
Appeal Decision

Site visit made on 10 September 2019

by J Williamson BSc (Hons) MPlan MRTPI

an Inspector appointed by the Secretary of State

Decision date: 30 October 2019

Appeal Ref: APP/A5270/W/19/3230456
34 Perimeade Road, Perivale UB6 7AT

- 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 Imad Ahmed against the decision of the London Borough of Ealing.
 - The application Ref 191172FUL, dated 14 March 2019, was refused by notice dated 9 May 2019.
 - The development proposed is conversion of dwellinghouse (townhouse) into two self-contained, ground-floor and first-floor, residential flats. Refurbishment and modification of internal arrangement (inclusive of sound proofing, insulation and fire safety measures) in order to comply with building control requirements.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The name given on the appeal form is the name of the Agent stated on the application form. However, it is clear from the appellant's Statement of Case that the appeal has been made on behalf of the applicant named on the application form. I have therefore determined the appeal on this basis.

Main Issue

3. The main issue is whether the proposal would provide a satisfactory standard of accommodation for future occupiers.

Reasons

4. The appeal site comprises a two-storey, mid-terrace dwelling with a rear garden and on-site parking at the front for one car. The site is located within a residential area, where the principle of the proposed development is acceptable.
5. The proposal seeks to sub-divide the property into 2 flats, one on the ground-floor and one on the first-floor.
6. The Council concludes that the total internal floor area of the ground-floor flat would be 40.09 sqm and the bedroom would be 13.55 sqm. The appellant has not questioned the Council's calculations and I have no reason to do so either.

7. I note that the appellant contends that the proposed ground-floor flat would be a 1-person, 1-bedroom unit. However, with reference to the space standards specified within the Nationally Described Space Standards (NDSS), which have been adopted within the London Plan (LP), the intention is that the size of the bedroom determines how occupancy is defined. Hence, a bedroom that exceeds the 11.5 sqm of a double or twin bedroom is counted as a 2-person bedroom. Therefore, I have assessed the proposed ground-floor flat as being a 1-bedroom, 2-person unit. The overall internal floor area of the ground-floor flat would be approximately 10 sqm. This is significantly below the minimum standard, and therefore the living conditions of future occupiers would not be of a satisfactory standard.
8. The overall internal floor area of the proposed first-floor flat would be around 27.72 sqm and the bedroom would be roughly 8.06 sqm. Based on the bedroom size, ie it being a little over the 7.5 sqm required for a 1-person bedroom but below the size required for a 2-person bedroom, I have assessed the proposed first-floor flat as being a 1-bedroom, 1-person unit, which the appellant also suggests it would be. The required overall internal space standards for this type of unit is 39 sqm. Hence, the internal space of the proposed first-floor flat would be approximately 11sqm below the minimum standard.
9. The appellant has subsequently proposed that the existing loft in the property, which it is claimed has a floor area of 15 sqm, would be utilised for additional storage for the proposed first-floor flat. Therefore, the appellant contends that the proposed first-floor flat would have an overall internal floor area of approximately 42 sqm, which would exceed the 39 sqm required. However, the plans before me do not include details of the loft area. Consequently, I am not able to conclude what additional space could actually be provided in the loft. As such, based on the evidence before me, the overall internal floor area of the proposed first-floor flat falls below the minimum standard required and as such the living conditions of future occupiers would not be of a satisfactory standard.
10. Policy 3.5 of the Ealing Development Management Plan Development Plan Document 2013 (EDMPDPD) states that the standards outlined in Policy 3.5 of the LP are minimum standards to be applied to housing development in the area. In light of the figures discussed above, I conclude that the proposal would not accord with policies 3.5 and 7B of the EDMPDPD, 3.5 and 7.6 of the LP, the space standards specified in the NDSS or paragraph 127 of the National Planning Policy Framework. Collectively, these seek, among other things, to ensure residential developments meet minimum space standards, internally and externally, and provide a high standard of amenity for future occupiers.

Other Matters

11. As no external physical alterations are proposed, the proposal would not harm the character or appearance of the area, nor would the use of the property for 2 small flats harm the living conditions of existing neighbouring occupiers. The site is in an area with a Public Transport Accessibility Level rating of 3, which indicates future occupiers would have access to some public transport options. As there is also one on-site parking space, the proposal would not create any highway safety issues. The hard-standing area at the front is also large enough to allow for refuse storage. Although the existing rear garden would be large enough for the 2 proposed flats, the internal layout would only

allow access to the garden for occupants of the ground-floor flat. The Council has not raised any concerns regarding outdoor space not being provided for future occupants of the proposed first-floor flat. Although I have not been provided with any details of public outdoor space accessible within the area, I have no grounds on which to reach a different conclusion to that of the Council on this matter.

Conclusion

12. For the reasons outlined above, I conclude that the appeal is dismissed.

J Williamson
INSPECTOR