
Appeal Decision

Site visit made on 11 July 2017

by Roy Merrett BSc(Hons) DipTP MRTPI

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

Decision date: 17 August 2017

Appeal Ref: APP/H5960/W/17/3173947
43 Halston Close, London SW11 6RH

- 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 Asif Ansari against the decision of the Council of the London Borough of Wandsworth.
 - The application Ref 2016/4187, dated 29 July 2016, was refused by notice dated 9 November 2016.
 - The development proposed is the conversion of a single family dwelling into four flats.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. It was apparent from the information before me and my visit that the dwelling has been unlawfully converted into seven flats. I have therefore approached the proposal in the context of the pre-existing lawful use of the property as a single dwelling.

Main Issues

3. The main issues are whether the proposal would provide i) an acceptable mix of accommodation and ii) an acceptable standard of accommodation for future occupiers.

Reasons

Mix of accommodation

4. The Council sets out, within the Wandsworth Core Strategy 2016 (CS), that in order to provide an overall balanced housing stock in the Borough, it is crucial that the range of dwelling sizes available in the existing housing stock is maintained, particularly family housing with gardens.
 5. Policy IS 5 of the CS states that existing small family sized houses and flats with gardens will be protected from conversion into non-family flats. Family accommodation is defined within Policy DMH 6 of the Wandsworth Development Management Policies Document 2016 (DMPD) as having a minimum of three bedrooms (one of which is double).
 6. Policy DMH 2 of the DMPD sets out the detailed criteria for assessing residential conversions. With regard to dwellings of 150 square metres or more, as in this
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case, it states that conversions will only be permitted where four or more units are being provided, if at least two are family-sized units and the provision of single bedroom accommodation is limited to one unit.

7. The proposal in this case would provide four single bedroom two person units, none of which would be regarded as family accommodation having regard to the aforementioned criteria. I therefore conclude that the proposal would not result in an acceptable mix of accommodation. Accordingly the proposal would patently conflict with Policies IS 5 of the CS and DMH 2 of the DMPD which seek to protect the quantity of family accommodation in the Borough in the interests of retaining a balanced housing stock.

Standard of accommodation

8. There is no dispute between the main parties that each flat would be designed to accommodate two people and that internal floorspace provision for each unit would range between 37.03 square metres and 39.18 square metres. This means that the internal space available to each unit would be deficient by a significant margin in relation to the minimum national technical standards¹ for 1 bedroom 2 person flats. It would also appear, from the information before me, that the proposed Flat 2 would not meet the minimum floor to ceiling height requirements as set out in the technical standards.
9. I have not been provided with any information indicating that a more relaxed approach to the interpretation of the aforementioned standards would be justified in this case. I therefore conclude that the proposal would not provide an acceptable standard of accommodation for future occupiers and accordingly would conflict with Policy DMH 6 of the DMPD insofar as it seeks to achieve acceptable living conditions for all future occupiers.

Other Matters

10. The appellant has referred to the site being close to services and facilities and benefitting from good access to public transport and areas of green space. However it seems to me that such benefits would continue to be available to residents in the event of family accommodation being retained on the site. The appellant also states that there is a need for small affordable units in what is a very expensive area. Whilst I have no reason to doubt that there is a need for affordable accommodation, no evidence has been provided that the proposed flats would be offered at below market rates. I therefore attach very limited weight to these considerations, which would not outweigh the presumption in the policies against the development being permitted because of the loss of family accommodation and inadequate space provision.

Conclusion

11. For the aforementioned reasons, and having had regard to all other matters raised, I conclude that the appeal should not succeed.

Roy Merrett

INSPECTOR

¹ Technical housing standards – nationally described space standard DCLG 2015