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## Appeal Decision

Site visit made on 12 March 2019

**by Rajeevan Satheesan BSc PGCert MSc MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 1<sup>st</sup> April 2019**

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**Appeal Ref: APP/L5240/W/18/3212648**

**47 Craignish Avenue, Norbury, London SW16 4RW**

- 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 Mrs Annie Gerald Webb against the decision of the Council of the London Borough of Croydon.
  - The application Ref 18/03748/FUL, dated 27 July 2018, was refused by notice dated 7 September 2018.
  - The development proposed is described as: Ground floor rear extensions and conversion from a single family dwellinghouse to 2 No 2-bed self-contained units.
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### Decision

1. The appeal is dismissed.

### Main Issues

2. The main issues are the effect of the proposed development on:
  - The supply of family houses in the Borough;
  - The living conditions for future occupiers of the first and second floor unit with regards to private amenity space.

### Reasons

#### *Supply of family houses*

3. The appeal property comprises a two storey semi-detached property with a loft conversion situated within a residential street. The site backs onto Norbury Hall Park which is a locally listed historic park.
4. The National Planning Policy Framework (the Framework) confirms that planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.
5. Croydon Local Plan, 2018 (LP) Policy DM1.2 states that the Council will permit the redevelopment of residential units where it does not result in the net loss of three bedroom homes (as originally built) or the loss of homes smaller than 130m<sup>2</sup>. The supporting text for this policy explains that the policy seeks to ensure that the conversion of single family houses into flats does not further reduce the provision of three bedroom homes. In addition, Policy SP2.7 sets a strategic target for 30% of all new homes up to 2036 to have three or more

bedrooms. Croydon's Strategic Housing Market Assessment, 2015 (SHMA) identified the need for three bedroom homes (family sized dwellings) and informed the drafting of the above-mentioned LP Policies. Therefore, the proposal to convert the existing house (three bedrooms, as originally built) into two x two bedroom units, would be direct conflict with LP Policies DM1.2 and SP2.7 which amongst other things, seeks to resist the loss of family dwellings, which was as originally built as three bedrooms.

6. The development would also conflict with London Plan (2016) Policies 3.1 and 3.8 in relation to providing a mix of housing based on identified local needs. The Council have also referred to draft New London Plan Policies H1 and H12. However, as these policies have yet to be adopted, and there is no evidence before me which allows me to make any judgement regarding the extent of unresolved objections, I cannot give them full weight at this time save to acknowledge that they appear not to significantly alter Policies 3.1 and 3.8 of the extant London Plan.

*Living conditions for the first and second floor flat – Private Amenity Space*

7. Policy DM10.4 of the Croydon Local Plan and the London Plan Housing Supplementary Planning Guidance, 2016 (Housing SPG), both require all new residential development provide private amenity space that is of high quality design and provides a minimum amount of 5sq.m per 1-2-person unit and an extra 1sq.m per extra occupant thereafter. Therefore, the proposed two bedroom four person unit would require 7sq.m of private amenity space. The proposed first and second floor unit, would not have access to any private amenity space.
8. The minimum private outdoor amenity space standards seek to ensure that acceptable living standards are achieved in all new development. The lack of any private amenity space for the first and second floor unit would mean that there would be no external space or break out space for occupiers to sit outside which would feel oppressive for future occupiers of this unit and would not be a pleasant environment for future occupiers to relax. Whilst the property backs onto Norbury Hall Park, I do not consider that this would compensate for the lack of sufficient on-site private amenity space.
9. Therefore, I find the proposals would result in a poor living conditions for future occupiers of the upper floor unit, contrary to Policies LP Policy DM10.4 and the Housing SPG, that seek, amongst other matters, all new development provide sufficient high quality private amenity spaces. The proposals would also conflict with Paragraph 127 of the Framework, which states that development should ensure high standards of amenity are created for future as well as existing users

**Conclusion**

10. For the reasons set out above I have concluded that the proposed development would result in the loss of a family dwelling and would have an unacceptable effect on the living conditions for future occupiers of the upper floor unit. These shortcomings significantly and demonstrably outweigh the benefits of providing an additional housing unit. In addition, reference to other conversions nearby does not add weight to the appellant's argument, as I do not have the full details of those proposals. Therefore, I cannot be sure that the circumstances

are directly comparable to the current appeal proposal. In any case, I have considered the appeal proposal on its own merits.

11. Having regard to the above and all other matters raised, I conclude that the appeal should be dismissed.

*Rajeevan Satheesan*

INSPECTOR