

Planning and Design Guidance:  
**Sub Division of Buildings for Residential Use**  
February 2011

**Planning, Housing and Economy**



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# The Purpose of this Guide



1. The Government's key housing policy goal set out in *Planning Policy Statement 3: Housing* is "to ensure that everyone has the opportunity of living in a decent home, one they can afford, in a community where they want to live".

2. The Council has become concerned at the number of planning applications submitted that propose to convert houses into flats and bedsit accommodation, where the proposed room dimensions would produce very cramped living conditions and, in some cases, make it impossible to arrange even a modest amount of furniture and live comfortably. The Council does not consider that such properties constitute decent homes.

3. British homes are amongst the smallest in Europe. Recent CABA research has revealed that space inside modern homes is considered too small by the occupants and it recommends that Local Authorities should set minimum space standards. Many already do.

**4. The Council is responsible for dealing with overcrowding in domestic premises. Several different pieces of legislation are relevant:**

## Statutory Overcrowding

(i) The Statutory Overcrowding provisions in the Housing Act 1985 continue to apply and provide bench-mark space standards which can be used to assess the suitability of rooms of different sizes.

## Overcrowding as an enforceable hazard

(ii) The Council is also able to assess possible overcrowding using the Housing Health and Safety Rating System and is required to take action if a serious hazard is identified.

## Space Standards in Houses in Multiple Occupancy

(iii) A building containing rooms occupied as separate units of accommodation by individual households sharing kitchen or bathroom facilities is classed as a House in Multiple Occupation (HMO). The Housing Act 2004 (section 139) gives the Council the power to serve an overcrowding notice if it considers that an 'excessive number' of people 'is being or is likely to be accommodated' in an HMO.

5. The Council has adopted space standards for this purpose and also uses these when setting licence conditions for those HMOs which require a licence. The Council standards are contained in this document in sections 45 to 57.

## Other guidance on size

6. Although none of the legislation referred to provides an absolute standard which can be applied to individual rooms in a converted flat, the guidance provided in support of the legislation, the Council's adopted HMO standards and the floor space standards provided for the assessment of Statutory Overcrowding have informed this document.

7. The Homes and Communities Agency (HCA) has its own standards, which are currently being reviewed. If proposed core standards are adopted they will apply to new build, general needs housing and non-specialised housing where the HCA is:

- Providing an element of grant funding which represents the majority of housing provision supported by the HCA.
- Facilitating or providing free or discounted land value.
- Facilitating or funding major infrastructure investment as part of a regeneration project.

The HCA requirements are contained in the following table.

Homes and Communities Agency Room Standards	
No bedrooms/ occupancy	M <sup>2</sup>
1 Bed/ 2 person	48
2 Bed/ 3 person	61
2 Bed/ 4 person	70
3 Bed/ 5 person	86
4 Bed/ 6 person	99

8. The Council will however use this guidance as an overall marker for the size of complete units. Whilst it is recognised that the combined sizes of the room dimensions set out in this document may not reach the overall HCA standards, the Council does not expect there to be any circumstances where only the minimum room dimensions are used.

9. This document should be read alongside other existing guidance and policy, notably:

- The Councils Home Extensions and Alterations Design Guide (March 2007). This can be found at [www.cherwell.gov.uk/](http://www.cherwell.gov.uk/).
- The Councils private sector housing policies. These can be found at [www.cherwell.gov.uk/](http://www.cherwell.gov.uk/).
- The approved documents of the Building Regulations. These can be found at [www.planningportal.gov.uk/](http://www.planningportal.gov.uk/).

**10. The Council will apply the guidance contained in this document to**

- the conversion of existing properties to flats, studio flats or HMOs and
- the construction of new flats

**The guidance applies whether the properties are for sale or rent.**

## The Status of this Guide



11. This document has been the subject of consultation with stakeholders and the public. It has been amended in light of the comments received and adopted as Informal Development Principles by the Council's Executive. Whilst it will not form part of the Statutory Development Plan, it will be afforded weight as a material consideration in the determination of planning applications.

12. The Non-Statutory Cherwell Local Plan covers the period 2001-2011 and was originally produced as a replacement for the adopted Local Plan.

The decision was taken by the Council to discontinue work on the plan on the 13 December 2004 and withdraw it from the statutory local plan process as by the time of its adoption it would have been substantially out of date, having been overtaken by the Oxfordshire Structure Plan 2016.

The Council has been working on the preparation of a Local Development Framework (LDF) since December 2004. However, to avoid a policy void the Non-Statutory Cherwell Local Plan 2011 was approved by the Council as interim planning policy for development control purposes on the 13 December 2004.

The Non Statutory Cherwell Local Plan carries reduced weight compared to an adopted local plan. Nevertheless, it is a material consideration in the determination of applications for planning permission.

13. Policy H23 of the Non Statutory Cherwell Local Plan, states:

*"Proposals for the conversion of existing dwellings to provide two or more self contained units of accommodation will be permitted provided that they would be unlikely to cause demonstrable harm to the amenities and privacy of neighbouring properties. Outside the built up limits of a settlement, proposals for the conversion of an existing dwelling to two or more units will not be permitted unless it would secure the future of a listed building."*

# Residential Conversions



## Room Dimensions

**14.** This section sets out what the Council considers to be the absolute minimum dimensions for room sizes, based upon feasible arrangements and space required for furniture and movement. In all cases, if window or door positions vary or if other features, such as low ceilings, projecting chimney breasts or radiators, compromise the most efficient layout, dimensions will need to be increased.

It is unlikely that accommodation limited to the sum of the minimum dimensions for each room will be acceptable. It is the responsibility of the applicant to demonstrate that the following minimum requirements can be satisfactorily accommodated.

### Studio Flat:

**Minimum floor area 20m<sup>2</sup> plus bathroom (in each case)**

**15.** A studio flat to which this guidance applies is a self contained living environment where living, cooking, eating and sleeping takes place in one room, with private bathroom facilities (see paragraph 43 for details) and with its own lockable front door beyond which all the facilities of the studio flat are accessed.

**16.** The minimum requirements are considered to be all the facilities required for living. The juxtaposition of activities needs to be carefully planned, for example so that the bed is not located directly adjacent to the kitchen area, and should allow for storage of tall, bulky and awkwardly sized objects.

**17.** The minimum requirement is for:

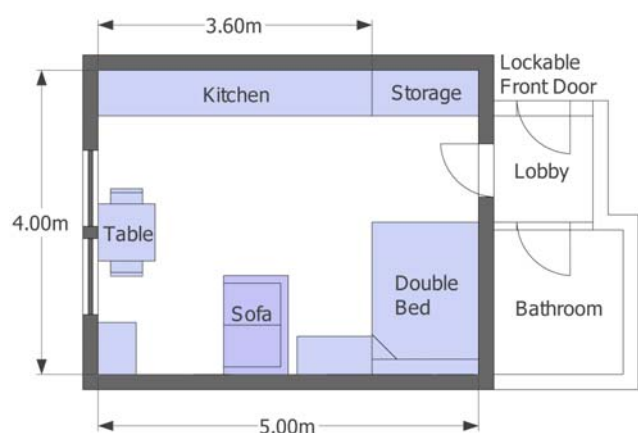
- a compact cooking area capable of accommodating chilled food storage, dry goods storage, utensil storage, cooking and washing facilities (A galley kitchen of 3.6m in length is considered the minimum, although a smaller standard may be acceptable in an HMO).
- storage
- a double bed
- 2 chairs
- a table
- two person sofa

**18.** Kitchens or kitchen areas should be organised so that there is safe and easy access to all appliances and

- there is space for a minimum of 3 white goods appliances of 0.6m width each
- there are wall cupboards for storage
- the cooker has worktops on both sides, is not in a corner or directly next to the sink or free standing
- the sink has adequate space on each side for the separation of clean and dirty utensils

**19.** A workable space should be retained in front of the kitchen for ease of use, 1.2m is recommended. It is also considered advisable for the floor surface in this area to be washable (e.g. non permeable).

**20.** The minimum dimensions capable of achieving this are 20m<sup>2</sup>, as shown.



*This drawing and all that follow are for illustrative purposes only*



### One-Bedroom Flat:

Total minimum floor area = 30.4m<sup>2</sup> plus circulation (HCA 48m<sup>2</sup> for 2 people)

**21.** A one-bedroomed flat is a self contained living environment without shared cooking or bathing facilities and with its own lockable front door beyond which all the facilities of the flat are accessed.

**22.** It has, at a minimum, a separate bedroom, bathroom and living room, which may include dining and cooking areas or these may be separate in a living / dining or kitchen dining combination.

**23.** Entrance off a communal area should ideally be into a circulation area; access into a living area may be acceptable and access directly into a bedroom, bathroom or kitchen will not be acceptable.

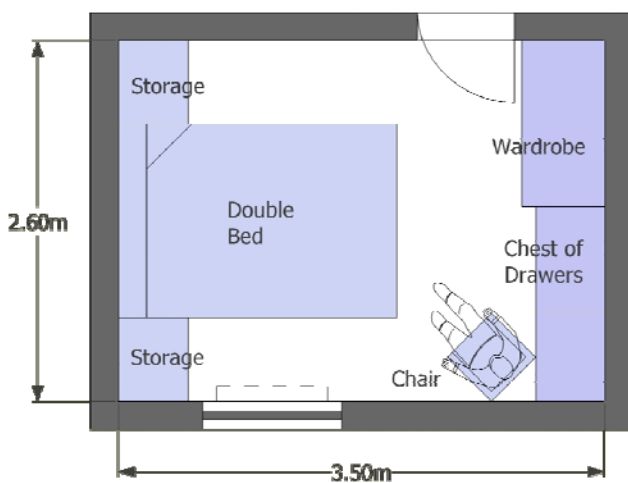
### Bedroom:

Minimum floor area = 9.1m<sup>2</sup>

**24.** Here the minimum requirement is to accommodate:

- a double bed with space to access it from both sides
- a chest of drawers
- a wardrobe for clothes storage
- a chair

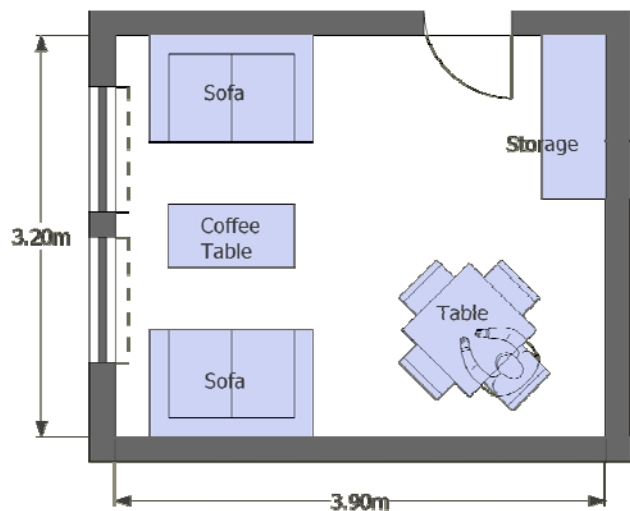
The minimum dimensions capable of achieving this are 2.6m x 3.5m as illustrated below.



### Living / dining room:

Minimum floor area = 12.5m<sup>2</sup>

**25.** Here the minimum requirement is to enable 2 occupants plus 2 visitors to eat at a table and to relax on easy chairs, together with storage, display space and room for audio-visual equipment. The minimum dimensions capable of achieving this are 3.2m x 3.9m as illustrated below.



### Kitchen:

Minimum floor area = 5.6m<sup>2</sup>

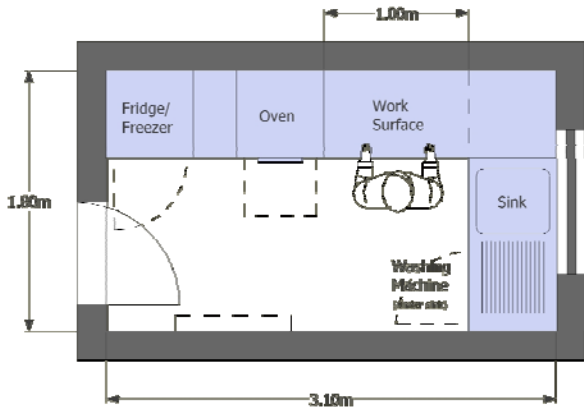
**26.** Kitchens or kitchen areas should be organised so that there is safe and easy access to all appliances and

- there is space for a minimum of 3 white goods appliances of 0.6m width each
- there are wall cupboards for storage
- the cooker has worktops on both sides, is not in a corner or directly next to the sink or free standing
- the sink has adequate space on each side for the separation of clean and dirty utensils

**27.** Where separate kitchens are provided natural lighting and ventilation must be provided and the operation of the window must be possible across the work top. Units and appliances should not be placed in front of windows where the cill is lower than the height of the appliance, because of the adverse effect on the external appearance of the building.



**28.** The minimum dimensions capable of achieving a 5.6m<sup>2</sup> floor area are 3.1m x 1.8m. The lowest dimension must be no smaller than 1.8m to allow easy access to the fridge/ oven etc. Further details are contained in the Appendix.

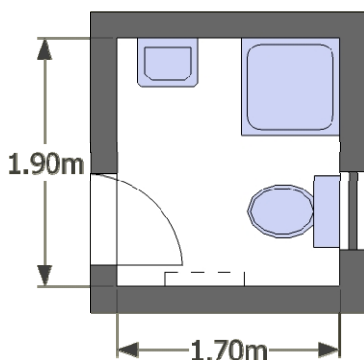


**Bathroom:**  
Minimum floor area = 3.2m<sup>2</sup>

**29.** A bathroom must be capable of accommodating:

- a minimum 900 x 900mm shower tray
- a basin
- a WC
- a radiator and towel rail
- an inward opening door that does not foul the space required for use of the sink or the WC
- natural or artificial lighting and ventilation
- 1m<sup>2</sup> of circulation space which is uninterrupted by any of the elements of the bathroom suite.

The minimum dimensions capable of accommodating this are 1.9m x 1.7m, as illustrated below.



**Internal storage**

**30.** Plans must demonstrate provision for storage of:

- tall objects such as vacuum cleaners and ironing boards
- bulky objects such as suitcases
- awkwardly sized objects, possibly relating to a sport or a hobby.

### Two-Bedroom Flat:

Total minimum floor area = 43m<sup>2</sup> plus circulation (HCA = 61m<sup>2</sup> for 3 people, 70m<sup>2</sup> for 4 people)

**31.** A two-bedroomed flat is a self contained living environment without shared cooking or bathing facilities and with its own lockable front door beyond which all the facilities of the flat are accessed.

**32.** It has, as a minimum, two separate bedrooms, a bathroom and living room that either includes dining and cooking areas or has a separate living / dining or kitchen / dining combination.

**33.** The accommodation is accessed off a communal hallway ideally into its private circulation area. Access into a living area may be acceptable and access directly into a bedroom, bathroom or kitchen will not be acceptable.

### Main bedroom:

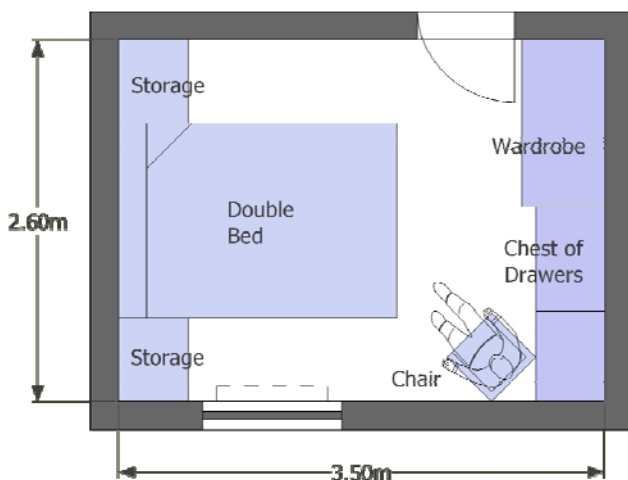
Minimum floor area = 9.1m<sup>2</sup>

**34.** The main bedroom should be independently accessed from the circulation area or living space within the flat, not through a kitchen or bathroom.

**35.** The minimum requirement is to accommodate:

- a double bed with space to access it from both sides
- a chest of drawers
- a double wardrobe for clothes storage
- a chair.

The minimum dimensions capable of achieving this are 2.6 m x 3.5m as illustrated below.



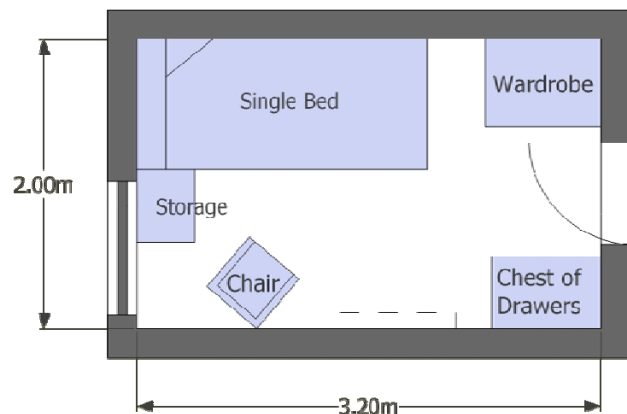
### Second bedroom:

Minimum floor area = 6.5m<sup>2</sup>

**36.** The second bedroom should be independently accessed from the internal circulation or living space within the flat and not through the main bedroom, kitchen or bathroom. Here the minimum requirement will be to accommodate as a minimum:

- a single bed, with circulation space on one long and one short side
- chest of drawers
- a single wardrobe.
- a chair.

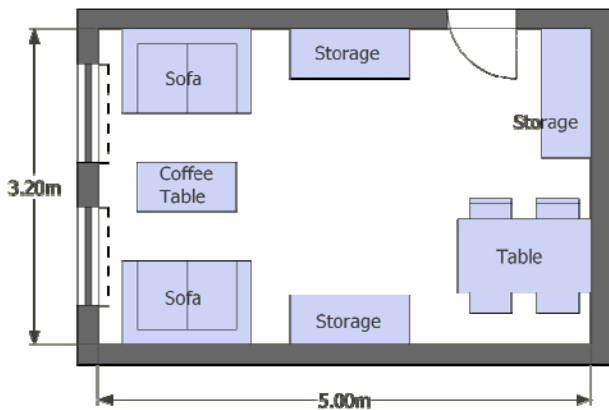
**37.** The minimum dimensions capable of achieving this are 2m x 3.2m as illustrated below. If the room is to accommodate a double bed, the minimum dimensions will be the same as for the main bedroom.



### Living / dining room:

Minimum floor area = 16m<sup>2</sup>

**38.** Here the minimum requirement is to enable 4 adults to eat at a table and also to sit on easy chairs, together with storage and display space and room for audio-visual equipment. The minimum dimensions capable of achieving this are 3.2m x 5.0m as illustrated overleaf. The additional 3.5m<sup>2</sup> over the one bedroomed unit is considered necessary in order to accommodate the additional storage for the extra occupants.



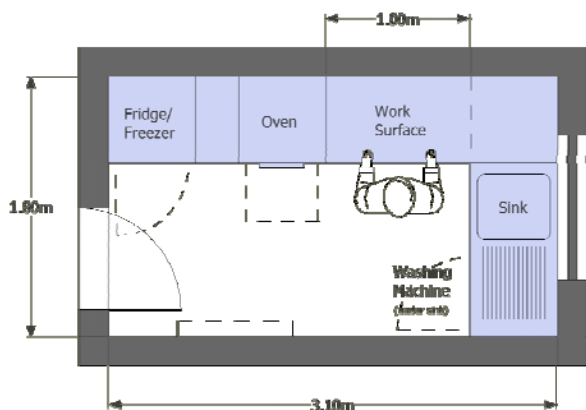
**Kitchen:**  
Minimum floor area = 5.6m<sup>2</sup>

39. Kitchens or kitchen areas should be organised so that there is safe and easy access to all appliances and

- there is space for a minimum of 3 no. white goods appliances of 0.6m width each
- there are wall cupboards for storage
- the cooker has worktops on both sides, is not in a corner or directly next to the sink or free standing
- the sink has adequate space on each side for the separation of clean and dirty utensils.

40. Where separate kitchens are provided natural lighting and ventilation must be provided and the operation of the window must be possible across the work top. Units and appliances should not be placed in front of windows where the cill is lower than the height of the appliance.

41. The minimum dimensions capable of achieving a 5.6m<sup>2</sup> floor area are 3.1m x 1.8m. The lowest dimension must be no smaller than 1.8m to allow easy access to the fridge/ oven etc. Further details are contained the Appendix.



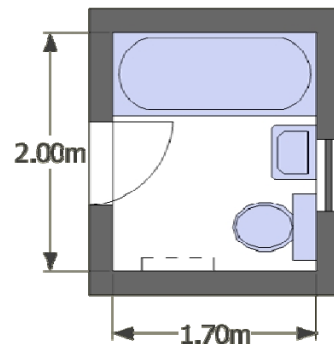
**Bathroom:**  
Minimum floor area = 3.4m<sup>2</sup>

42. Where there is only one bathroom proposed, it must include a bath. Where a second bathroom is proposed a shower room may be acceptable and may be accessed through the main bedroom (en-suite) provided that the main bathroom is accessed via the internal circulation space.

43. The main bathroom must be capable of accommodating:

- a bath
- a basin
- a WC
- a radiator and towel rail
- an inward opening door that does not foul the space required for use of the sink or the WC
- natural or artificial lighting and ventilation
- 1m<sup>2</sup> of circulation space which is uninterrupted by any of the elements of the bathroom suite.

The minimum dimensions capable of accommodating this are 2.0m x 1.7m as illustrated below.



**Internal storage**

44. Plans must demonstrate provision for storage of:

- tall objects such as vacuum cleaners and ironing boards
- bulky objects such as suitcases
- awkwardly sized objects, possibly relating to a sport or a hobby.

# Houses in Multiple Occupation



## Room Dimensions

**45.** The following space standards are the benchmark against which the Council will determine the 'suitability for occupation' of Houses in Multiple Occupation (HMOs). The space standards are split into three categories, which relate to three specific HMO types: houses occupied and let by rooms (Category A), houses occupied on a shared basis (Category B) and temporary accommodation for households with no other permanent home (Category C). Category C is not normally considered acceptable, but would be permitted in emergency cases.

### Category A

**46.** These are HMOs occupied and let as individual rooms. There is likely to be exclusive occupation of habitable rooms and some sharing of amenities such as bathrooms, toilets and possibly kitchens.

**47.** Each occupant is likely to live independently with little social interaction between the tenants. Occupants will usually have single tenancy agreements and will have taken up occupancy at different times. Such houses will typically lack a communal living room. Bedsits are an example of this type of accommodation but houses comprising a mixture of bedsits and self contained units are also covered.

**48.** Bedsits will be expected to accommodate:

- a bed (size to suit the number of occupants)
- a dining table and chairs
- a comfortable chair or two person sofa
- storage
- a compact cooking area capable of accommodating chilled food storage, dry goods storage, utensil storage, cooking and washing facilities, where no separate kitchen facilities are provided, (See section 112).

### Category A Space Standards

One Person Accommodation	
<b>One Room Letting</b>	
Bedsit with integral cooking facilities	11m <sup>2</sup>
Bedsit with no cooking facilities in room	8.5m <sup>2</sup>
<b>Two Room Letting</b>	
Bedroom	6.5m <sup>2</sup>
Kitchen	5.5m <sup>2</sup>
Bedroom/ living room (with separate kitchen)	8.5m <sup>2</sup>
Kitchen/ living room (with separate bedroom)	8.5m <sup>2</sup>
Two Person Accommodation	
<b>One Room Letting</b>	
Bedsit with integral cooking facilities	16m <sup>2</sup>
Bedsit with no cooking facilities in room	13m <sup>2</sup>
<b>Two Room Letting</b>	
Bedroom (with separate living room)	10m <sup>2</sup>
Kitchen	5.5m <sup>2</sup>
Living room (with separate kitchen)	11m <sup>2</sup>
Kitchen/ living room (with separate bedroom)	13m <sup>2</sup>

### Category B

**49.** These are HMOs where for certain activities the occupiers live as a single household but for others do not. They are usually rented by an identifiable group of sharers as opposed to separate, lone individuals or a number of couples or families.

**50.** Occupiers have exclusive use of certain rooms, usually the bedrooms, but share the kitchen, bathrooms etc. There is expected to be a communal living room and a significant degree of social interaction.

**51.** Bedrooms will be expected to be able to accommodate:

- a bed with space to access it (size dependant on number of occupants)
- a chest of drawers
- a wardrobe for clothes storage
- a chair.

**52.** Living rooms will be expected to accommodate:

- a table and chairs (number of chairs dependant on number of occupants)
- comfortable chairs
- storage
- display space
- space for audio-visual equipment.

### Category B Space Standards

Study/ Bedrooms	
<b>One person unit</b>	
Study/ bedroom (with seperate living room)	6.5m <sup>2</sup>
Study/ bedroom (no living room provided)	8.5m <sup>2</sup>
Living room (1-6 persons)	11m <sup>2</sup>
<b>Two person unit</b>	
Study/ bedroom (with seperate living room)	10m <sup>2</sup>
Study/ bedroom (no living room provided)	13m <sup>2</sup>
Living room (1-6 persons)	11m <sup>2</sup>

### Category C

**53.** This category deals with premises such as hotels, hostels or guesthouses that become HMOs because they are providing accommodation for people who have no other permanent place of residence. The category includes bona-fide hotels used for this purpose whether on a permanent or temporary basis and whether this is their sole activity or they accommodate a mixture of homeless households and commercial guests.

**54.** The Council can issue a Declaration under Section 255 Housing Act 2004 to confirm its judgement that premises are in use as an HMO to which the Act applies.

**55.** Each unit will be expected to have access to kitchen facilities, which may be shared with other residents. A seperate living room may be provided by way of a residents lounge. Where there is no seperate living room, space for a comfortable chair and additional storage will be expected.

### Category C Space Standards

<b>Bedrooms</b>	
One person (with separate living room)	6.5m <sup>2</sup>
One person (no living room provided)	8.5m <sup>2</sup>
Two person (with separate living room)	10m <sup>2</sup>
Two person (no living room provided)	13m <sup>2</sup>
Three person (separate living room must be provided)	10m <sup>2</sup>
Four person (separate living room must be provided)	13m <sup>2</sup>
<b>Living Rooms</b>	
Living room (1-5 persons)	11m <sup>2</sup>
Living room (6-10 persons)	14m <sup>2</sup>

### Kitchens

**56.** Each kitchen must be large enough and laid out in such a way as to enable safe and unhindered use of the facilities. Kitchens must be a minimum of 1.8m wide so to allow safe circulation and sufficient room for the facilities to be used. In order to judge the suitability of shared kitchens the Council will have regard to the space standards below.

**57.** In all cases the Council will use its discretion in determining appropriate room sizes for larger numbers of occupants.

### Kitchen Space Standards

Kitchen (1-6 persons)	7m <sup>2</sup>
Kitchen/ diner (1-6 persons)	13m <sup>2</sup>

### Bathrooms

**58.** Bathrooms must meet the minimum space standards provided in paragraph 29. The number of bathrooms necessary will depend on the overall number of occupants.

# Impact on the Street



**59.** Existing buildings form part of an established street scene. It is important that conversion to flats does not adversely impact the appearance of the building and that the cumulative impact of works associated with the conversion do not have an adverse impact upon the street scene.

## Flat over flat relationship

**60.** A building with similar rooms stacked above each other tends to produce a more ordered elevation, with similar sized windows above each other. Soil stacks and services can be grouped making maintenance easier. This can also reduce internal sound disturbance.

## Main entrance

**61.** In the conversion of older properties the original main entrance should continue to be used as the main entrance to the building, thereby continuing the established building pattern in the street. If car parking is located to the rear it may be acceptable to have a secondary entrance from the rear.

## New windows

**62.** The introduction of new windows requires Building Regulation approval and also planning permission in flats. In listed buildings this additionally requires listed building consent. Inserting new windows on front elevations should be avoided as this can disrupt the pattern of fenestration in the building. Where these can be accommodated satisfactorily, they should be an exact match of the existing windows in material and design and should be positioned to sit comfortably within the existing pattern of fenestration, lining up both vertically and horizontally as appropriate.

## Meter cupboards

**63.** Whilst these need to be accessible to be read by service providers, they should not cause harm to front elevations, but should be located within communal porch areas, on side elevations, internally facing front boundary walls or be ground mounted.

## Letterboxes

**64.** Where possible each flat should have its own letter box in its own front door. Where this is not possible and banks of letter boxes are required, lockable boxes should be located within communal porch areas, on side elevations or on the internally facing front boundary wall.

## Obscure glazing

**65.** Obscure glazing to protect privacy in bathrooms, for example, should not be used on the front elevation of properties but be restricted to side and rear elevations.

**66.** A window that would have a detrimental impact on the amenity and/ or privacy of neighbouring properties cannot be justified through the use of obscure glazing.

## Pipe work

**67.** New foul pipes serving added bathrooms or kitchens should not cause harm to the front elevation of properties and should, where possible, be grouped on side or rear elevations.

## Clothes drying

**68.** Secure external space, not visible from the street, should be available on plot for the drying of laundry. Where this cannot be provided, space should be identified internally, for example by an airer over the bath.

## TV aerials and satellite dishes

**69.** Planning permission may be required to:

- erect a satellite dish on an elevation facing a highway if in a Conservation Area.
- erect more than two satellite dishes to serve a group of flats.

They should ideally be located on rear elevations, below ridge lines and chimneys. Consent is required to erect satellite dishes and aerials on listed buildings. They should be located within the roof space, or if this is not possible, on outbuildings to the rear, out of sight of public view.



## Bin requirements/ stores

**70.** The Council operates a wheeled bin refuse system, which uses three coloured bins for different types of rubbish.

**71.** The Councils detailed guidance document entitled '*Planning and Waste Management Design Advice Document*' sets out the requirements for waste collection and was formed as a result of the work undertaken by the 'Oxfordshire Waste Partnership'. Ideally it seeks:

- in flats that waste collection be through the use of coloured communal collection containers or coloured individual bins held in a communal location
- bins stores be in a covered area and serviced by a private road
- bins stores be within 5m of the collection point with a minimum of 1m provided in front of the containers
- bin storage areas be a minimum 1.4 square metres per flat or multi-occupancy properties
- bin stores be robustly screened and unobtrusive
- bin stores be designed into the proposal from the outset using sympathetic materials.

For further information applicants should contact Environmental Services.

**72.** The Council will consider the requirements for bin storage flexibly where it can be demonstrated that the amenity of the area will not be adversely affected. For example, storage areas could be provided within the converted building itself as long as there is easy access and effective ventilation.

## Cycle storage

**73.** One cycle storage space is required per bed space. Ideally space for cycle storage should be included within the ground floor of the building. Where this cannot be achieved, secure covered storage must be provided at the side or rear of the building with easy access onto the street and must be included and designed in the proposal from the outset using sympathetic materials.

## Car parking

**74.** In Banbury and Bicester town centres the Council's car parking policy is one space per dwelling. Elsewhere 1 parking space for a 1 bedroom unit, 2 parking spaces for a 2/3 bedroom unit and 2 parking spaces, plus further spaces determined on merit for a 4 bedroom unit are applied. Car parking should be provided on plot and should not:

- add to the requirement for on street car parking
- dominate the frontage
- fill the whole of the plot.

**75.** The Council will consider flexible or car free housing where it can be demonstrated that the additional units are located within easy reach of all essential services. Unless the amenity of the area will be adversely affected.

## Front boundary walls and paving front gardens

**76.** Planning permission is required for the creation of new vehicular access from an A or B classified road and also for turning any front garden into a parking area, unless it is to be constructed of permeable paving.

**77.** Front boundary walls, railings and hedges all contribute to the character of a street and the cumulative effect of their removal can have an adverse effect on the character of the street and degrade the environment for others. In a Conservation Area consent is required for the substantial demolition of walls over 1m adjacent to a highway. The Council will encourage alternative means of providing car parking that does not involve demolition of front boundaries and loss of front gardens.

## Impact on neighbouring properties

**78.** Views from rear windows of upper floors into neighbouring gardens are hard to avoid in an established neighbourhood. The conversion of an upper floor bedroom into a living room or kitchen can result in an increase in overlooking and therefore loss of privacy for neighbours. For this reason, and to assist with the surveillance of the street, it is preferable, for living rooms and kitchens to be at the front of the building. Care should be taken, however, to ensure that kitchen units and appliances are not higher than the window cill as this can look unsightly from the street.



## Permitted development

**79.** Flats and HMOs do not have permitted development rights, so planning permission will be required for all material external alterations. Once a building is converted to flats these new rules will apply. A Listed Building Consent application will also be required for any works, internal or external of alteration to a listed building. It is always advisable to check with Development Control before undertaking works.

## Private amenity space

**80.** The Council considers it important for all dwellings to have some access to private outdoor space, such as a patio or balcony, or semi private shared amenity space closely associated with the home, for outdoor amenity, children's play, growing plants and drying laundry. It may not be appropriate to introduce balconies to an existing property. Outdoor space should be as private as possible, secure and directly overlooked only by the dwellings to which it relates.

**81.** On developments or conversions of 10 units or more containing one or more two-bedroomed properties or larger, the Council requires that a Local Area of Play (LAP) be provided. If this is not possible the Council will seek a financial contribution towards off site children's play and public open space provision to meet the residents' needs. Any off site LAP must be within a 1 minute walk of the development/ conversion.

**82.** Further and more in depth information is contained in the Council's *'The Provision of Open Space in New Development'* guidance document.

# Internal Considerations



## Means of escape

**83.** The provision of a means of escape from flats can be complicated – particularly in listed buildings. Where flats are formed in two-storey buildings, means of escape windows may be used from habitable rooms (living rooms, bedrooms etc.) in place of formal protected routes. Where flats are formed in multi-storey buildings, a protected common staircase discharging to outside is required together with suitable internal layouts in the flats. Advice about specific projects is available from the Council's Building Control team.

**84.** Where escape windows are used, they must have an opening area of at least 0.33m<sup>2</sup>, with no dimension less than 0.45m e.g. 0.45m x 0.75m. The bottom of the opening area must be between 0.8m and 1.1m above internal floor level, with window catches and hinges that ensure a clear opening. Windows must also be accessible externally by a ladder. Further information can be found in the Building Regulations Approved Document B, Volume 2 which is downloadable from the Planning Portal.

**85.** The internal staircase will also need to provide a protected environment, which has direct access to the outside and is directly accessible to all the flats.

**86.** Means of escape from conversions will require doors opening on to the stairs to be upgraded to fire doors, to provide a protected staircase. This may conflict with listed building requirements and may make sub-division impracticable. Fire escapes on the front elevation of buildings will not be acceptable, so other means of escape will be required.

## Outlook and ventilation

**87.** All habitable rooms (living room, dining room, bedroom and kitchen) must have a window that opens to provide adequate daylight and ventilation and an acceptable outlook. Windows must be capable of being opened to the equivalent of 1/20<sup>th</sup> of the floor area of the room to provide adequate ventilation.

**88.** Bathrooms, kitchens, toilets and utility rooms require mechanical extract ventilation even where a window is provided.

**89.** Where new windows are to be inserted their cills and lintols should be level with and match the existing windows. Windows to habitable rooms should have a clear and largely unobstructed view.

**90.** Traditional roof lights are unlikely to provide an acceptable outlook from a habitable room, as they generally provide views at an elevated angle only.

**91.** It is important to locate high usage room types (e.g. living rooms) on the front/ street facing elevation. This provides natural surveillance of the street, creating an active frontage. Lower usage rooms, such as bedrooms should be located to the side or rear to restrict overlooking of neighbouring gardens.

## Sound insulation

**92.** Sound insulation is vital in any conversion and can be difficult to install within an existing structure. Listed buildings need to be treated with care, as additional thickness in the floors or ceilings can lead to the loss of cornices and skirting boards. Raising the floor will also affect the door openings and may reduce the height to an escape window so that it no longer complies.

**93.** Information on where and how sound insulation is to be placed and installed must be attached to any application for Listed Building Consent, so that its impact on the buildings historic fabric can be properly assessed.

## Basement conversions

**94.** The conversion of a basement or semi basement into a flat needs to ensure that:

- adequate damp proofing is undertaken and that services and fixings for wall mounted furniture, which would breach this, are not required
- drainage outfalls are high enough to provide adequate fall or that pumping mechanisms are installed
- adequate daylight and ventilation are provided
- the aspect from habitable rooms is acceptable.

**95.** Ceiling heights of habitable rooms should ideally be 2.4m. For a space to be considered usable it must have a ceiling height, which exceeds 1.5m, otherwise it will not be considered as part of the floor space.

### Roof conversions

**96.** The conversion of a roof space into a flat needs to ensure that:

- the ceiling height at the point of entry to the flat is ideally 2.4m or above and ceiling height throughout does not prejudice the effective use of habitable rooms. For space to be considered usable it must have a ceiling height which exceeds 1.5m, otherwise it will not be considered as part of the floor space.
- any dormer windows are located and designed to be in keeping with the appearance of the building and do not disturb the harmony of the pattern of fenestration.
- in listed buildings as much of the historic fabric is retained as possible and the removal or cutting through of original roof trusses and floor joists is avoided. Openings should be designed to fit within existing features.

### Building regulations

**97.** A Building Regulations application is required for changes of use (such as subdividing to form flats) as well as structural work to a building. The Building Regulations can be complicated; it is not possible to explain the requirements in full within this document. Advice about the Building Regulations and how they might apply to the subdivision of a building is available from the Council's Building Control team.

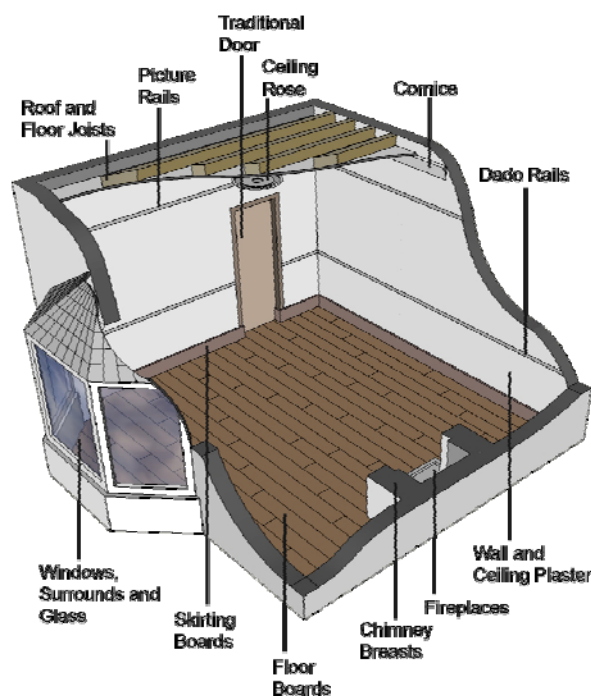
**98.** It is advisable to consult Building Control at an early stage so that your application for Planning Permission and Listed Building Consent can accurately reflect the structural work required.

### Listed Buildings

**99.** The conversion of listed buildings, if not carefully considered, can have an adverse impact on the fabric and finishes of the building. A greater level of information is required in a Listed Building Consent application so that the impact can be properly assessed. Below is a list of some of the most common features to be aware of:

- Original/ historic roof joists
- Original/ historic floor joists
- Original/ historic floor boards
- Historic ceiling roses
- Historic doors and their surrounds
- Windows, their surrounds and glazing
- Historic cornices
- Historic skirting boards
- Decorative/ historic wall and ceiling plaster
- Period fireplaces
- Chimney breasts and hearths
- Historic picture/ dado rails.

Where the age and/ or significance of existing features is unknown the Council's Design and Conservation Team will be happy to provide guidance.



### Accessibility

**100.** Access and facilities for disabled people should be provided in accordance with the Building Regulations.

# Making an Application



**101.** Below is a list of the documents you need to submit with your planning application and/ or Listed Building Consent application. You are advised, prior to submission of any application, to contact the Council and discuss your proposals. This will not only save time in the long run, but may also alert you to potential problems with the scheme.

The current list of requirements is subject to future change in order to meet forthcoming government standards. For the time being these details must be submitted with each application. Further details are contained in the Council's '*Validation of Planning Applications*' document.

## Information Required for a Planning Application

**102.** Applications should be made on the planning application form, available from the Council Offices at Bodicote House or downloadable from the Council's Website. For the application to be registered the following information must be submitted:

- Four copies of all the plans including the application forms
- A location plan
- A block plan of the site
- Existing and proposed elevations
- Existing and proposed floor plans
- Existing and proposed site sections and finished floor and site levels
- Roof plans
- The completed Ownership Certificate as required by article 7 of the Town and Country Planning (General Development Procedure) Order 1995
- Design and Access Statement
- The appropriate fee.

**103.** In addition to the above information the following Local Requirements may be necessary dependant on the type and scale of your proposal.

- Daylight/ sunlight assessment
- Economic statement
- Flood risk assessment
- Ventilation/ extraction assessment
- Drainage assessment
- Landscaping details
- Noise impact assessment
- Planning statement
- Tree survey/ arboricultural report.

## Information Required for a Listed Building Consent Application

**104.** In addition to planning permission, works to a listed building will require a Listed Building Consent. **It is a criminal offence to alter a listed building without consent.** Below is a list of further information required as part of a Listed Building Consent application:

- Plans to a scale of 1:20 that show all new doors, windows etc
- Heritage impact assessment
- Structural survey, essential for listed buildings, which shows that the building is capable of conversion without substantial demolition and rebuilding.
- Location of services
- Location of letterboxes and cycle and bin stores
- Location of bins storage
- Sound insulation installation
- Photographs.

**105.** An application for either planning permission or Listed Building Consent can also be made electronically through the Planning Portal.

# Contacts



## Useful Contacts

Royal Institute of British Architects  
66 Portland Place  
London  
W1B 1AD

**Tel:** 020 7580 5533  
**Fax:** 020 7255 1541

**Email:** [info@inst.riba.org](mailto:info@inst.riba.org)  
**Website:** [www.architecture.com](http://www.architecture.com)

Royal Institution of Chartered Surveyors  
RICS  
Parliament Square  
London  
SW1P 3AD

**Tel:** 0870 333 1600  
**Fax:** 0207 334 3811

**Email:** [london@rics.org](mailto:london@rics.org)  
**Website:** [www.rics.org](http://www.rics.org)

The National Federation of Builders  
55 Tufton Street  
London  
SW1P 3QL

**Tel:** 0870 898 9091  
**Fax:** 0870 898 9096

**Email:** [info@builders.org.uk](mailto:info@builders.org.uk)  
**Website:** [www.builders.org.uk](http://www.builders.org.uk)

## Council Contacts

The Council's offices can be found at:

Cherwell District Council  
Bodicote House  
Bodicote  
Banbury  
Oxfordshire  
OX15 4AA

**Tel:** 01295 252535  
**Website:** [www.cherwell.gov.uk](http://www.cherwell.gov.uk)

Specific services can be contacted as follows:

### Development Control

**Tel:** 01295 221883/1884

**Email:** [planning@cherwell-dc.gov.uk](mailto:planning@cherwell-dc.gov.uk)

### Design and Conservation

**Tel:** 01296 221846

**Email:** [design.conservation@cherwell-dc.gov.uk](mailto:design.conservation@cherwell-dc.gov.uk)

### Building Control

**Tel:** 01296 221835/ 1836

**Email:** [building.control@cherwell-dc.gov.uk](mailto:building.control@cherwell-dc.gov.uk)

### Housing Services

**Tel:** 01295 221809

**Email:** [housing@cherwell-dc.gov.uk](mailto:housing@cherwell-dc.gov.uk)

### Environmental Services

**Tel:** 01295 221940

**Email:** [customer.service@cherwell-dc.gov.uk](mailto:customer.service@cherwell-dc.gov.uk)

## Acknowledgments

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# Appendix



**106.** A satisfactory kitchen must be safe, convenient and must allow good hygiene practices. It must be possible to stand directly in front of the cooker and sink and to place utensils down on both sides of each. Worktops must be secure, level and impervious and must be of adequate size. Adjacent walls require splash backs and power-points must be suitably located. The following guidance is based upon 'Space in the Home', published by The Department for the Environment in 1986.

## Good Practice

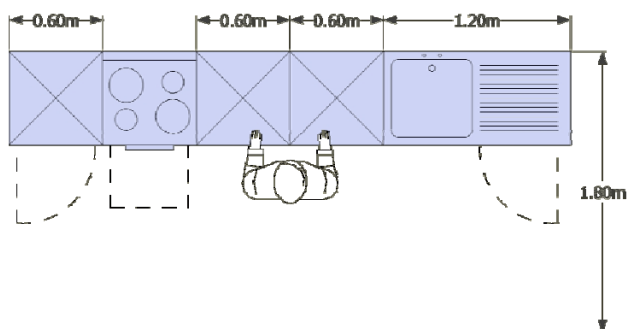
**107.** The following guidance assumes that all typical kitchen appliances are to be located in the kitchen or separate cupboard. It may be practical to locate washing machines in a bathroom, in which case the room dimensions will need to be adjusted. Permanent positioning of an appliance in a bedroom will not be acceptable.

**108.** The minimum width for a work top which can be used as working space is 0.3m. There must be a minimum of at least one uninterrupted surface that is 1.0m or greater in width. Care needs to be taken in the positioning of wall mounted cupboards in relation to this surface, otherwise the space could become unusable.

## Galley Kitchen

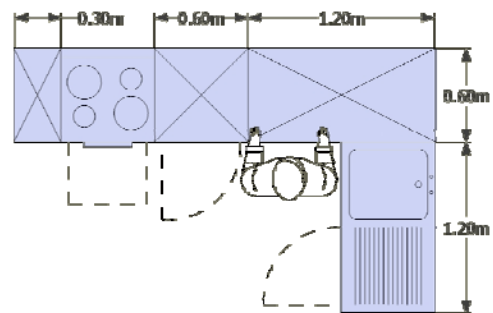
**109.** This is the minimum provision for a kitchen. It incorporates worktop on both sides of the cooker and working space both sides of the sink bowl.

**110.** The minimum length of a single galley kitchen is considered to be 3.6m. The length is made up of 6 bays of 0.6m. The minimum dimensions of this layout are 0.6m x 3.6m, plus 1.2m of circulation space to enable someone to pass a person using an appliance or an open door, therefore the dimensions required are 1.8m x 3.6m



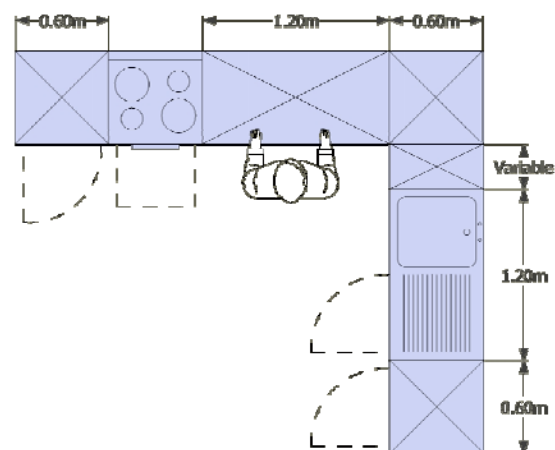
## Alternative Minimum Layout

**111.** This arrangement provides more work space, but could be further improved by allowing more space either side of the sink. The dimensions of this layout are 1.7m x 2.7m.



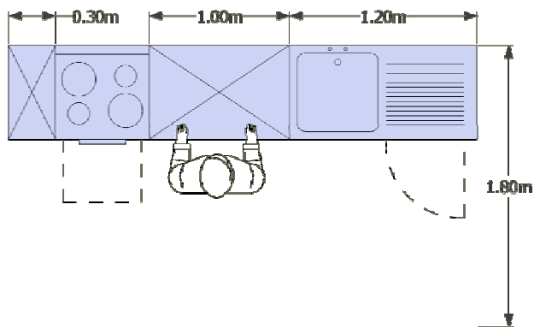
## Suggested Kitchen Layout

**112.** This is a good kitchen layout. It is well set out and has plenty of useable work space, including enough space to accommodate 4 white goods. It may also be large enough to accommodate a small breakfast table. The dimensions of this layout are 3.0m x 2.6m.



### Minimum Kitchen Layout for one person (Suitable only for Houses in Multiple Occupation)

**113.** This is considered to be the minimum dimensions for a kitchen and is only suitable for Houses in Multiple Occupation which provide accommodation for one person. It provides work surface on either side of the oven and working space on either side of the sink bowl, but there is only enough space for 2 white goods.



### Bad Practice

**114.** Kitchens should be arranged to avoid the following;

- Locating ovens in corners.
- Positioning ovens without adequate worktops on both sides.
- Positioning the oven too close to the sink.
- Sinks without space to put dirty utensils on one side and clean ones on the other.
- Locating the sink in the corner.
- Impractical and unsafe use of the sink or oven.
- Free standing ovens.
- Poor relationship between the oven and the sink.



*Cherwell*

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NORTH OXFORDSHIRE

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