



Appeal Decision

Site visit made on 21 October 2019

by Rachael Pipkin, BA (Hons), MPhil, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11th November 2019

Appeal Ref: APP/A5270/W/19/3234233

Land to the rear of 25-27 Hunt Road, Southall, Middlesex, UB2 4PZ

- 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 Bill Howard against the decision of the Council of the London Borough of Ealing.
 - The application Ref: 19/1237/FUL dated 5 March 2019, was refused by notice dated 13 May 2019.
 - The development proposed is 5 new flats with associated parking, amenity space and refuse area.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. In the documentation, the appeal site is described as '27 Hunt Road', 'Land to the rear of 25-27 Hunt Road' and '25-27 Hunt Road'. The application form gives the address as '27 Hunt Road, Southall UB2 4PZ' but also describes the site as 'land at the rear of No. 25-27 Hunt Road'. The Council's decision notice gives the address as 'Land to the rear of 25-27 Hunt Road, Southall, Middlesex, UB2 4PZ'. This address more accurately describes the appeal site and I have adopted it throughout my decision.

Main Issue

3. The main issue is the effect of the proposed development on the living conditions of future occupiers, with regard to internal space and private outdoor space.

Reasons

4. The proposed development would provide two 2-bedroom 3-bedspace flats and three 1-bedroom 2-bedspace flats. Policy 3.5 of the London Plan¹ (LP) sets out minimum standards for the internal living space of new dwellings which in relation to the units of accommodation proposed are consistent with the Technical housing standards – Nationally described space standard². This states that new 1-bedroom 2-bedspace dwellings should have a minimum Gross Internal Area (GIA) of 50 sq.m whereas a 2-bedroom 3-bedspace dwelling should have a minimum GIA of 61 sq.m. The London Plan Housing

¹ The Spatial Development Strategy for London Consolidated with Alterations Since 2011(2016) (LP)

² Technical housing standards – Nationally described space standard, DCLG, March 2015

Supplementary Planning Guidance 2016 (Housing SPG) sets out that the standards are minima and should be exceeded where possible.

5. Three of the proposed units would fall below these standards. I acknowledge that the shortfall in the GIA for flats 1, 3 and 5 would be in the order of 1 or 2 sq.m and that the proposed bedrooms would meet the required minimum sizes. However, the standards apply to the living space in its entirety. They are intended, amongst other things, to ensure new housing meets the functional needs of occupants by providing sufficient space for furniture, access, and activities in relation to the number of residents. The proposed development does not provide enough internal space for three of the proposed flats. In coming to this view, I am mindful that the standards have been developed as a result of research into how people live day-to-day and use their space.
6. The Council's standards for the provision of private outdoor space is set out in Policy 7D of the Ealing Development Management Development Plan 2013 (EDMDP) which specifies a minimum requirement of 5 sq.m for each 1-2 person flat and an additional 1 sq.m for each additional occupant. This standard is also set out in the Housing SPG. In addition, Policy 7D sets out that communal provision should also be provided of sufficient size to accommodate the need for recreation and landscaping. This is typically an area of 15 sq.m per flat.
7. The ground floor flats meet this minimum space requirement. However, most of the private garden space for flat 1 and all for flat 2, would be provided on a strip of land to the front of the property, adjacent to the entrance to the block of flats. The submitted drawings indicate that this space would be enclosed by a low boundary with metal railings. It would therefore be open to views from Swift road and thus would not provide privacy for future occupiers. It would not therefore provide suitable private outdoor space.
8. The upper floor flats would each have a private balcony. These would all fall short by around 25 per cent of the private outdoor space standards required by policy. The small size would make these balconies feel cramped with limited space for sitting out or hanging washing out. Furthermore, the balconies would be north facing and would be in shade for much of the time. Together the small size and northerly orientation, would make these balconies unsatisfactory as private outdoor space.
9. The proposed development would provide communal space of around 75 sq.m which would be sufficient for the number of flats that would share this space. Whilst this space would meet policy size requirements and would provide additional outdoor space for future occupants, it would not be a large enough to enable users to sit or enjoy apart from other users who may be using the space at the same time. Consequently, it would not compensate for the lack of adequate private outdoor space. I accept that there is public open space within walking distance of the proposed development. However, I do not find this overcomes the shortfall in private outdoor space.
10. Whilst the flats benefit from a triple aspect, the inadequate private outdoor space in combination with the shortfall in internal floorspace would result in a development that does not provide a high-quality living environment for future occupiers as required by policy. Even if the bathrooms were to be replaced by

shower rooms, to reduce the overall floor space requirement, this would not overcome the harms arising from the lack of outdoor space.

11. The appellant has suggested that the internal space standards would be suitable for one person living in the house and that this could be controlled by a planning condition. However, a planning condition restricting occupancy to one person would not be reasonable and would be difficult to enforce. As such it would fail to meet the tests in the National Planning Policy Framework (the Framework).
12. I conclude that the proposed development would harm the living conditions of future occupiers, with regard to internal space and private outdoor space. It would therefore conflict with Policies 3.5 and 7.6 of the LP and Policies 3.5 and 7B of the EDMDP which together, and amongst other things, require development to provide a minimum amount of both high-quality indoor space, to be provided in line with the Technical housing standards, and outdoor space. It would also not accord with the indoor and outdoor space standards set out in the Housing SPG. It would also not comply with the design objectives of the Framework.

Other Matters

13. The scheme would provide 5 additional dwellings, indicated to be energy efficient, within an established residential area and accessible location. These are all positive aspects of the scheme. However, these would not outweigh the harm I have found in respect of living conditions for future occupiers. The appellant has also suggested that these would be affordable, however, I have been provided with no substantive evidence how this type of housing would be secured.
14. My attention has been drawn to an outline planning permission³ for a five-storey building on the opposite side of Swift Road which forms part of a wider scheme for the redevelopment and regeneration of the area. However, I do not have the full details of this scheme before me and whether it provides comparable internal and external space to the scheme before me. In any case, I must determine the appeal on its own individual planning merits.

Conclusion

15. For the reasons set out above, I conclude the appeal should be dismissed.

Rachael Pipkin

Inspector

³ Application reference: PP/2013/3241