

# Appeal Decision

Site visit made on 15 July 2019

**by P Eggleton BSc(Hons) MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 02 August 2019**

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**Appeal Ref: APP/A5270/W/19/3227245**

**68 Grange Road, Ealing W5 5BX**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application for planning permission.
  - The appeal is made by Mr A Laurie against Ealing Council.
  - The application Ref 185449FUL is dated 2 November 2018.
  - The development proposed is the conversion of two existing ground floor flats into three, one person flats.
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## Decision

1. The appeal is allowed and planning permission is granted for the conversion of two existing ground floor flats into three, one person flats at 68 Grange Road, Ealing W5 5BX in accordance with the terms of the application, Ref 185449FUL, dated 2 November 2018, subject to the following conditions:
  - 1) The development hereby permitted shall be begun before the expiration of three years from the date of this decision.
  - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 171192/E01; 171192/E02; 171192/P02; and 171192/P03.
  - 3) The materials used in the construction of the external surfaces of the works hereby permitted shall match the existing.
  - 4) The cycle parking provision shall be provided as shown on the approved plans in a secure undercover lockable compound prior to the first occupation of any of the new flats and shall be retained thereafter.

## Application for Costs

2. An application for costs was made by Mr A Laurie against Ealing Council and is the subject of a separate decision.

## Procedural Matters

3. The application was not determined by the Council. Their statement of case with regard to this appeal was not submitted within the timeframe and was returned to them. Within their rebuttal of the costs application, which the appellant has had an opportunity to respond to, they indicate that the proposed
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flats would fail to meet minimum space standards. I have therefore considered the living conditions of the future residents to be a main issue but as no formal decision was made, I have considered all other matters that appear to be relevant.

### **Main Issue**

4. The main issue is the effect of the proposal on the living conditions of future residents.

### **Reasons**

5. The proposal would result in three small units of accommodation on the ground floor of this property. These would replace the existing two larger one bedroom units. The appellant has provided details on the plans with regard to unit sizes and bedroom sizes. There has been no suggestion that these figures are inaccurate and I have therefore considered the proposal on this basis.
6. With regard to space standards, the ministerial statement of 25 March 2015 sets out that decision takers should only require compliance with the new national technical standards. The 'Technical housing standards – nationally described space standard' (national technical standards) were published in 2015 with notes added in 2016.
7. Policy 3.5 of the Council's Development Management Development Plan Document 2013 (DM) refers to space standards set out in a table which has not been provided. The policy was adopted before the national technical standards came into force. Policy 3.5C of the London Plan 2016 (LP) requires that new development reflects the national technical standards. I have therefore afforded greater weight to this policy.
8. The national technical standards require that a dwelling provides at least the gross internal floor area set out in Table 1. For one bedroom accommodation with a bath, this represents 39sqm for one person units and 50sqm for two person units. A double or twin room must have a floor area of at least 11.5sqm whilst a single bedroom must be at least 7.5sqm and be at least 2.15m wide. The three bedrooms proposed range from between 7.582 and 10.02sqm. They therefore fall to be considered as single bedrooms. It would appear from the plans that they exceed the minimum width requirements for such bedrooms.
9. LP policy 3.5C also requires that homes should have convenient and efficient room layouts which are functional and fit for purpose. Although small, these units would have generally regular shaped rooms with good access to light. The bathrooms and kitchens would provide all the necessary requirements for units of this size. Overall, the flats satisfy the national technical standards and the quality requirements of LP policy 3.5C.
10. With regard to the amenity of residents, the proposed layout would satisfy the requirements of DM policy 7B with regard to daylight, sunlight and privacy. The DM also includes a table that requires garden space for flats of 5sqm per 1-2 person units plus 1sqm for each additional occupant. Whilst the overall provision would remain relatively unchanged, the layout proposed shows dedicated and accessible private areas for two of the flats. I consider that the

proposed layout would provide improved private outdoor amenity for some and relatively unchanged communal provision overall for others.

#### *Other matters*

11. Reference has been made to a dismissed appeal APP/A5270/W/18/3208161 dated 28 January 2019, relating to a conversion at 39 Derwentwater Road, Acton, London. In that case, the ground floor units were laid out with a combined living area and bedroom with a double bed shown in each. It was considered that they represented two person units and needed to meet the higher space standard for such units. This proposal is not comparable with that development as the bedrooms would be separate and would fall below the size standard of a double bedroom.
12. The above appeal decision made reference to parking provision and the need for a planning obligation to overcome on-street parking concerns. In this case, whilst an extra flat is proposed, an extra parking space would also be included. The ratio of spaces to flats would be improved. The proposal would not therefore add to on-street parking pressure. The proposal would also result in the provision of a dedicated bicycle store to serve the property. This would be a positive benefit with regard to encouraging sustainable transport options and would gain support from LP policy 6.9.
13. The property lies within the Walpole Conservation area. Externally, the proposal would result in the addition of a parking space and alterations to the front door. The parking space would replace an area of bare ground that includes the remains of tree stumps. The use of this small area for parking would ensure that it would be maintained in a satisfactory condition. It would not, in any event, make a significant difference to the appearance of the site. It would limit any future potential for planting within this predominantly surfaced forecourt area but there is nothing to suggest that additional landscaping would be likely should this appeal fail. The original front door of the property would be redesigned to provide a window to a bedroom. The design has been carefully considered so that it would continue to appear as a door, albeit with additional glazing and an openable section of window.
14. The works to the side and rear of the property would not be perceptible from the public realm and would in any event, result in only minor changes to the existing building and garden. I am satisfied that the proposal would preserve the existing character and appearance of the conservation area. It would not therefore conflict with the design or heritage requirements of DM policies 7.4 and 7B or LP policies 3.5 and 7.4. It would also satisfy the design and heritage requirements of the National Planning Policy Framework (the Framework).
15. The proposal would result in an additional small dwelling that would add to housing provision overall. Although the Council have provided a copy of the Strategic Housing Market Assessment Update 2018, the proposal would not alter the mix or tenure of housing provision, only add to the supply.

#### *Conclusions*

16. The conversion of two one bedroom units into three smaller units would make a positive contribution to housing supply overall. The proposal would also result in the addition of a further parking space which would ensure further pressure

on on-street parking would not occur. The provision for bikes for all users of the property would be a further benefit. The design of the proposal has been carefully considered to ensure that the proposal would preserve the existing character and appearance of the conservation area.

17. I have considered the issue of the quality of the proposed flats. Although these would be small, the layout does not appear contrived and residents would have good access to light and a satisfactory outlook, along with outdoor amenity space. The properties have been designed to meet the national technical standards with regard to both flat and room sizes.
18. Overall, I have not identified any harm that would result from the proposal or any conflict with the policies of the development plan. I am satisfied that the additional dwelling and the more efficient use of the property, in this accessible location, would gain support from the Framework overall. I therefore allow the appeal.
19. I have imposed conditions with regard to the commencement of the works and the details of the approved plans in the interests of certainty. I have also required that the materials match to ensure that the works would have a satisfactory appearance. I have not imposed a condition relating to waste and recycling as details are shown on the plans and the current arrangements would not be altered. I have required that the cycle facility be provided prior to the occupation of these flats to ensure that the proposal supports the use of alternative modes of transport to the private car.

*Peter Eggleton*

**INSPECTOR**