



Appeal Decision

Site visit made on 9 September 2025

by **C Livingstone MA(SocSci) (Hons) MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 1 October 2025

Appeal Ref: APP/A5270/W/25/3368042

92 Rushdene Crescent, Northolt, Ealing UB5 6NH

- 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 Mr Gregory Sealey, Sealey Property Ltd, against the decision of the Council of the London Borough of Ealing.
- The application Ref is 251137FUL.
- The development proposed is conversion of a house into 3 no flats including proposed part single/part two-storey wrap-around side and rear extension. Loft conversion with rear dormer and installation of four rooflights to front roof slope.

Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is whether the proposed development would provide suitable living conditions for future occupants of the second floor studio flat with regard to internal floor space and ceiling height.

Reasons

3. The proposal is for the subdivision of the property into three separate flats, a three bedroom flat on the ground floor, a one bedroom flat on the first floor and a one bedroom studio flat on the loft floor. The Council's concerns regarding living conditions are centred on the studio flat on the loft floor. I saw that, in the loft area, the ceiling is sloped to varying degrees, reflecting the pitch of the roof.
4. There is no disagreement between the main parties regarding the floor area and ceiling height of the second floor studio flat. It would have a floor area of 35.32 square metres and a ceiling height of 2.45 metres. These figures are also annotated on the proposed plans.
5. The provision of an adequate floor area and ceiling height are particularly important factors in ensuring that the proposed accommodation would provide adequate living conditions. The proposed scheme would fail to provide a floor area of at least 37 square metres and a minimum ceiling height of 2.5m for at least 75 percent of the gross internal floor area, as required by Policy D6 of the London Plan 2021. As such the second floor studio flat would not meet the minimum internal floor area and ceiling height requirements, as set by the current development plan.
6. The extent of the shortfall in regard to both internal floor space and ceiling height may be small. Still, the space standards are set to enable a home to become a comfortable place to retreat and there is no substantive evidence before me to justify development below the minimum standards set out.

7. For the reasons detailed above the proposed development would fail to provide adequate living conditions for future occupants of the second floor studio flat with regard to internal floor space and ceiling height. Therefore, the proposed development conflicts with Policy D6 of the London Plan 2021 and Policy 7B of the Ealing Development Management Development Plan Document 2013 which set minimum internal space standards and require new developments to achieve a high standard of amenity for the users.

Other Matters

8. The proposal would provide an additional housing unit, in a suitable location where there is an identified need. This would maximise the use of the site and make a modest contribution to the housing supply in the area. In so doing, the proposal would support the aims of The National Planning Policy Framework which amongst other things, encourages the development of small sites in order to meet London's housing needs. There would also be associated economic benefits during construction.
9. The Council raised no concerns regarding the living conditions of the future occupants of the two other flats proposed as part of the development. I have no reason to disagree with the Council in this regard. However, an absence of harm in this respect is a neutral factor weighing neither for nor against the development.

Conclusion

10. I have found the proposal would fail to provide acceptable living conditions for future occupants of the second floor studio flat. The adverse effects in this respect are considerable and outweigh the benefits detailed above.
11. Therefore, the proposal conflicts with the development plan and the material considerations do not indicate that the appeal should be decided other than in accordance with it.

C Livingstone

INSPECTOR