space standards for studio apartments and 1-bedroom 1-person apartments.
3. A studio apartment is commonly accepted as one which combines living, dining, kitchen and bedroom space in a single room, the multiple use of the single space enabling a saving in floor area. What is proposed is clearly not that. The ground floor apartment would have a combined kitchen/dining/living area but a separate bedroom; and the first/second floor apartment would have three separate rooms – living/dining room, kitchen and bedroom. Accordingly, the standards for a 1-bedroom 1-person apartments are those which should be referred to.
4. The minimum standard for a 1-bedroom 1-person apartment is an overall floor area of 46sqm, with various areas given for individual rooms, depending on their use. From the drawings, and excluding the porch, the ground floor apartment would have an internal floor area of about 34sqm, including the corridor and storage under the stairs. Excluding the entrance staircase, the first/second floor apartment would have a floor area of about 37sqm, again measured from the drawings and again a little larger than stated by the appellant. Both fall significantly below the indicated minimum.

5. In terms of room sizes, the bedroom in the ground floor apartment would be nearly 13sqm, which is acceptable, but the combined kitchen/dining/living area would only be around 17sqm compares with the sought-for 24sqm (in other words, less than 75% of the recommended minimum). The living/dining room in the first/second floor apartment would be around 13sqm, compared with the minimum in the Guide of 16sqm, the kitchen would be just over 5sqm, compared with, probably, 9sqm (the areas for kitchen and kitchen/dining appear to be transposed in the version I looked at) and the bedroom (excluding the stairs but including the landing) would be about 10.5sqm compared to 12sqm. There appears to be no separate storage space in the first/second floor apartment.
6. The Council wonders whether what are proposed are actually single-person apartments when the application plans show double beds. That, however, seems an unnecessary query when the space standards in the Residential Design Guide allow for a double bedroom in a 1-bed 1-person apartment.
7. There is also the question of the stairs up to the bedroom in the first floor apartment. At present, they do not appear to satisfy Part K of the Building Regulations. In particular, the maximum pitch for a private stair is 42°, which the existing stairs appear to exceed. As the only bedroom in the apartment, it is likely that it would have to comply with the Regulations. That could probably be done – but the consequences for the bedroom space are unknown.
8. Summing up, while the Residential Design Guide is what it says – a guide – each of the proposed apartments falls very significantly below what it recommends as minimum floor areas, both overall and in terms of certain rooms. Contrary to the appellant's assertion, it must matter whether there are doors separating rooms – for example, removing the doors in the ground floor apartment would still leave effectively two rooms, with no opportunity, as in a studio apartment, for the multiple use of space. The extent to which various floor areas fall below the recommended minimum means that the apartments would inevitably offer cramped living accommodation.
9. Paragraph 50 of the National Planning Policy Framework seeks "a wide choice of quality accommodation"; the adjective "quality" is an important one and apartments of the size proposed here would not satisfy it. Nor, because of their limited size, would they provide what is sought by adopted Core Strategy Policy CSP29 and (albeit carrying limited weight) emerging Development Sites and Places Policy GD1. Accordingly, the appeal is to be dismissed.

John L Gray

Inspector