
Appeal Decision

Site visit made on 5 January 2017

by David Cross BA (Hons), PGDip, MRTPI

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

Decision date: 27 January 2017

Appeal Ref: APP/H5960/W/16/3159172
48 Elspeth Road, London SW11 1DS

- 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 Bjorn Benckert against the decision of the Council of the London Borough of Wandsworth.
 - The application Ref 2016/4015, dated 8 July 2016, was refused by notice dated 14 September 2016.
 - The development proposed is extension at ground floor and a new dormer, and the division of the building into 2 separate apartments.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue in this appeal is the effect of the proposal on the Borough's stock of family housing.

Reasons

3. The appeal property is a 4-bedroom terraced dwelling with accommodation provided over three floors. It is proposed to increase the area of accommodation (particularly on the attic floor level) and subdivide the property into two 2-bedroom apartments.
 4. Policy DMH2 of the Council's Development Management Policies Document 2016 (DMDPD) states that "The conversion of dwellings with less than 150 sq ms of existing habitable floorspace will only be permitted where the property is unsuitable for families". The property currently has a gross internal area of approximately 145-146 sq ms and should therefore be assessed under the provisions of Policy DMH2.
 5. The area has a residential character which complements the provision of family housing. The appellant states that a significant number of dwellings in the area have been converted into apartments. However, I do not have full details of the circumstances that led to these dwellings being converted and so cannot be sure that they represent a direct parallel to the appeal proposal. I am also mindful that the Council state that these apartments may have been permitted under a previous policy regime or are immune from enforcement action. In any case, the number of apartments in the area does not mean that the dwelling is unsuitable as family accommodation.
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6. At my site visit I saw that Elspeth Road is a busy thoroughfare with relatively high levels of traffic and associated background sound levels. However, this was not of a degree that would render the property as being unsuitable as a family dwelling. Safe and convenient access to services in the area is also provided by the pavement adjacent to the road.
7. The appellant states that the dwelling only has a small external area. However, although the external yard to the rear is of a limited size, I saw on my site visit that it would provide a functional amenity area for a family dwelling.
8. The appellant emphasises potential benefits arising from the proposal, including the provision of two dwellings suitable for first time buyers in an area where apartments are in demand. However, I have also had regard to evidence provided by the Council which states that of the new dwellings under construction in the Borough, only a very small proportion (approximately 2.5%) consist of new houses. Therefore, Policy DMH2 is a reasonable approach to ensure a balanced housing supply and complies with the National Planning Policy Framework in ensuring a wide choice of high quality homes.
9. I note the appellant's statement that the property is just 4 sq ms under the threshold of Policy DMH2(a). However, the property clearly does not exceed the threshold in DMH2(a), the principle of which is supported by a robust evidence base. Furthermore, no evidence has been provided to me to demonstrate that the proposal would comply with Policy DMH2(b) which relates to the conversion of properties exceeding 150 sq ms.
10. I also note the appellant's statement that the proposal would lead to improvement to the buildings fabric through refurbishment. However this could equally be achieved by the retention and improvement of the building as family housing.
11. I am mindful that no objections have been received to the proposal from any member of the public or statutory consultees. However this matter does not lead me to a different conclusion on this appeal.
12. Based on the evidence before me and my own observations on site, I consider that the proposal would result in the loss of suitable family accommodation and would therefore conflict with Policy DMH2 of the DMDPD. The proposal is contrary to the DMDPD and material considerations do not indicate that the proposal should be determined other than in accordance with the development plan.

Conclusion

13. For the reasons given above and taking account of all material planning considerations the appeal is dismissed.

David Cross

INSPECTOR