
Appeal Decision

Site visit made on 12 December 2016

by D. M. Young BSc (Hons) MA MRTPI MIHE

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

Decision date: 22 December 2016

Appeal Ref: APP/A5270/W/16/3158348

146 Greenford Avenue, Hanwell, London W7 3QS.

- 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 & Mrs Skema against the decision of the Council of the London Borough of Ealing.
 - The application Ref 163157FUL, dated 27 June 2016, was refused by notice dated 23 August 2016.
 - The development proposed is the conversion of roof space into one self-contained studio flat.
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Decision

1. The appeal is allowed and planning permission is granted for the conversion of roof space into one self-contained studio flat at 146 Greenford Avenue, Hanwell, London W7 3QS in accordance with the terms of the application, Ref 163157/FUL, dated 27 June 2016, and the plans submitted with it.

Preliminary Matters

2. The appellant has confirmed that the works to convert the loft into a studio flat have already been completed. I have assessed the appeal accordingly.
3. In March 2016, the Mayor of London adopted a new Housing Supplementary Planning Guidance (the SPG). This reflects the Minor Alterations to The London Plan (MALP) also of March 2016. The most significant change that is material to this case is that the Housing SPG has adopted the Government's Technical Housing Standards - Nationally Described Space Standard (the NDSS).

Main Issue

4. The main issue is the effect of the proposal on the living conditions of future occupiers with regard to internal living space.

Reasons

5. The appeal property is a gable fronted two-storey, end-terrace dwelling located on Greenford Avenue. It is currently sub-divided into two private flats. The appeal scheme seeks the creation of a studio flat in the roof space which would be accessed from the front door via the central stairway. When I visited the area I saw that rooflights are commonplace and therefore I have no reason to doubt the appellant's view that the principle of converting loft spaces to living accommodation is well established in the locality.
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6. The Council's refusal reasoning refers to the inadequate floor area being detrimental to future occupiers. However other than reference to various development plan policies and the NDSS, there is nothing before me which explains why this would be so.
7. The floorspace of the flat is shown on drawing no. GS/2/OD20 Rev C. This indicates that the flat would have a floor area of 41.8m² (not including those areas below 1.5m). The NDSS sets a minimum standard of 39m² for a 1 bedroom, 1 person flat and therefore as a matter of fact there would be no conflict with the NDSS.
8. The Council's Officer Report refers to a floor area of 34.27m². However there is nothing before me which explains how the Council calculated this figure. I have noted Policy 3.5 of the "*Ealing Development Management – Development Plan Document 2013*" (the DPD) which may explain the discrepancy. However, that policy predates and is inconsistent with the NDSS which states that areas above 1.5m can be counted when calculating floorspace.
9. Based on the foregoing, I conclude that the proposal would not cause unacceptable harm to the living conditions of future occupiers with regard to internal living space. The development thereby accords with Policies 3.5 and 7B of the DPD, Policies 3.5 and 7.6 of the MALP, the SPG, the NDSS and the "*National Planning Policy Framework*". Collectively these seek high quality accommodation for all existing and future occupants of buildings.
10. The Council has not suggested any planning conditions and as the development has already taken place there is no need to impose the standard time limit or any other conditions.

Conclusion

11. For the reasons given above and taking into account all other matters raised, I conclude that the appeal should succeed.

D. M. Young

Inspector