
Appeal Decision

Site visit made on 20 November 2017

by Tim Wood BA(Hons) BTP MRTPI

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

Decision date: 8 December 2017

Appeal Ref: APP/L5240/W/17/3179655

129 Addington Road, South Croydon, CR2 8LH

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant approval required under a development order.
 - The appeal is made by Mr Matt Corcoran against the decision of the Council of the London Borough of Croydon.
 - The application Ref 17/02372/GPDO, dated 5 May 2017, was refused by notice dated 30 June 2017.
 - The development proposed is the change of use from A1 to C3 for 1 self-contained flat.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue in this appeal is whether it is undesirable for the Class A1 retail unit to change to a use falling within Class C3 (dwellinghouses) having regard to the provisions of Paragraph M.2(1)(d) of Schedule 2, Part 3, Class M of the GPDO.

Reasons

3. The proposal seeks to convert the rear section of the ground floor to a self-contained flat whilst retaining the front section for retail (Class A1) purposes. The Council indicates that the property is located with a Secondary Retail Frontage, a District Centre and a Primary Shopping Area, as identified in the Croydon Local Plan Policies Map.
4. Paragraphs M.2(1)(d)(i) and (ii) of the GPDO mean that I have to consider whether the proposal would have an unacceptable impact: (i) on the adequate provision of services that may be provided by A1 and A2 (and other) premises, but only where there is a reasonable prospect of the building being used to provide such services, or (ii) where the building is located in a key shopping area, on the sustainability of that shopping area. The appellant seeks to argue that, as the frontage would remain in retail use, the proposal would not affect the retail frontage; this appears to arise from the specific wording used by the Council. However, the GPDO states that a judgement on the adequate provision of services of that sort provided by the building must be made, and also its effects on the sustainability of the shopping area; I have made my judgement accordingly.

5. With respect to the first matter, the appellant does not seek to argue that the existing property is unlikely to be used for A1 (or A2 or other) uses. Taking account of my own observations of the unit and its location, I see no reason to come to a different view.
6. The appellant indicates that the retail floorspace of the unit would only be 'slightly reduced'. However, the existing A1 use includes all of the ground floor, along with its ancillary areas, not just the publicly accessible parts. The Council indicates that the existing ground floorspace is 47sqm, and that this would be reduced to 21 sqm; these figures have not been disputed by the appellant. In my judgement, the proposal would significantly reduce the floorspace of the A1 use and would result in a very small unit. The appellant indicates that they have had interest from a hairdresser in relation to the unit that would be created and they have submitted a letter from local agents indicating that the reduced unit would be a better commercial opportunity.
7. Whilst it may be the case that an individual business has expressed some interest, I consider that the very small unit that would result would be unattractively small for a large number of retail concerns that may otherwise locate in an area such as this. The size of the remaining unit would either prevent the provision of any storage or staff facilities, or if they were provided, would result in a minimal sales area. I consider that this reduction in floorspace would considerably restrict the likelihood of its use for retail purposes and would be likely to have an unacceptable effect on the adequate provision of such uses. Contrary to the view expressed by the appellant and his advisers, my view is that the very small nature of unit would be likely to mean that it would be vacant, rather than readily taken up. In my view, not only would this have an unacceptable effect on the provision of retail uses in the area, it would have an unacceptable effect on the sustainability of the shopping area.

Conclusions

8. I have taken account of all matters submitted in the representations, including the prospect of the provision of an additional home in this accessible location. However, I find nothing which is sufficient to outweigh the harm to the retail provision that I have identified. Therefore, the appeal is dismissed.

S T Wood

INSPECTOR