



Appeal Decision

Site visit made on 9 May 2019

by G Ellis BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 05 August 2019

Appeal Ref: APP/H5960/W/19/3222527

32 Ribblesdale Road, London SW16 6SE

- 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 Shailesh Gandhi against the decision of the London Borough of Wandsworth.
 - The application Ref 2018/4663, dated 1 October 2018, was refused by notice dated 26 November 2018.
 - The development proposed is proposed conversion to three self-contained flats.
-

Decision

1. The appeal is allowed, and planning permission is granted for the conversion to three self-contained flats at 32 Ribblesdale Road, London SW16 6SE in accordance with the terms of the application, Ref 2018/4663, dated 1 October 2018 subject to the following conditions
 - 1 The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2 The development hereby permitted shall be carried out in accordance with the following approved plans, Site Location Plan, 1801-101 Rev A, 1801-102 Rev A, 1801-103 Rev A, 1801-104 Rev A and 1801-105 Rev A.
 - 3 Prior to occupation of the development, details of the bin and cycle storage shall be submitted to and approved in writing by the local planning authority. The storage shall be provided in accordance with the approved details prior to the occupation of the development and be retained thereafter.
 - 4 The dwellings shall not be occupied until a maximum water use of 105 litres per person per day (plus 5 litres for outside use) in line with the Water Efficiency Calculator for new dwellings from the Department of Communities and Local Government has been complied with.

Main Issue

2. The main issue is the effect of the development on the housing mix with regard to local plan policy DMH2.

Reasons

3. Policy DMH2 of the Council's Development Management Policies Document 2016 (the DMPD) relates specifically to conversions and indicates that the

conversion of dwellings with less than 150 m² of habitable floorspace will only be permitted where the property is unsuitable for families. It is a matter of dispute between the parties as to whether the habitable floorspace of No 32 Ribblesdale Road is above 150 m². There is no evidence to suggest that the property is unsuitable for families.

4. The DMPD defines habitable floorspace as all rooms used for living purposes, including kitchens, bathrooms, halls and landings (including circulation space), but explicitly indicates that account will not be taken of extensions carried out since the end of 2008.
5. No 31 has recently been extended through planning permission granted in 2017 for a rear extensions and alterations to the roof. No plans or measurements have been provided by the appellant of the property prior to the extensions and/or as it was in 2008.
6. The Council have referred to measurements of other properties along road and whilst there are some slight differences to the properties along the street in terms of the form of the front bay and materials they generally appear to be of a similar scale, excluding any extensions. The Council indicate that a survey and measurements from plans show that the properties are less than 150m², ranging from 143.9m² and 147m². Therefore, whilst not definitive in terms of this property at the most the property would be 6.1m² below the threshold.
7. The purpose of the policy is to retain larger properties for which the development plan indicates that there is a need. I note from the supporting text to policy DMH2 that the threshold was raised from 120m² to 150m² under the current Local Plan to increase the protection of family size dwellings, and is based on analysis undertaken in 2008. Whilst not adopted policy and of limited weight at this stage the appellant refers to London Plan policy H12 that suggests Boroughs should not set policies or guidance that requires a specific housing mix as it is often in flexible. I am also conscious of the government's objectives as set out in the National Planning Policy Framework to significantly boost the supply of homes.
8. If the unit was 150m² the proposed development would accord with the other criteria of policy DMH2 which require at least one family sized unit with access to a garden. Additionally, all of the proposed units would comply with, and exceed, the minimum sizes set out in the Technical housing standards – nationally described space standard.
9. The appellant has made reference to other similar properties which have been converted to flats. I have not been provided with full details of those properties, but I acknowledge that the Council has allowed flexibility in some cases. Furthermore, from my site visit I observed several properties along Ribblesdale Road which appear to be occupied as more than one unit, evidenced by the presence of more than one doorbell and outside meters. This is also confirmed by the third-party comments which indicate that properties have been converted into two residential flats and details of council tax banding provided by the appellant.
10. No external changes are required to the building and the reason for refusal does not refer to any other harm that would arise from the conversion in terms of impact on the living conditions of neighbours or future occupiers, or to the character and appearance of the area. The officer's report does mention the

need for refuse and cycle storage and to limit water consumption; such matters can be appropriately secured by conditions.

11. Therefore, whilst there is likely to be, given the lack of definitive measurements for this actual property, a technical breach with policy DMH2 the level of breach would be small. The proposal would still provide a family unit and the additional units would contribute to the Borough's housing supply and make efficient use of land. I therefore conclude having regard to the development plan as whole and other material considerations that the appeal should be allowed.

Other Matters

12. On street parking along Ribblesdale Road is unrestricted, and whilst I acknowledge that interested parties have referred to parking pressures there is no evidence before me of parking stress in the area. In the absence of clear evidence of a local parking issue I do not consider that the proposal would result in a material shortage of parking provision in this location.
13. I acknowledge that the upper units would not have any outdoor amenity space but as noted by the Council this is not an unusual situation for this type of development and would not be unduly detrimental to the living conditions of the future occupiers.

Conclusion

14. For the reasons set out above, and having regard to all other matters raised, I conclude that the appeal should be allowed, and planning permission granted subject to conditions dealing with commencement, the approved plans, cycle and bin storage and water consumption.

G Ellis

INSPECTOR