The Planning Inspectorate

Appeal Decision

Site visit made on 21 February 2017

by Patrick Whelan BA(Hons) Dip Arch MA MSc ARB RIBA RTPI

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

Decision date: 20 March 2017

Appeal Ref: APP/Q3820/W/16/3164183
49 Ifield Road, West Green, Crawley RH10 7AS

- 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 Hallan against the decision of Crawley Borough Council.
- The application Ref CR/2016/0570/FUL, dated 21 June 2016, was refused by notice dated 12 August 2016.
- The development proposed is described as the retrospective change of use from single to 2 1-bed flats.

Decision

1. The appeal is dismissed.

Preliminary Matters

2. At the time of my visit the ground floor was occupied and the first floor was vacant. While the first floor had the independent stairway shown on the plans, the remainder of the works appeared unimplemented. For the avoidance of doubt, I have considered the works as described in the application.

Main Issue

3. The main issue is whether the proposed development would provide acceptable living conditions for future occupiers, with particular regard to floor areas, and to the outlooks from kitchens and living areas.

Reasons

4. Policy CH5 of the Crawley Borough Local Plan 2015-2030 adopted 2015 (LP) requires dwellings to have a minimum floor area based on the Nationally Described Space Standard, which for a 1-bedroom 2-person dwelling is 50m^2. The floor areas of the proposed flats, at 43.9m^2 and 38.5m^2, would fall short of this minimum standard.

5. The appellant contends that both flats are intended to be occupied by only one person rather than two, in which case they would be superior to the corresponding space standard of 37m^2. However, the bedrooms of each flat would be greater in area than the minimum of 11.5m^2 as defined in the standard for 2-bedspaces and well-lit by double windows or a bay.

6. Paragraph 5 of the standard sets out that relating internal space to the number of bed spaces is a means of classification for assessment purposes when designing new homes and seeking planning approval. On this basis and without evidence to the contrary, I conclude that, in so far as the space

standard is relevant, each flat should be regarded as a 1-bedroom 2-person dwelling. The shortfalls in floor areas would be substantial and would have a significantly adverse impact on the living conditions of the future occupiers of both flats, in conflict with LP Policy CH5.

7. The proximity and height of the flank wall of the building to the west has an impact on the light received through the openings of No 49, and the outlook from the rooms they light. However, the directly affected window to the living room of the ground floor flat would be supplemented by glazed, double doors opening onto the garden. The light to and the outlook from this second opening would be less obstructed; it would provide a satisfactory degree of daylight into the living area and outlook from within it.

8. The light to the kitchen of the ground floor flat, and the outlook from it would be restricted by the building opposite. However, it would be limited in size, and the ambient light and outlook from the openings in the living area would supplement it, compensating for the shortfall. I find no harm from lack of light or outlook to the living conditions of the occupiers of the ground floor flat.

9. The outlook from the kitchen in the first floor flat would be less constrained by the building opposite it. Though the outlook would be limited, given the limited size of its free area, it would be reasonable. Taking account of how the roof of the building opposite reduces rapidly in height from the first floor eaves, the amount of daylight entering the kitchen would be sufficient. The living area of the first floor flat would be dual aspect with one window providing an outlook over the gardens of surrounding houses. This would ensure a satisfactory outlook and sufficient access to diffuse skylight. In regard to outlook and daylight, I conclude that there would be no harm to the future occupiers of both flats, and no conflict with LP Policy CH5.

Other Matters

10. I have had regard to the concerns raised by the occupier of 47 Ifield Road; however, given the size of the existing shed behind No 49, and the comparable dimensions of the rear extension of the proposal which would stand in its place, there would be no material harm to the living conditions of this occupier.

Conclusion

11. The proposed development would provide an additional dwelling to housing supply with sufficient access to daylight and satisfactory outlook. However, this is outweighed by the shortfall in the floor areas of both flats which would result in unacceptably cramped living conditions for future occupiers. It would be contrary to LP Policy CH5 which requires dwellings to create a comfortable and sustainable living environment, to the Nationally Described Space Standard, and to one of the core planning principles of the National Planning Policy Framework which seeks to secure a good standard of amenity for future occupants of buildings. For the reasons given above, and taking account of all matters raised, I conclude that the appeal should be dismissed.

Patrick Whelan

INSPECTOR