

# Appeal Decision

Site visit made on 21 June 2017

**by Janet Wilson BA (Hons) BTP MRTPI DMS**

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

**Decision date: 27 July 2017**

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**Appeal Ref: APP/G5750/W/17/3170514**

**74 Hatherley Gardens, East Ham, London E6 3HQ**

- 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 Miss Sarah Ring against the decision of the Council of the London Borough of Newham.
  - The application Ref 16/02846/FUL, dated 5 September 2016, was refused by notice dated 20 January 2017.
  - The development proposed is the erection of a two storey dwelling and demolition of garage wall.
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## Decision

1. The appeal is dismissed.

## Main Issues

2. The main issues are the effect of the development on the character and appearance of the area and the acceptability of the living conditions of future occupiers with particular reference to internal space standards.

## Reasons

### *Character and appearance*

3. Hatherley Gardens has a pleasing architectural rhythm. Terraces incorporate bay windows with gables above and strong features, including detailing to doorways, eaves and door canopies. Gaps between terraces provide rear access to gardens and in some cases, parking spaces.
4. Buildings either side of the space where the development is proposed differ in height, which is not reflected on the proposed plans. Equally the submitted plans show a common detail to either side whereas I saw on my visit that they also differ. This means that the structure could not be constructed with the relationship to adjacent buildings as detailed on the plans. Narrative in the appellants documents also refer to proposed features which are not shown on the plans including reference to a bay window at ground floor level which is not included.
5. Notwithstanding these discrepancies, the introduction of a narrow unit of accommodation, of a different form, scale and character to the adjoining buildings would be out of keeping with the prevailing character of the street, presenting a structure which would appear squeezed in between the terraces. It would relate poorly in its design and would detract from the appearance of the terraces either side and the character of the street in general.

6. For the above reasons the development would be in conflict with Policies 3.5, 7.1, 7.4, 7.5 and 7.6 of the London Plan - The Spatial Development Strategy for London Consolidated with Alterations since 2011 (2016) (the London Plan); to Policies SP2, SP3 and H1 of the London Borough of Newham Local Plan – The Core Strategy (Core Strategy); to Policy SP8 of the London Borough of Newham Local Plan Detailed Sites and Policies Development Plan Document (2016) (DPD) and Housing Supplementary Planning Guidance (2016) (SPG) and the high design aspirations of the National Planning Policy Framework. These policies and guidance together seek to secure high standards of urban design, deliver quality housing, ensure local distinctiveness and ensure developments reflect local context.

#### *Internal space standards*

7. In 2015 the government published Technical housing standards, these provide the most relevant and up-to-date requirements. The London Plan was amended in March 2016 and reflects these standards.
8. These standards require one bed, two person two storey dwellings to provide a minimum Gross Internal Area (GIA) of 58 m<sup>2</sup>. The dimensions cited by the Council state the proposed floor area to be 46.94m<sup>2</sup> and the appellant 50.0 m<sup>2</sup>. In either case the accommodation falls short of the minimum standards required and would not provide acceptable living accommodation. This would be exacerbated by the narrow width of the unit (at 2.5 metres wide) which would result in a cramped inflexible and poorly laid out internal living space.
9. For the above reasons the proposal falls below the required space standards and would result in the creation of substandard accommodation. This would be in direct conflict with: Policy 3.5 of the London Plan; to Policies S1, S6, SP1, SP2, SP3 and H1 of the Core Strategy; Policy SP8 of the DPD and Housing SPG. Taken together these policies and guidance seek to ensure that the provision of new housing meets minimum floor space requirements in order to provide satisfactory accommodation for occupants.

#### **Other matters**

10. The appellant states that whilst the size of the site means that compliance with lifetime homes criteria is not possible he states the space would make for a useable and affordable unit and could add to the mix in the area where there is a predominance of family housing. Whilst a modest contribution would be made to the provision of housing in the locality, minimum standards are in place to drive up the quality of accommodation. Creating units which are below this minimum level would not deliver the aspirations of the Framework or the policy ambitions of the Council and the benefit would not outweigh the harm which I have identified.

#### **Conclusion**

11. In the light of the above and having considered all other matters the appeal should be dismissed.

*Janet Wilson*

INSPECTOR