

Appeal Decision

Site visit made on 4 December 2017

by Graeme Robbie BA(Hons) BPI MRTPI

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

Decision date: 5 January 2018

Appeal Ref: APP/L5240/W/17/3180147

15 Chatfield Road, Croydon CR0 3LA

- 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 & Mrs Jasbinder Panesar against the decision of the Council of the London Borough of Croydon.
 - The application Ref 16/02708/P, dated 25 May 2016, was refused by notice dated 31 January 2017.
 - The development proposed is alterations to existing 3 bedroom semi detached house into two 1 bedroom flats.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The Council refer to the provisions of the emerging Detailed Policies and Proposals (main modifications) (August 2017) document (DPP) and I note that policy DM1 has been subject to modification. I have not been advised whether the DPP has been adopted by the Council and I cannot therefore be certain that this policy will not be subject to further revision. I therefore give its provisions limited weight.

Main Issue

3. The main issue is the effect of the proposal on housing supply within the Borough, with particular reference to the supply of smaller family housing.

Reasons

4. Saved policy H7 of the Croydon Replacement Unitary Plan (CRUDP) supports the principle of the sub-division of an existing dwelling to two or more units. However, amongst other things, this is subject to the new dwellings being self-contained and providing satisfactory accommodation and that the sub-division does not in itself result in the loss of needed small family housing. CRUDP saved policy H11 reiterates the provisos of saved policy H7 in that residential conversions will not be supported where they would involve the net loss of small family houses. The supporting text to both policies refers to small family housing in the context of houses within less than 130 square metres gross internal area (GIA) or 6 habitable rooms.
5. It is not disputed that the existing dwelling has a GIA of less than 130 square metres and that it is therefore a small family dwelling. Although located close to a busy commercial area of London Road, there has been no suggestion that the existing dwelling does not provide a suitable quantity or quality of

accommodation despite its limited GIA and categorisation as a small family house. Thus, the proposal would result in the loss of a small family housing unit, contrary to CRUDP saved policies H7 and H11.

6. I acknowledge that the London Plan (policy 3.3) recognises a pressing need for more homes in London to promote opportunity, real choice and affordability in the housing market for Londoners. The Council recognise this and policy SP2 of the Croydon Local Plan: Strategic Policies (CLP) sets out a presumption in favour of new homes. In this context, I also acknowledge that the proposal would result in a net increase in residential units and that the Council are satisfied that the proposal would provide adequate quality and quantity of living accommodation in terms of internal¹ and external areas.
7. However, the appellant's agent has not provided any evidence to sustain his stated belief that there is a need for mixed or smaller residential units, or that any such need outweighs the need for the building to be retained as a single dwelling. Nor has any evidence been provided to sustain the argument that a great number of properties have been turned over to HMO use (house in multiple occupation), or indeed to what area is being referred to. However, from what I saw during my visit to Chatfield Road, and from my experience, I saw nothing to suggest that there was a proliferation of HMO uses within Chatfield Road or of other smaller sub-divided properties.
8. It has to be said however, that I have not been presented with significant amounts of evidence by either party. Although the Council refer to the need for small family sized units, evidence that goes beyond the stated aims of the CRUDP saved policies H7 and H11, is somewhat scant. However, the Council's aims in this respect are set out in adopted (and saved) development plan policies and it appears to be the Council's intention to roll this forward into the emerging Local Plan with the support offered by the Council's Strategic Housing Land Availability Assessment 2015.
9. Thus, on this matter I conclude that the proposal would, on the available evidence, undermine the Council's established and adopted policies that seek to maintain the quality and variety of smaller family houses. The proposal is therefore contrary to saved policies H7 and H11 of the CRUDP which seek to resist the loss of smaller family houses from conversion and sub-division and to maintain the quantity and variety of smaller family housing.
10. I note that the Council have not expressed concern regarding the design of the proposed single storey rear extension. I note too that there are no concerns regarding the effect of the proposal on the living conditions of occupiers of neighbouring properties, the effect on transport and parking or the quantity or quality of accommodation proposed. However, these lack-of-harm effects do not outweigh the harm that I have identified.

Conclusion

11. For the reasons set out, and having considered all other matters raised, I conclude that the appeal should be dismissed.

Graeme Robbie

INSPECTOR

¹ Having regard to the 'Technical housing standards – nationally described space standard' and table 3.3 of the London Plan