The Planning Inspectorate

Appeal Decision

Site visit made on 4 October 2017

by Andrew Owen BA(Hons) MA MRTPI

An Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 20 October 2017

Appeal Ref: APP/C5690/W/17/3178541
11 Wells Park Road, London SE26 6JQ

- 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 Amjad Raja against the decision of the Council of the London Borough of Lewisham.
- The application Ref DC/17/100927, dated 29 March 2017, was refused by notice dated 24 May 2017.
- The development proposed is conversion of an existing single residential house into 4 self-contained units in total; and a small rear extension where the unused patio is located.

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are whether the development would provide acceptable living conditions for its future occupiers in respect of their outdoor amenity space, internal living space and outlook; and the effect of the proposal on the supply of family housing in the Borough.

Reasons

Living conditions

3. With regard to outdoor amenity space, a small area would be provided behind the building in front of the bins and cycles storage areas, but this would be open to Mylis Close. A further small area would be provided to the side and in front of the building, but these areas are visible from Wells Park Road. As such the development would fail to provide any amenity space where a degree of privacy could be enjoyed. I recognise the current house also has little private amenity space. However this is just one house with poor outdoor space provision, whereas the proposal would provide four dwellings with inadequate private outdoor space.

4. Turning to internal space, the development would create two studio flats, a two bedroom flat and a three bedroom flat. The standards set out in the Government's Technical housing standards[1] are referenced in Policy 3.5 of the London Plan (2016) and state that one person flats must have a gross internal

[1] Technical housing standards- nationally described space standard, DCLG, 2015.

floor area of at least 37 square metres, including storage space of one square metre. The ground floor studio flat is annotated on the plans as measuring 39 square metres, whereas the Council measure it to be 32 square metres. From my reading of the plans, the Council's figure appears to be more accurate, and no storage is shown. As such, this flat would fail to meet the relevant standard.

5. The technical housing standards require two bedroom flats to be at least 61 square metres, including two square metres of storage. The parties agree the proposed two bedroom flat would measure 63 square metres but the Council state the area for storage measures only 0.64 square metres. However I consider that, with a minor alteration to the internal layout, sufficient storage space could be ensured whilst also providing the necessary gross floor area.

6. Similarly, although the Council suggest the storage area shown in the three bedroom flat is less than the 2.5 square metres required by the standards, I consider appropriate storage could be provided without compromising the amount of living space. There is no dispute that the gross floor area meets the standards. DM Policy 32 of the Development Management Local Plan (the 'Local Plan') requires family housing to have the potential to separate the kitchen from the rest of the accommodation. Though, in this flat, the kitchen is not separated from the living area, there is the potential to do so with a simple internal wall.

7. The parties agree the second floor flat meets the standards for internal floor area. This flat also shows extensive usable storage space around edge of the lounge/kitchen area. Consequently, this flat would meet the appropriate standards.

8. With regard to outlook, there are currently five windows of varying sizes in the roof of the property. The proposal indicates four roof lights of the same size would be provided, but in different positions to the existing windows. These windows would not be high in the roof slope and it would be possible to see directly out of them at eye level from within the second floor flat. Furthermore there would be a window on each roof slope, meaning that all parts of the flat would be well served by natural daylight and by sunlight throughout the whole day.

9. In summary I consider that the lack of satisfactory outdoor amenity space for the development as a whole and the insufficient internal living space for the ground floor studio flat results in the proposal failing to provide acceptable living conditions for its future occupiers. It therefore would be contrary to DM Policy 32, Policies 3.5 and 7.6 of the London Plan and Policy 15 of the Core Strategy which all aim to ensure housing developments provide high quality spaces.

10. I can find no conflict with Policy 7.4 of the London Plan, or DM Policy 30 of the Local Plan as these policies relate primarily to local character. The Council raise no objection to the proposal's effect on the character of the area, and I have no reason to disagree.

Supply of family housing

11. The existing property is currently vacant but is shown on the plans as comprising a nine bedroom house.

12. The explanatory text to DM Policy 3 of the Local Plan states that the main need in the borough is for family housing, which is defined as three bedrooms or above. Therefore, whilst the development would result in the loss of a large single dwelling, a replacement family sized unit would be provided at first floor level.

13. As such the proposal would maintain the supply of family housing and would therefore accord with DM Policy 3 as set out above. Also, by providing four units of accommodation of varying sizes, it would comply with Policy 1 of the Core Strategy, Policy 3.8 of the London Plan and paragraph 50 of the National Planning Policy Framework which all aim to achieve a mix of housing.

Conclusion

14. In conclusion, I consider the internal space for three of the flats would be acceptable, a satisfactory outlook would be provided from the second floor flat, and the development would sustain the supply of family housing. However these factors do not outweigh the failure of the development to provide acceptable private outdoor amenity space, and sufficient indoor living space for the ground floor studio flat. Therefore, for the reasons given above and taking account of all other considerations, I conclude that the appeal should be dismissed.

Andrew Owen

INSPECTOR