

Appeal Decision

Site visit made on 28 November 2016

by Jonathan Price BA(Hons) DMS DipTP MRTPI

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

Decision date: 14th December 2016

Appeal Ref: APP/Z3635/W/16/3159567

24 Hannibal Road, Stanwell, Surrey TW19 7HH

- 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 M Rooney against the decision of Spelthorne Borough Council.
 - The application Ref 16/01002/FUL, dated 15 June 2016, was refused by notice dated 16 August 2016.
 - The development proposed is conversion of existing dwelling into 1 x three bed dwelling and 1 x one bed dwelling with associated parking and amenity space.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue in this case is whether the proposed one-bedroom dwelling would provide acceptable living conditions for future occupiers, with particular regard to internal living space.

Reasons

3. The appeal property is within a part of Hannibal Road mainly comprising medium-sized, modern semi-detached houses. The house occupies a corner plot at the junction with Corsair Road. It has been extended at two-storesys to the side providing additional ground floor living space and a further two bedrooms and a second bathroom on the first floor. This proposal seeks the creation of a separate one-bedroom dwelling within the extended part of the house. A dwelling, No 26A, has been permitted at the extended side of No 26 which occupies the corner plot on the opposite side of Corsair Road and the appellant notes that what is proposed would mirror this existing development.
 4. The Council is satisfied with the private outside space provided for the two dwellings, and the on-site parking arrangements for each are considered adequate. However, whilst the Council considers the three-bedroom dwelling would provide acceptable internal living space, it is concerned that the one-bedroom dwelling leaves the flexibility to provide for two-bedrooms and the gross internal floor area would provide inadequate living conditions for this level of occupation.
 5. The extended part of No 24 provides two reasonably sized bedrooms, with an en-suite bathroom serving the larger of these. To create only a one-bedroom dwelling in this conversion the plans show the existing smaller bedroom partitioned to provide a separate storeroom, dressing room and small cupboard. Although the plans indicate this arrangement providing for only the
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one bedroom, with an en-suite bathroom, the remaining sub-divided area could conveniently be restored for use as a second bedroom. The flexibility this provides would make it difficult for the Council to ensure the dwelling remained a one-bedroom unit.

6. Policy EN1 of the Council's 2009 Core Strategy and Policies¹ (CSP) requires a high standard in the design and layout of new development. The Council's adopted Design Supplementary Planning Document² (SPD) complements this and establishes the policy to ensure satisfactory indoor living space is provided and inappropriately cramped accommodation avoided. Indicative minimum floor space requirements for different types of dwelling are set out in Appendix 4 of this document.
7. It is reasonable to consider the arrangement of the proposed one-bedroom dwelling as conveniently allowing its later use as a two-bedroom unit. To condition any approval for it to remain a one-bedroom house would fail the test of enforceability. This smaller dwelling would provide a gross internal floor area that the Council calculates as 62.5m²; substantially below the 75m² minimum set by the SPD for a two-bedroom, two-storey house. The Council has not adopted the Government's nationally described space standard³. However, this national guidance would provide little support to this proposal as the minimum gross internal floor area standard this sets for a two-bedroom, two-storey dwelling is 70 m², only slightly less than the SPD and significantly above what would be provided in this scheme.
8. This proposal would not provide the high standard in the design and layout of new development necessary to satisfy CSP Policy EN1 and the SPD by providing a unit that might be conveniently be occupied as a two-bedroom dwelling, lacking satisfactory indoor living space and resulting in inappropriately cramped accommodation. These policies are consistent with the principles of the National Planning Policy Framework to always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings. The dwelling permitted at No 26A would not lend material weight to this proposal as this decision pre-dated current Council and Government policy.

Conclusion

9. Consideration has been given to this proposal being located within an existing residential area, where there would be no objection in principle to a new dwelling and where there is good access to services and facilities, and that it would be of benefit to the supply of housing generally and particularly to that suitable for small households. However, this would not outweigh the harm found by this proposal not providing acceptable living conditions for future occupiers, with regard to an adequate amount of internal living space. Consequently, I conclude that this appeal should be dismissed.

Jonathan Price

INSPECTOR

¹ The Spelthorne Local Development Framework – Core Strategy and Policies Development Plan Document. February 2009.

² Design of Residential Extensions and New Residential Development Supplementary Planning Document – 2011.

³ Department for Communities and Local Government – Technical housing standards – nationally described space standard – March 2015.