



Appeal Decision

Site visit made on 19 August 2019

by Conor Rafferty LLB (Hons), AIEMA, Solicitor (Non-practising)

Decision by A U Ghafoor BSc (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 24 September 2019

Appeal Ref: APP/Y5420/W/19/3230820

151A Bedford Hill, London, SW12 9HF

- 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 Alan Burton-Jones against the decision of the Council of the London Borough of Wandsworth
 - The application Ref 2019/1097, dated 8 March 2019, was refused by notice dated 3 May 2019.
 - The development proposed is a new rear loft and pod extension to the rear with terrace to create two separate flats.
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Main Issues

3. The main issues in the appeal are: (1) the effect of the proposed development on the living conditions of future occupiers, with particular regard to the size of the dwellings proposed; and (2) whether the proposed development would result in the unacceptable loss of a family sized dwelling.

Reasons for the Recommendation - *Living conditions*

4. The appeal site comprises the first floor flat of a two-storey terraced dwelling within the residential area of Bedford Hill, Balham. The proposal relates to the installation of a rear loft and pod extension with terrace in order to convert the dwelling into two separate flats. This would comprise a three-bedroom, two-storey flat with a gross internal area (GIA) of 91 square metres and a studio with a GIA of 42 square metres.
5. Policy DMH6 of the Wandsworth Local Plan Development Management Policies Document adopted in March 2016 (the DMPD) seeks to ensure suitable internal space for new residential accommodation, stating that conversions will be permitted where they meet the space standards set out in the national technical housing standards, as provided in the Wandsworth Local Plan Supplementary Planning Document on Housing, adopted in November 2016 (the SPD).

6. The appellant contends that the minimum space standard for a three-bedroom flat is a GIA of 84 square metres and that the proposed GIA of 91 square metres is therefore sufficient. However, the minimum space standard figure quoted is for a three-bedroom, four-person two storey dwelling. Having regard to the figures submitted, all bedrooms in the development would be capable of occupation by six people. The minimum space standard for a three-bedroom, six person two storey dwelling as set down in the SPD is 102 square metres. The proposed three bedroom flat would therefore breach of these standards. Having regard to the size of the proposed flat, it would not provide adequate living conditions for future occupiers.
7. The Council's reason for refusal focuses solely on the floorspace that would be provided by the three-bedroom flat and does not refer to the proposed studio. Nonetheless, the Officer's Report makes it clear that for the GIA of the proposed studio to meet the minimum space standards, it would need to be a one person dwelling, and the submitted plans would therefore need to be amended to show a single bed. For the avoidance of doubt, a studio with a double bed as shown on the plans would be capable of occupation by two people. The minimum space standard for a one person, two bed space single storey dwelling as set down in the SPD is 50 square metres. The studio would therefore be in breach of these standards. Having regard to the size of this flat, it would not provide adequate living conditions for future occupiers.
8. The dwellings proposed, by the nature of their sizes, would have a negative impact on the living conditions of future occupiers. The proposal would therefore fail to comply with Policy DMH6 of the DMPD and with the SPD.

Loss of family sized dwelling

9. Policy DMH2 of the DMPD seeks to maintain a supply of larger family homes within the Borough. It states that the Council will only permit the conversion of dwellings with less than 150 square metres of existing habitable floorspace where the property is unsuitable for families. The supporting text states that in determining whether a property is suitable for families, account should be taken of its location.
10. It is agreed between the parties that the current floorspace of the flat is 81 square metres. However, the flat is not unsuitable for families in its present form, such that conversion would be permitted under Policy DMH2. As observed on site, the property currently provides adequate living space. Taking the location into account, it is situated in a residential area as part of a terrace of similar properties. It is clearly capable of being a family sized dwelling in its current form.
11. For the reasons given the proposal would result in the loss of a dwelling which could reasonably be considered suitable for families. The appellant argues that by providing a three-bedroom flat and a studio the quantity and diversity of the housing stock would be increased by the proposal. While theoretically this may be the case, as demonstrated above the dwellings are too small and inadequate. Practically, they cannot provide the same level of accommodation as the current proposal.
12. As outlined in the supporting text to Policy DMH2 of the DMPD, the Council seeks to protect houses below 150 square metres from conversion. Provided

such dwellings are suitable for families, the supporting text to Policy DMH2 states that they contribute to greater choice of sizes and prices within the area, and can provide for the needs of professional sharers, adult families, and for people who work from home. Policy DMH2 therefore clearly seeks to protect suitable dwellings of this size due to a demand in the local area. Such a loss of a suitable family sized dwelling would therefore be unacceptable.

13. The proposal therefore conflicts with Policy DMH2 of the DMPD, which seek to ensure that the Council provides homes with meet its housing needs.

Other considerations

14. The appellant refers to precedent quoting other conversions that have been permitted in the nearby area. However, limited information on these cases, or their comparability to the proposed development, has been provided. In any event, the appeal should be decided on its own site-specific circumstances.

Conclusion and recommendation

15. Having had regard to all matters raised, I recommend that the appeal should be dismissed.

C Rafferty

APPEAL PLANNING OFFICER

Inspector's Decision

16. I have considered all the submitted evidence and the Appeal Planning Officer's report, and, on that basis, I too agree that the appeal should be dismissed.

A U Ghafoor

INSPECTOR