The Planning Inspectorate

Appeal Decision

Site visit made on 22 July 2019

by M Chalk BSc (Hons), MSc, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 6 August 2019

Appeal Ref: APP/D1590/W/19/3228480
72 Boscombe Road, Southend-On-Sea, SS2 4JP

- 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 Ozcan Hassan against the decision of Southend-on-Sea Borough Council.
- The application Ref 18/02326/FUL, dated 7 December 2018, was refused by notice dated 6 February 2019.
- The development is described as retrospective conversion of dwellinghouse into 2 no flats at 72 Boscombe Road.

Decision

1. The appeal is dismissed.

Procedural Matters

2. The application form states that the development was completed in November 2016. At the time of my site visit both the ground floor and first floor flats were occupied. I have therefore determined this appeal on this basis.

3. The appellant has provided a revised floor plan (ref RE/123GA/17/2 Proposed 1, letter dated 9 May 2019) that was submitted with the appeal. This alters the proposed layout of the ground floor flat from a 1 bedroom flat with a lounge and living room to a 2 bedroom flat with a lounge. I am satisfied that this is a minor change as it would not increase the overall amount of living accommodation and it would not involve any physical works. In addition, the Council and interested parties have had the opportunity to comment upon this amended plan during the course of the appeal through their submission. Accordingly the interests of no party has been prejudiced and so I have taken it into account in my decision.

Main Issue

4. The main issue is the effect of the change of use on the housing mix in the area.

Reasons

5. The appeal property is a two-storey former dwellinghouse converted into flats. This section of Boscombe Road, between the junctions with Bournemouth Park Road and Christchurch Road, is a residential street characterised by a mix of mainly terraced houses, with some detached and semi-detached properties.

Properties within this section of the street are set back from the pavement with front gardens, some of which provide off-street parking.

6. The appeal development has created two units of accommodation through the conversion of a five-bedroom house. The resultant flats each contain 2 bedrooms, and due to the number of bedrooms the flats do not reasonably comprise suitably-sized family accommodation.

7. The Council refused permission for the development on the basis of policy CP8 of its Core Strategy 2007 (CS), which says it will resist development proposals that involve the loss of existing valuable residential resources, having regard to the limited land resources in the Borough, the need to safeguard an adequate stock of single family dwelling-houses, and to protect the character of residential areas.

8. The Council's decision is based on data that shows a disproportionately high number of 1 and 2 bedroom homes and a low number of 3+ bedroom homes suitable for family accommodation in the borough compared to surrounding councils in the Thames Gateway South Essex strategic housing market. This is referred to in the supporting text for policy DM3 of the Development Management Document (adopted July 2015).

9. The appellant has referred to other flat conversions within the street, including the neighbouring attached property. I have not been provided with the details of these properties, including whether planning permission was granted for any conversions to flats.

10. My attention has been drawn to a recent appeal decision[1] in which this point was considered. The Inspector concluded that policy CP8 was not to be taken as an absolute restriction on the conversion of existing dwellings, given that policy DM3 specifically sets out criteria under which permission would be given.

11. While I do not necessarily disagree with that Inspector over the application of policy CP8, I have considered the development subject of the appeal before me on its own site circumstances and merits.

12. I consider policy CP8 to be the correct starting place in determining this appeal. No substantive evidence has been submitted to show that the identified need to safeguard an adequate stock of single family dwellinghouses in the borough has been addressed. The loss of a family dwellinghouse providing 5 bedrooms to provide 2 two-bedroom units of which type the borough already has a disproportionately high provision, based on the information before me, would only worsen the shortfall.

13. The appellant states that the conversion meets the Council's space standards, provides an acceptable environment, shared amenity space and cycle parking for occupants, does not result in harm to the character and appearance of the building and wider area and the property is in a sustainable location in relation to public transport and local amenities. I acknowledge these points, but do not consider that they outweigh the harm arising from the loss of family accommodation.

14. I conclude that the change of use would have an unacceptable effect on the housing mix in the area. It would therefore be contrary to policy CP8 of the CS,

[1] Inspectorate ref APP/D1590/W/18/3204489

as I find that the loss of a single family dwellinghouse is unacceptable. Similarly, it does not comply with the National Planning Policy Framework which seeks to provide housing for different groups in the community.

Conclusion

15. For the reasons set out above, and having regard to all matters raised, the appeal should be dismissed.

M Chalk

Inspector