



Appeal Decision

Site Visit made on 16 November 2021

by Benjamin Clarke BA (Hons.) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 1st December 2021

Appeal Ref: APP/A5270/W/21/3273700

83 Western Road, Southall UB2 5HH

- 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 ah architecture against the decision of London Borough of Ealing.
 - The application Ref 202728FUL, dated 19 August 2020, was refused by notice dated 11 February 2021.
 - The development proposed is the conversion of ground floor flat to A2 use as an architects office.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the suitability of the site as a location for a commercial development.

Reasons

3. The appeal site is located in an area that contains a combination of both commercial uses and other residential developments. However, the appeal site is not within a designated town centre. The appeal site is also near to public transport routes. The building is currently being used as flats. It is the ground-floor flat that is the subject of this appeal.
4. The appeal proposal seeks to change the use of the dwelling to a commercial use. In consequence, should the proposal proceed, it would result in a reduction in the local housing supply. The evidence before me indicates that there is a need for housing in the surrounding area. In result, the loss of a dwelling would be particularly concerning.
5. The appeal site is located near to public transport routes. In consequence, the existing dwelling is in a reasonably accessible location. Furthermore, the appeal site is near to several different commercial uses and other facilities.
6. This means that the residents of the existing dwelling would have access to several services that they are likely to require on a regular basis. In consequence, the site's surroundings are appropriate for a residential dwelling.
7. The appeal submissions indicate that the site is currently used for residential purposes. There is no evidence before me that is indicative of the accommodation within the appeal site being replaced elsewhere. In result, the development would result in the loss of housing that is in need.

8. It has been suggested that the dwelling, as currently arranged, does not conform to the Nationally Described Space Standards (NDSS). However, even if I were to agree with this, the dwelling has been in place for some time and used for residential purposes. Whilst the dwelling may not comply with the NDSS, there is a likelihood that it was constructed prior to this being assessed as part of the planning process. As the building can be lawfully used as a dwelling, I therefore find that any lack of conformity with the NDSS does not overcome my previous concerns.
9. I have been directed towards planning policies that seek to place commercial uses within allocated centres unless there are no sequentially preferable alternatives. As I have not been provided with such a sequential assessment, it is not possible for me to conclude that there are no suitable alternative locations for the proposed development.
10. The proposed development would, by reason of its nature, generate some economic activity. Whilst this would be of some benefit to the local economy, the overall benefit would be relatively small given the scale of the proposed development and the size of the appeal site. I therefore find that the benefits arising from the proposed development would not outweigh my previous concerns.
11. I therefore conclude that the proposed development represents an unsuitable location for a commercial development, arising from a loss of a domestic dwelling. The development, in this regard, would conflict with Policies H8 and SD7 of the London Plan (2021). Amongst other matters, these seek to ensure that for new developments a sequential test is applied for the location of town centre uses; and that lost housing should be replaced at the same or greater density.

Conclusion

12. The proposal would represent an unsuitable location for a commercial development. The scheme would therefore conflict with the development plan taken as a whole. There are no material considerations, including the National Planning Policy Framework, that indicate the decision should be made other than in accordance with the development plan. Therefore, for the preceding reasons, I conclude that the appeal should be dismissed.

Benjamin Clarke

INSPECTOR