The Planning Inspectorate

Appeal Decision

Site visit made on 09 April 2019

by Kim Langford Tejrar LLB (Hons) BSc (Hons) PGDIP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27 August 2019

Appeal Ref: APP/A5270/W/19/3221509
17 Woodgrange Avenue, Ealing W5 3NY

- 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 Ms Helen Koutas against the decision of London Borough of Ealing.
- The application Ref 194930FUL, dated 17 October 2018, was refused by notice dated 20 December 2018.
- The development proposed is conversion of ground floor self-contained flat into 3 self-contained flats (3x1 bedroom) by extending 4 metres at the rear and part enclosure of rear/ side courtyard (total of 6 self-contained flats at the property).

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are whether the scheme would provide adequate living conditions for future occupiers and whether the scheme would provide a mix of housing to contribute towards local housing need.

Reasons

Living Conditions

3. The appeal site is an end of terrace dwelling on Woodgrange Avenue, which is a residential street which leads onto a local high street. There are a range of dwelling types, sizes and densities in the area, though the dwellings on Woodgrange Avenue are fairly uniform.

4. The appeal scheme is to extend the side and rear of the existing property and convert the existing 3 bedroom ground floor flat into 3 separate studio flats. Each of the flats would be accessed from the communal hallway at the front of the property. The first floor of the building already has a planning permission for 3 flats.

5. Policy 3.5 of the London Borough of Ealing Development Management Development Plan Document 2013 (DM DPD) requires development to comply with the minimum space standards set out in the Nationally Described Space Standards (NDSS).

6. Policy 7A of the DM DPD requires that new development offers a good standard of amenity and does not erode existing conditions in respect of emissions,

including noise and odours. Policy 7B of the DM DPD requires that new development achieves a high standard of design for users including good levels of daylight and sunlight, privacy, coherent development of the site and appropriate levels of development on the site. Policies 3.5 and 7.6 of the London Plan 2016 (LP) seek the highest quality of development, internally and externally.

7. Whilst the flats would comply with the minimum Gross Internal Area (GIA) required by the NDSS, the internal layout of the flats would reduce the functionality and quality of their internal spaces. Flats 2 and 3 would feature very long corridors, which would not be useable space. The kitchen layout of Flat 3 would neutralise a main wall in the living space and create a contrived layout which would lack function. The internal layout of Flat 2 would lose further functional space by providing a walled-in wardrobe to separate the bedroom from the main living space, creating a further corridor area. Whilst there is a need to make the best use of space within the confines of the existing building and proposed extensions, the internal layouts for these two flats would greatly reduce the functionality of the space and the scheme would not provide a coherent development with high quality living conditions as a result.

8. Further, the outlook for Flat 3 would be very limited as the windows to the main living space would look onto an exterior wall and the bathroom window. Whilst there would be a further window in the bedroom at the front of the flat, this would be separated from the main living space by the off-set layout, corridor and bathroom area; preventing it from providing outlook for the main living area.

9. Similarly, whilst Flat 1 would be dual aspect, a privacy wall would separate the main living area, meaning the main outlook for the bedroom would be provided via a door onto the outdoor corridor, which would be used for refuse storage. Flat 1 would, as a result, likely be impacted by noise and disturbance from use of the bins, as well as odour. Though details of refuse storage could be controlled by way of a condition, there would be limited outdoor space which would be accessible for bins and away from windows and, as such, it would be unlikely a condition could overcome this impact.

10. Both Flats 2 and 3 would not achieve a good standard of privacy. The bedroom of Flat 3 would face the street at ground floor level and despite the small front garden, would not achieve a good standard of privacy without obscure glazing to the window which would provide its primary outlook. Though the existing flat has a bedroom in the same position, the main outlook for the existing flat is provided through other windows. Whilst Flat 1 would also face the street, the windows would only serve the main living area, with an internal wall providing privacy to the bedroom area. Flat 2 would have doors which open directly onto the communal outdoor space for all the proposed flats; providing a poor standard of privacy. I am not convinced a condition to reconfigure the gardens would overcome this impact, as it would require a redesign of the scheme. The Appellant's suggested alternative layout would create defensible outdoor space for each flat but would still result in potential overlooking of both the interior and private outdoor space of Flat 2.

11. For the reasons stated above, the appeal proposal would not provide adequate living conditions for future occupiers and would conflict with Policies 7A and 7B of the DM DPD and Policies 3.5 and 7.6 of the LP.

Housing Mix

12. Policy 3.8 of the LP seeks to establish a genuine choice of homes to meet local requirements for different sizes and types of dwellings. The Council identifies a shortfall of family-sized housing. The building as a whole presently includes permitted smaller units to the first floor, and a family-sized 3 bedroom apartment at the ground floor (the appeal site). The loss of the family-sized dwelling as a result of the appeal scheme would result in the loss of choice and mix at the property, and the loss of a type of dwelling which is under supplied. Whilst the provision of new dwellings and the efficient use of land represent substantial benefits, these should not compromise housing mix. The proposal would therefore conflict with Policy 3.8 of the LP.

Conclusion

13. For the reasons stated above, I find that the appeal proposal would fail to provide adequate living conditions for future occupiers of the development and would fail to offer an appropriate housing mix to meet local need. As a result, the appeal scheme conflicts with 7A and 7B of the DM DMP and Policies 2.5, 3.8 and 7.6 of the LP. I conclude that the appeal should be dismissed.

Kim Langford Tejrar

INSPECTOR