
Appeal Decision

Site visit made on 1 August 2017

by Siobhan Watson BA(Hons) MCD MRTPI

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

Decision date: 9 August 2017

Appeal Ref: APP/A5270/W/17/3174048
295 Boston Road, Hanwell, W7 2AT

- 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 Rashid Mahmood Qazi against the decision of the Council of the London Borough of Ealing.
 - The application Ref 170801FUL, dated 19 February 2017, was refused by notice dated 10 April 2017.
 - The development proposed is the conversion of dwelling into 5 self-contained flats.
-

Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is whether the development does and would provide adequate living conditions for occupiers in terms of internal floor-space and outdoor amenity space.

Reasons

3. The development has been mostly completed, with just one of the ground floor flats to be formed. I was able to go into the completed flats at my visit.
4. Table 3.3 under Policy 3.5 of the London Plan sets out minimum floor areas for dwellings. These figures correlate with The Technical Housing Standards – Nationally Described Space Standards. The documents set out:-
 - a one bedroomed, one person (i.e. providing one bed space) dwelling should have a minimum gross internal floor area of 37m² if it has a shower room, as opposed to a bathroom.
 - A one bedroomed, two person (i.e. providing two bed spaces) dwelling should have a minimum gross internal floor area of 50m².
 - In order to provide one bed-space, a single bedroom will have a floor area of at least 7.5m² and is at least 2.15m wide.
 - In order to provide two bed-spaces, a double or twin bedroom will have a floor area of at least 11.5m² and is at least 2.55m wide.
5. The appellant accepts that the ground floor left hand flat (when facing the dwelling from the street) is somewhat short on floor area at 48.5m².

6. The ground floor right hand flat would have a floor area of 40m². The appellant describes this flat as a studio as it would be open plan with no dividing walls. However, given this proposed layout, in my view, the flat would have enough space to accommodate a double bed and therefore it is my view that it would not comply with the standard as it could be a two person flat.
7. The front first floor flat has a large double bedroom, and could therefore accommodate 2 people but it would have a floor area of 32m². Therefore, it would not comply with the standard.
8. The rear first floor flat would have a floor area of 50m² and therefore, it would be compliant.
9. In my assessment, the top floor flat has a single, rather than a double, bedroom as I saw at my visit that much of the floor area of the bedroom has limited head-room as it is under a sloping roof. This flat would have a gross floor area of 45m² and as a one person single bedroomed flat, it complies with the standard.
10. Taking into account of the above, the floor area of 2 of the flats would be significantly below standard and one flat would be marginally below standard.
11. I now turn to amenity space. Table 7D.2 of Policy 7D of the Ealing Development Management Development Plan Document (DMDPD) indicates that flats should provide a minimum private garden space of 5m² per 1-2 person unit. It says that this minimum baseline will typically take the form of private balcony areas for upper floor units and private garden areas for ground floor units. In addition, communal provision should also be provided of typically 15m² per flat, which for 5 flats should equate to 75m². No private outdoor space is provided at all and there is only about 51m² of outdoor communal space. Therefore, the amenity space is substantially less than required by the policy.
12. There is a communal gym and laundry room in the rear garden but as this is communal indoor space, I do not consider that it would compensate for either the lack of private internal space within the flats or the lack of outdoor amenity space.
13. I note the appellant's comments that there is a need for studio and 1 bedroom flats but this does not mean that sub-standard accommodation should address the need.
14. I therefore conclude that the development does not and would not provide adequate living conditions for existing or future occupiers in respect of internal floorspace and outdoor amenity space. Consequently it conflicts with Policies 3.5, 7B and 7D of the DMDPD and The Mayor of London Housing Supplementary Planning Guidance. In combination, these policies seek to ensure that development achieves a high standard of residential amenity for its users.
15. For the above reasons, I dismiss the appeal.

Siobhan Watson

INSPECTOR