



Appeal Decision

Site visit made on 10 December 2019

by Jonathon Parsons MSc BSc DipTP (Cert Urb) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 2nd January 2020

Appeal Ref: APP/E5330/W/19/3238564

279 Plumstead High Street, Plumstead, London SE18 1HF

- 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 Balogun against the decision of Royal Borough of Greenwich Council.
 - The application Ref 19/0195/F, dated 14 January 2019, was refused by notice dated 9 April 2019.
 - The development proposed is the change of use from lawful C4 (House in Multiple Occupation (HMO)) to Sui Generis (7-bed HMO).
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is whether the development provides acceptable living conditions for the occupants of the residential development, with regard to adequate living area floorspace and facilities.

Reasons

Living conditions

3. The appeal site is a 2-storey mid-terrace building with living accommodation within the roof. The appeal property is currently in use as a 6 bedroom HMO (Use Class C4) and has an outbuilding to the rear in residential use.
4. This outbuilding has a private bedroom, kitchen/living area and bathroom. There are no shared facilities within it and it has its own entrance from an alley to the rear. Consequently, I have considered this to be a Class C3 self-contained residential unit. Such a view is supported by the guidance within the Council's Residential Extensions, Basements and Conversions Guidance Supplementary Planning Document (SPD) 2018. The SPD states that proposals that include self-contained accommodation (where neither kitchen or bathroom facilities are shared), regardless of whether or not additional communal/amenity space is provided, are considered as self-contained accommodation.
5. For this self-contained unit, the submitted plan shows a living/kitchen room, bedroom, WC and shower/ensuite which would equate to a gross internal area (GIA) of 31m². This fails to meet the minimum GIA requirement set out in table 3.3 of policy 3.5 of the London Plan (LP) (Consolidated with Alterations

since 2011) 2016. Under this policy, it states that the Mayor and boroughs should seek to ensure that new development reflects these standards. The GIA of the unit falls short by 6m². Based on the Council's photographs and what I saw on my site visit, the floor areas are cramped for everyday living once domestic items such as furniture, kitchen white goods and utensils, personal items, are incorporated.

6. For the HMO units in the terrace building, there would be a shared kitchen. In this scenario, the Royal Borough of Greenwich Standards for Houses in Multiple Occupation (2017) states that the floorspace standard for single person rooms is 9m² excluding shower cubicles and toilet compartments. On this basis, unit 4 would not comply with the standards within this document. The HMO document does not explicitly require access to bathroom/shower facilities but by implication expects it in detailing the type and design of facilities for different types of HMOs. For unit 6, the submitted plans show no access to bathroom/shower facilities as all other units are shown to have their own ensembles.
7. The SPG and HMO document provides guidance only. However, the self-contained residential unit would not provide generous floorspace for everyday living. Based on the submitted plan, the ease of getting around unit 4 would be tight given the lack of circulation space. This is illustrated by the door of the shower room shown touching the bed when open on the submitted plan. For unit 6, no access to bathroom/shower facilities is shown which is an everyday need. Whilst I appreciate the main building has a lawful HMO use, the details before me in this proposal fail for the above reasons.
8. The reasons for refusal refer to inadequate kitchen details and refuse storage details. Having inspected the HMO, there should be no reason why these objections cannot be overcome by planning condition. Additionally, the reason for refusal referred to insufficient information in relation to floor to ceiling heights. Given the height and depth of the main building, it has not been demonstrated that this would be inadequate in terms of useful living space even for the roof unit.
9. Nevertheless, the scheme fails to provide adequate living accommodation for the residents for all the above reasons indicated. Accordingly, it conflicts with policy 3.5 of the LP and policy H5 of the Greenwich Local Plan: Core Strategy with Detailed Policies 2014, which collectively and amongst other matters, expects development to achieve a high standard of housing design and to reflect specified space standards.
10. For the reasons given above and having regard to all other matters raised, I conclude that the appeal should be dismissed.

Jonathon Parsons

INSPECTOR