



Appeal Decision

Site visit made on 9 April 2021

by Julie Dale Clark BA (Hons) DipTP MCD DMS MRTPI

an Inspector appointed by the Secretary of State

Decision date: 29 April 2021

Appeal Ref: APP/A5270/W/20/3264321
23 South Avenue, Southall UB1 2AH

- 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 Dr Lakshmi Kanthan against the decision of the London Borough of Ealing Council.
 - The application Ref 203539FUL, dated 5 September 2020, was refused by notice dated 9 November 2020.
 - The development proposed is single storey side extension, front porch extension and conversion into 2no self-contained dwellings.
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Decision

1. The appeal is allowed and planning permission is granted for a single storey side extension, front porch extension and conversion into 2no self-contained dwellings at 23 South Avenue, Southall UB1 2AH in accordance with the terms of the application, Ref 203539FUL, dated 5 September 2020, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those of the existing house.
 - 3) The development hereby permitted shall be carried out in accordance with the following approved plans:
 - *Drawing Nos:- S.SLP; S.BP; S000; S001; S002; P000; P001; P002. All dated August 2020.*

Main Issue

2. I consider that the main issue is the effect of the standard of accommodation on the living conditions of the occupiers of the proposed one-bedroom residential unit.

Reasons

3. The appeal site is a semi-detached house that has previously been extended. It is a triangular plot on the corner of South Avenue and Alexandra Avenue. The proposed extension and porch would be relatively modest but would allow extra space to accommodate the sub-division of the property into one three-bedroom house and an attached one-bedroom self-contained dwelling. The newly

created unit would be on two floors with living and kitchen accommodation on the ground floor and a bedroom and bathroom/shower room on the first floor.

4. The decision notice refers to the 2016 London Plan¹ and the nationally described space standards². The 2020 updated London Plan³ sets out in Policy D6 and Table 3.1 the required housing quality and standards and the minimum internal space standards for new dwellings. These are similar to the space standards referred to in the nationally described space standards and do not alter the thrust of the main issue for consideration in this appeal. Amongst other things, the National Planning Policy Framework⁴ aims to boost the supply of homes, acknowledging that homes are required for meet a variety of needs including size, type and tenure.
5. The larger unit would provide a three bedroom house and would provide accommodation for a double bedroom and two single bedrooms. This would meet the required standards. The decision notice makes no reference to this unit and I consider that this would provide useable family accommodation. The decision notice also does not refer to the extension or porch which I consider would be modest and I have no objection to.
6. The appellant has described the smaller unit of accommodation as being a one bedroom one person unit and the amount of space overall would take this into account. The plans indicated a total floor area of 41.5 square metres but acknowledge that space needs to be deducted for a staircase. This would therefore provide space for one person on two floors. The standards set a minimum of 37 or 39 square metres for a one-bedroom, one person unit; the difference takes into account whether a shower room or a bathroom is provided. Neither the 2015 technical housing standards nor the 2020 London Plan include provision for a one person, one bedroom residential unit on two floors. The council therefore consider that the accommodation must be considered as a two person unit and as such it fails the minimum standards.
7. The proposal would retain a garden area for the larger unit and provide a small area for the one bedroom unit. The triangular plot includes space to the side for car parking and provision is shown on the plans for bin storage for both units.
8. Whilst the one bedroom unit would be small, it would provide living accommodation and bedroom space for one person. I see no particular harm why this cannot be provided on two levels other than its omission in the technical standards or the London Plan. I am not presented with any evidence that this arrangement would actually be harmful. On the basis of the information I have been given and the standards presented, I consider that the proposed accommodation would be acceptable, it would not conflict with the aims of the London Plan or the objectives of the Framework.
9. The Council has not suggested any conditions in the event that this appeal is allowed and so other than a condition requiring the extension and porch to be constructed in materials to match the existing house and that the development

¹ Mayor of London The London Plan The Spatial Development Strategy for London Consolidated with Alterations Since 2011, March 2016.

² Department for Communities and Local Government. Technical housing standards – nationally described space standard, March 2015.

³ The London Plan – Publication London Plan December 2020 The Spatial Development Strategy for Greater London, December 2020.

⁴ Ministry for Housing, Communities and Local Government National Planning Policy Framework, February 2019 (the Framework).

is carried out in accordance with the submitted plans, I do not consider any others necessary.

10. I have taken into account all matters raised and conclude that the standard of accommodation of the one-bedroom residential unit would not have a harmful effect on the living conditions of the occupiers of the unit. The appeal therefore succeeds.

J D Clark

INSPECTOR