The Planning Inspectorate

Appeal Decision

Site visit made on 7 November 2017

by Mike Worden BA (Hons) DipTP MRTPI

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

Decision date: 28th November 2017

Appeal Ref: APP/H5960/W/17/3175901
33 Garratt Terrace, London SW17 0QE

- 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 Craig Daniel against the decision of the Council of the London Borough of Wandsworth.
- The application Ref 2016/7084, dated 7 December 2016, was refused by notice dated 24 February 2017.
- The development proposed is the conversion of existing family dwelling house into four self-contained units.

Decision

1. The appeal is allowed and planning permission is granted for the conversion of existing family house into four self-contained units at 33 Garratt Terrace London SW17 0QE in accordance with the terms of the application, Ref 2016/7084, dated 7 December 2016, subject to the following conditions:

   1) The development hereby permitted shall be carried out in accordance with the following approved plans: Site Location Plan 1:250 scale; 001 Existing Floor Plans; 002 Existing Floor Plans; 003 Rev C Proposed Floor Plans; 004 Proposed Floor Plans; 005 Existing Front Elevation; 006 Rev A Proposed Front Elevation; 007 Existing Rear Elevation; 008 Rev A Proposed Rear Elevation; 009 Existing Side Elevation; 010 Proposed Side Elevation; 011 Existing Section A-A, 012 Rev A Proposed Section A-A.

   2) The building hereby permitted shall not be occupied until the windows on the side elevation of the upper floor flat have been fitted with obscured glazing, and no part of those windows that is less than 1.7 metres above the floor of the room in which it is installed shall be capable of being opened. Details of the type of obscured glazing shall be submitted to and approved in writing by the local planning and once installed the obscured glazing shall be retained thereafter.

   3) The roof areas of the existing extensions shall not be used as a balcony, roof garden or similar amenity area.

Procedural Matter

2. From my site visit I could see that the development has been carried out and therefore I am considering this appeal retrospectively.

3. I have amended the description of development from that set out on the application form as the appellant submitted amended plans after the application had been made. The effect of the amendment was to remove balustrades which were to form roof terraces at first and second floor levels. I have therefore removed references to the balustrades from the description of development. I have used the amended description in my decision.

Main Issue

4. The main issue is the effect of the development on the housing stock of the borough.

Reasons

5. The appeal property is a three storey mid-terraced house situated just off Tooting High Street and close to Tooting Broadway Underground Station. Before conversion, the house had 7 bedrooms. It has now been converted into four units. There is a three bedroomed flat on the ground floor which has access to a small patio/garden area at the rear, a two bedroomed flat on the first floor and two one bedroomed flats on the second and third floor.

6. Policy DMH 2 of the *Wandsworth Local Plan, Development Management Policies Document* 2016, sets out criteria in relation to residential conversions. In accordance with criterion b.ii of that policy, where the conversion provides four or more units, at least two of them are required to be family sized. This is defined as having a minimum of three bedrooms. In accordance with criterion b.iii of that policy, the maximum number of one bedroomed units which would be allowed is one. The development therefore underprovides on three bedroomed accommodation and overprovides on one bedroomed accommodation, when considered in relation to policy.

7. The Council has submitted information which provides background to the policy. As part of ensuring an overall balanced housing stock in Wandsworth, the Council is seeking to maintain the range of dwelling sizes available in the existing stock, particularly family housing with gardens. Consequently Policy DMH 2 seeks to protect the provision of family accommodation and restrict the provision of one bedroomed units.

8. The building envelope of the appeal property does not easily lend itself to the provision of a second, three bedroomed unit within the conversion, a point recognised in the Council's delegated report which considers the development an efficient use of internal space. An additional three bedroomed unit would not have access to private amenity space, although that is not a policy requirement. The Council in its appeal statements suggests that a policy compliant mix could be achieved by reducing the number of flats to four comprising one, three bedroomed unit and two, two bedroomed units.

9. The close proximity of access to public transport and of the major employment hubs of St George's hospital and university add support to the case in this appeal that provision of two one bedroomed units rather than a second two bedroomed unit, may not be harmful to the housing stock of the borough. The location of the appeal site has a PTAL rating of 6, which is classed as high. Provision of housing more suitable for those working locally and commuters would accord with one of the core planning principles set out in paragraph 17 of the National Planning Policy Framework (the Framework) which aims to

manage patterns of growth to make fullest use of public transport, walking and cycling. From the evidence before me, I consider that the two one bedroomed flats in this location would not be harmful to the housing stock of the borough.

10. Policy DMH 2 has been applied fairly rigidly by the Council from the information set out in its appeal statement. I have been provided with numerous examples of conversions in the locality where Policy DMH 2 has been applied or does not apply. However, in relation to the case before me, I consider that there are specific circumstances as set out above, which indicate that the development can be determined other than in accordance with the development plan. I therefore conclude that the development would not have a harmful effect on the housing stock of the borough and accords with the core planning principles of the Framework.

Other matters

11. I have no evidence before me to indicate the development would cause harm the structure of the building or adjacent buildings. Structural works are controlled through building regulations.

Conditions

12. I have considered the conditions suggested by the Council in accordance with the Planning Practice Guidance and the National Planning Policy Framework. Since the development has commenced there is no need for a condition relating to implementation timescales, but there is a need to specify the drawings the permission relates to in the interests of clarity and certainty. Conditions are also necessary to ensure that the window in the side elevation of the upper floor flat is obscurely glazed and restricted in opening, and to restrict usage of the flat roofs of the existing extensions, both in the interests of protecting the living conditions of the occupiers of neighbouring properties.

Conclusion

13. For the reasons given above, and having considered all matters raised, I conclude that the appeal should be allowed.

Mike Worden

INSPECTOR