
Appeal Decision

Site visit made on 15 February 2017

by **A J Mageean BA (Hons) BPI PhD MRTPI**

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

Decision date: 27th March 2017

Appeal Ref: APP/L5240/W/16/3162683

144 Beauchamp Road, Upper Norwood, London SE19 3DB

- 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 Brooklands Group Limited against the decision of the Council of the London Borough of Croydon.
 - The application Ref 16/04564/FUL, dated 2 September 2016, was refused by notice dated 28 October 2016.
 - The development proposed is conversion of existing dwelling to form 2 no. flats (resubmission of 16/02958/P).
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - The effect of the proposal on the provision of small houses in the Borough; and,
 - Whether future occupiers would be likely to experience acceptable living conditions in terms of internal space provision.

Reasons

Provision of small houses

3. Saved Policy H7 of the Croydon Replacement Unitary Development Plan 2006 (the UDP) seeks to ensure that the conversion and sub-division of existing properties into two or more small dwellings does not in itself result in the loss of small family housing. More specifically, the supporting text to this Policy states that subdivision *will not normally be appropriate for dwellings less than 130 square metres gross internal area or 6 habitable rooms.*¹ This requirement is supported by saved Policy H11 in which such accommodation is seen as meeting the needs of families and smaller extended households for more flexible accommodation.
4. The requirement for such accommodation is supported by the Council's Strategic Market Housing Assessment 2015 which concludes that *we would expect the focus of new market housing to be on two and three-bed properties. Continued demand for family housing can be expected from newly forming*

¹ The UDP saved Policy H7, 11.48

*households.*² This evidence has formed the basis of emerging policy which will maintain the focus on retaining this type of accommodation.

5. The appeal property is a two storey mid-terrace dwelling. It is a relatively small dwelling with an existing gross internal floor area well below 130m². Whilst the appellant's plans suggest that this property does currently have 6 habitable rooms, in terms of its overall size and current layout it is clearly capable of providing accommodation suitable for a small family.
6. The appellant argues that the conversion of this property into two self-contained flats would boost the supply and mix of housing locally and that it would provide affordable accommodation, in line with the National Planning Policy Framework (the Framework), also noting that the London Plan seeks to encourage a range of housing choices. However, the Framework at paragraphs 47 and 50 guides local planning authorities to plan for a mix of housing based on objectively assessed local needs, as has clearly been undertaken in this Borough. This proposal would result in the loss of accommodation for which there is a demonstrable need.
7. The appellant notes that dwellings in this local area vary somewhat in size, and that another property on Beauchamp Road has been converted into flats. However, I am not aware of the circumstances of this particular case. I accept that the appeal property is currently empty, but there is no evidence to suggest that it could not be brought back into use as a family dwelling. I also accept that the proposal would not result in an increase in the number of occupiers in this property, however the point at issue is that the proposed type of accommodation would not meet an identified local need.
8. On this matter I conclude that this proposal would have a detrimental effect on the provision of small houses in the Borough. It would therefore conflict with the UDP Policies H7 and H11 both of which seek to retain small family houses.

Living conditions

9. The National Space Standards set out the requirements for the Gross Internal Floor Area (GIA) of new dwellings at a given level of occupancy.³ Two person single storey dwellings should have a minimum GIA of 50m².
10. In the present case the parties agree that the ground floor flat would have a GIA of less than 50m². Whilst the appellant notes that the floor areas for the bedroom and kitchen, living and dining room and also the room widths would exceed minimum requirements, these standards are only relevant in determining the compliance with this standard in new dwellings.
11. The parties disagree on the GIA of the upper floor flat. Whilst the appellant argues that it would provide 50m², the Council argues that it would provide slightly less floorspace than this figure. The Council points out that the space standards for single storey dwellings do not include the circulation space needed for the stairs to upper floors, and suggests that it is reasonable to remove this figure from the calculations, thereby reducing the GIA of this unit. However, it is not clear to me how the GIA for this unit has been calculated.

² Strategic Market Housing Assessment, London Borough of Croydon 2015, 9.40.

³ *Technical housing standards – nationally described space standard* Department for Communities and Local Government 2015

12. Nonetheless I do accept that the Mayor of London's Housing Supplementary Planning Guidance 2016 (the SPG) requires 1-2 person dwellings to have access to 5m² of private amenity space.⁴ Where constrained sites cannot make such provision additional internal floorspace should be provided. Whilst the appellant notes that local public open space is within walking distance, this does not address the fundamentally restricted nature of the space which would be available to the occupants of this unit. On balance, my view is that the internal space within the upper floor flat would be inadequate for future occupiers.
13. I accept that the conversion would comply with building regulations in terms of sound insulation, and that this would address concerns about the poor stacked layout of the proposed units.
14. On this matter I have found that the proposed accommodation would not provide acceptable living conditions for the future occupiers of either unit in terms of internal space provision. This development would therefore conflict with Policy SP2.6 of the Croydon Local Plan 2013, Policy H7 of the UDP, Policy 3.5 of the London Plan, the SPG and the National Space Standards, all of which seek to ensure that a high standard of internal accommodation is provided.

Other Matters

15. The appellant refers to the improvement to the appearance of this currently vacant property which would result from this development. However, this would be the case if it were to be brought back into use as a single dwelling, and such considerations do not weigh in favour of this particular proposal.
16. The appellant has sought to address refuse, recycling and cycle storage facilities issues which constituted a reason for refusal relating to a previous application on this site.⁵ The Council indicates continuing concerns in relation to the effect on the privacy of the ground floor flat bedroom, and in this respect I accept that such matters have not been fully resolved.

Conclusion

17. In this case I have found that the proposal would result in the loss of a small house, and that the proposed flats would not provide satisfactory living conditions for future occupiers in terms of internal space provision. As material considerations do not indicate that this scheme should be determined other than in accordance with the development plan, I conclude that the appeal should be dismissed.

AJ Mageean

INSPECTOR

⁴ Standard 26

⁵ Ref: 16/02958/P