



Appeal Decision

Site visit made on 26 November 2024

by Tamsin Law BSc MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11 December 2024

Appeal Ref: APP/A5270/W/24/3346677

40 Twyford Abbey Road, Park Royal, Ealing, LONDON, NW10 7HA

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mrs Lidia Adam against the decision of the Council of the London Borough of Ealing.
 - The application Ref is 240287FUL.
 - The development proposed is "conversion of dwellinghouse into two self-contained flats."
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. I have taken the description of development from the Council's decision notice as this more concisely described the proposal.

Main Issue

3. The main issue is whether the proposed development would provide suitable living conditions for future occupiers with regards to internal space.

Reasons

4. The appeal site is a semi-detached dwelling located in a predominantly residential area. The development proposes the conversion of the dwelling to two flats.
5. Policy 7B of the Ealing Development Management Development Plan Document (2013) (DPD) requires that new developments achieve high standards to amenity for users. Policy D6 of the London Plan (2021) (LP) requires that housing development be of a high quality design and provide adequately sized rooms and provides measurements of minimum internal space standards. LP Policy D6 requires that a dwelling with two or more bed spaces must have at least one double (or twin) bedroom that is at least 2.75 metres wide. The nationally described space standards¹ (NDSS) provides guidance on the minimum internal space requirements for dwellings and LP Policy D6 echoes these requirements.
6. Paragraph 135 of the National Planning Policy Framework says that planning policies may make use of the NDSS, where the need for an internal space standard can be justified. Whilst the DPD has not adopted the NDSS, the LP

¹ Technical Housing Standards – nationally described space standards (March 2015)

has. It is, therefore, a material consideration in determining whether the development would provide acceptable internal living space for occupants.

7. DPD Policy 7D required that all developments that increase demand for open space make an appropriate contribution to meeting this demand. It goes on to state that the private garden space required for a flat is 5 square metres per 1-2 person unit, plus 1 square metre for each additional occupant. These outside space requirements echo those contained within LP Policy D6.
8. The ground floor flat comprises a living/dining/kitchen area, three bedrooms, shower room and cupboard. Access to the garden would be provided via the kitchen, bedroom 2 and bedroom 3. As no plans or information detailing the split of garden area has been provided, and that two bedrooms of the ground floor flat open on to the garden, I take it to mean that only the ground floor flat has private garden space.
9. As three bedrooms would be provided the LP and NDSS state that the minimum gross internal floor area should measure 74 square metres. The Council have calculated that the proposed floor area would measure 62.7 square metres, falling significantly below the required floor space. Furthermore, LP Policy D6 requires that at least one bedroom be a double/twin room. As none of the rooms measure a minimum of 2.75 metres in width, all rooms would be categorised as a single room.
10. Whilst outdoor space is provided for the ground floor, the lack of a double/twin bedroom combined with the floor space falling significantly below the minimum standards, results in the proposal having a poor standard of living accommodation for the future occupiers of the ground floor flat.
11. The first floor flat would comprise a living/dining room, kitchen, and bathroom, and be a one bedroom, two person flat. Both DPD Policy D6 and the NDSS require a minimum floorspace of 50 square metres. The Council have calculated the floor space of the proposed flat as being 43 square metres, falling below the minimum space standards.
12. No private outdoor space is provided for the first floor flat and the Council have confirmed that the appeal site is located in an area where there is deficient access to public outdoor space. The substandard internal space, combined with the lack of private outdoor space means that the proposal would result in a poor standard of accommodation for the future occupiers of the first floor flat.
13. For the above reasons I conclude that the proposed development would not provide appropriate living conditions for future occupiers. It would not accord with DPD Policies 7.4, 7A, 7B and 7D and LP Policies H9, D1, D3, D4, D6 and D14 and London Plan Policy D6 which, amongst other things, seek to ensure that development is of a high quality design that provides adequate external amenity space. It would also not meet the aims of paragraph 135 of the Framework in terms of ensuring that development has a high standard of amenity for future users.

Other Matters

14. The appellant has stated that the proposed development would provide benefits in the form of additional housing and a lack of harm to the character

and appearance of the area. Further they state that similar developments have been undertaken nearby.

15. With regards to housing provision, I have not been provided with details from either party with regards to housing land supply. Nevertheless, even if the Council could not demonstrate a sufficient supply of housing, I have found that harm would arise from the substandard living accommodation, to which I afford significant weight. Whilst the proposal would provide an additional dwelling, and further socio-economic benefits would arise from the conversions work and occupation, these would be limited by the small scale of the proposal.
16. The lack of harm to the character and appearance of the area is neutral in my considerations, and I have not been provided with any details of nearby conversions to understand whether these would be comparable to the appeal proposal.
17. In light of the above, the benefits of the proposed development would not outweigh the harm I have identified.

Conclusion

18. For the above reasons, there are no relevant material considerations, including the approach of the Framework, that would indicate a decision otherwise in accordance with the development plan. Consequently, the appeal should be dismissed.

Tamsin Law

INSPECTOR