
Appeal Decision

by Timothy C King BA(Hons) MRTPI

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

Decision date: 11/08/17

Appeal Ref: APP/P5870/W/17/3171632
32 Tavistock Road, Carshalton, SM5 1QP

- 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 Vitor Goncalves against the decision of the Council of the London Borough of Sutton.
 - The application Ref C2017/76238/FUL, dated 12 January 2017, was refused by notice dated 10 March 2017.
 - The development proposed is Conversion of the existing side extension, under construction, to a 1 bedroom, 1 person self-contained house with associated parking.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The Council's decision notice makes reference to the proposed erection of a part one/part two-storey side and rear extension and also a rear dormer. However, these additions were previously granted planning permission by the Council under ref. C2016/74593/HHA and, at my site visit, I noted that the side extensions have been built and are being fitted out internally. The only difference from the approved layout would be the installation of a side door which would serve as an entrance to the proposed new dwelling. The extent of the proposal therefore accords with the description on the original application form.

Main Issue

3. The main issue is whether the proposal would allow for a satisfactory standard of living conditions for future occupiers.

Reasons

4. The application made proposes the conversion of an existing two-storey side extension, permitted as additional living accommodation for the existing dwelling, to a one-bed, one person dwelling. The London Plan requires a minimum gross internal floor area of 39 sqm (37 sqm for units such as that proposed where shower rooms are provided) for a new residential unit where the bedroom size is of limited space and suitable only for a single person. This standard relates, though, to single storey units whereas the proposed dwelling is spread over two storeys.

5. The government publication 'Technical housing standards – Nationally Described Space Standard' (NDSS), which the London Plan has adopted, mentions in paragraph 3 that the standard gross internal areas are organised by storey height to take account of the extra circulation space needed for stairs to upper floors, and deal separately with one storey dwellings (typically flats) and two/three storey dwellings (typically houses). For dwellings on two-storeys larger floor areas are therefore required so as to provide for such, and in this instance the submitted plan (Drawing No VG.3P.004) shows that the width of the bedroom would be significantly restricted so as to accommodate the staircase and landing. Paragraph 7 of the document comments further that minimum floor areas and room widths for bedrooms and minimum floor areas for storage are also an integral part of the space standard and cannot be used in isolation from other parts of the design standard or removed from it. For this proposal, the gross floor area would measure approximately 39sqm, but the circulation space needed at first floor level would eat into this and impact on the habitable floorspace available to its future occupants.
6. The London Plan comments that securing new housing of the highest quality is a key mayoral priority and that this should be the case both externally and internally. Such objectives are reflected in Policy DM29 of the Council's Site Development Policies DPD, adopted in 2012, which requires that sufficient internal space is provided in order to achieve a satisfactory level of accommodation that meets or exceeds minimum internal space standards for rooms and dwellings. In this context the policy makes reference to any revision of such standards, as may be updated by the London Plan.
7. The latest London Plan (2016) indicates that the said standards apply to both new build and conversion proposals. The NDSS says that the minimum floor to ceiling height is 2.3m for at least 75% of a dwelling's gross internal floor area, and the proposal would meet this requirement. However, the London Plan strongly encourages a minimum ceiling height of 2.5m for such an area so that new dwellings are of adequate quality in terms of light, ventilation and sense of space. Indeed, with this in mind it was apparent at my site visit that the internal space limitations were compounded by the low ceiling heights, particularly at first floor level. The accommodation appeared cramped and there was a sense of confinement.
8. This leads me to make a distinction between a building for use as an extension to an existing dwelling's living accommodation and that built specifically as a separate and independent dwelling. The former would have a choice of bedrooms whereas, in instances such as this, the latter would be reliant on the adequacy of the one bedroom proposed.
9. The appellant, in support of his case, makes reference to a planning permission recently granted at a local site for a one-bed, one person residential unit set over two floors. Although the appellant has not provided me with full details of this particular case I understand that the floor area measured approximately 43 sqm. This is slightly larger than the dwelling here proposed and, besides, each case must be dealt with on its own particular merits and the individual circumstances involved.
10. I have taken account of all other representations put forward by the appellant including the indication that the bedroom size would be larger than the minimum size for a single bedroom, as specified in the London Plan, and that a

storage area would be provided. However, these are minor points which do not strike at the heart of the issue that is clearly the adequacy of the proposed dwelling. I consider that this proposed two-storey dwelling of limited size, constrained by the circulation space needed and compounded by relatively low floor to ceiling height, is a strong indication that the unit would be of insufficient size and quality, and with significant design limitations. The internal arrangements would make for cramped and unsatisfactory living conditions.

11. I conclude that the proposal would not allow for a satisfactory standard of living conditions for future occupiers, and there would be material conflict with Policy 3.5 and the related Table 3.3 of the London Plan, and also Policy DM29 of the Site Development Policies DPD.
12. For the above reasons, and having had regard to all matters raised, the appeal is dismissed.

Timothy C King

INSPECTOR