

Appeal Decision

Site visit made on 16 September 2016

by Timothy C King BA(Hons) MRTPI

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

Decision date: 12 October 2016

Appeal Ref: APP/U5930/W/16/3154000

64 Palmerston Road, London, E17 6PG

- 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 Anjum Shahzad against the decision of the Council of the London Borough of Waltham Forest.
 - The application Ref 153485, dated 13 October 2015, was refused by notice dated 11 May 2016.
 - The development proposed is '*Renovation works to the first and second floor levels to convert existing residential flats into 1 x 1 bedroom and 1 x studio flats to form 3 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 for a satisfactory standard of living conditions for the development's future occupiers, with particular regard to the adequacy of the internal floorspace and also the provision of cycle and refuse storage space.

Reasons

3. The appeal property comprises a two-storey semi-detached dwelling which enjoys planning permission for use as two self-contained flats. The appeal proposal would involve some internal reconfiguration of the building's first and second floors which, in creating a new 'studio flat' at second floor level, would reduce the first floor flat from that of a two-bed unit to a one-bed flat. The second floor flat, which would have an internal floorspace of approximately 43 sqm, would comprise three separate rooms; a kitchen/diner, a bathroom and the largest room which is labelled on the submitted plans as 'studio-flat'. This arrangement clearly goes beyond that of a studio type unit and would serve as a one-bed, two person flat given that the studio room would quite clearly accommodate a double-sized bed.
 4. The Council considers that the use of the property's second floor as a self-contained residential unit would result in a cramped and sub-standard form of accommodation and, in this regard, refers to its internal space standards, as set out in Policy DM7 of the Waltham Forest Local Plan Development Management
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Policies document (DMP). These standards require, for a one bed, two person flat, a minimum internal floor area of 50 sqm.

5. The appellant has provided an extract from the 'London Housing Design Guide', 2015 which indicates that the recommended minimum area of a one person, one bedroom dwelling is 39 sqm where the dwelling has a bathroom rather than a shower room, as would be the case here. However, as I have mentioned, the proposed unit has the potential to go beyond that of a one person unit, and there would therefore be a shortfall of some 7 sqm before the flat were even to meet minimum standards. Indeed, the Council's standards are reflected in the government's 'Technical housing standards – nationally described space standard', published in March 2015 and recently adopted for use by the London Plan which forms part of the Council's development plan.
6. The property has a forecourt but the appellant has not produced a Site or Block Plan to indicate the arrangements made for either refuse storage or the parking of bicycles. In the appeal papers the appellant merely states that the existing system of refuse and recycle bins has been described in the application form and also the design and access statement. The application form states that arrangements have been made for waste storage and collection by means of the "existing system" and, under the section 'Vehicle Parking', refers only to cycle spaces "as existing". For its part, the design and access statement is similarly lacking in illustrative detail stating only that "rubbish collection is supposed to be the existing system".
7. In the absence of any such details, as are reasonably required in conversion proposals, a proper assessment cannot be made as to the adequacy of the refuse and cycle storage arrangements. Moreover, for the reasons mentioned above I consider that the proposed accommodation would be of an inadequate size to satisfy its potential usage.
8. I conclude that the proposal would not provide for a satisfactory standard of living accommodation for its future occupiers and this would materially conflict with the aims and requirements of Policies CS2, CS6, CS7 and CS13 of the Council's Core Strategy and DMP Policies DM7, DM14 and DM32.
9. For the above reasons, and having had regard to all matters raised, the appeal does not succeed.

Timothy C King

INSPECTOR