



Appeal Decision

Site visit made on 24 July 2020

by S Dean MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10 August 2020

Appeal Ref: APP/H5960/W/19/3242944

19 Roehampton High Street, London SW15 4HL

- 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 G Boulden against the decision of the Council of the London Borough of Wandsworth.
 - The application Ref 2019/3716, dated 21 August 2019, was refused by notice dated 21 November 2019.
 - The development proposed is described as "Change of use from retail (A1) use to residential (C3) use."
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are whether or not the proposal i) is an appropriate use for the location, and ii) would provide suitable living conditions for future occupiers with regard to the standard of the accommodation internally and externally.

Reasons

Location

1. The appeal site is a relatively small, end terrace retail unit with a first floor above the front section. The site is within the Roehampton Village Conservation Area (the CA) and both parties agree that it lies within a designated Town Centre 'other frontage'. Policy DMTS 5 of the Wandsworth Local Plan Development Management Policies Document 2016 (the Local Plan) allows ground floor uses in 'other frontages' subject to a number of criteria. The first of these is that the proposed use is an appropriate town centre use as defined in the Glossary. Residential use is not one of those. As such, the proposal is contrary to Policy DMTS 5.
2. The appellant has suggested that the Local Plan allows for greater flexibility of uses within 'other frontages', however, this flexibility is limited to uses within those town centre uses set out in the Glossary to the Local Plan.
3. I note the argument of the appellant that the proposed use could be complementary to other town centre uses in the nearby area. However, any such benefit would be limited by the size of the proposed residential unit, and the purpose of the relevant policies in the Local Plan is to protect such uses to ensure that a range of facilities and services remain available to the wider area.

4. I note the policy imperative in the National Planning Policy Framework (the Framework), the London Plan 2016 and the Local Plan to increase housing delivery and accept that the proposal could provide a residential unit in an accessible location. However, such a benefit has to be balanced against the harm the proposal could otherwise cause to the vitality of a town or local centre, which the Local Plan seeks to prevent. I do not consider that the limited benefit conferred by the proposal, outweighs the need for town centre protection, particularly as the London Borough of Wandsworth is meeting its housing targets.
5. The proposal does not therefore accord with the development plan, and there are no material considerations of such weight to indicate that a decision be taken other than in accordance with it. As such, I conclude that the proposal is contrary to Policy DMTS 5 of the Local Plan which controls alternative uses in Town Centre 'other frontages' in order to manage and protect town centre and complementary uses in order to protect the overall vitality and viability of the town centre.

Living conditions

6. The Local Plan and the associated Wandsworth Local Plan Supplementary Planning Document: Housing 2016 (the SPD) set high standards for residential development, including conversions, and seek to ensure that all residential development meets space and quality standards. The SPD also refers to and includes the London Plan minimum space standards. Against those standards, the proposal falls short of the minimum space standards, as it is a two-storey dwelling rather than a flat.
7. I also have concerns over the quality of the ground floor space which would be provided. No changes are proposed to the external appearance of the site and as such, I am concerned that the proposal would not offer acceptable levels of privacy to future occupiers given the existing glazed shop-frontage. In addition, the kitchen would not benefit from direct natural light.
8. I acknowledge that the shortfall between the proposed floor area and that required by the relevant policy is relatively small. However, given the other harm to living conditions I have found, with respect to the ground floor layout, I do not consider that this shortfall could be considered flexibly and set aside.
9. The proposed outdoor space, provided in the yard to the rear of the site, accessed through the unit itself does not meet the requirement in Policy DMH 6 of the Local Plan. I note the suggestion of the appellant that Putney Heath could provide compensatory open space to make up for that not provided on the site itself, and I saw on my visit the close proximity of both Putney Commons and Richmond Park. However, given the requirement in both the Local Plan and the SPD to provide housing of the highest quality, internally and externally, I do not consider it appropriate to delegate the provision of outdoor space to public open space located away from the site. In my view, whilst public open space is of indubitable value, it cannot wholly or properly replace private outdoor space. I also do not consider it to be a practical or acceptable arrangement to access the yard for the storage of bins and bicycles by passing through the residential unit itself.

10. I acknowledge that the proposal is a conversion rather than a new build, and as such, there are inherent challenges in terms of the layout and available internal and external space. However, that does not negate the Local Plan requirement for the provision of residential units of suitable internal and external quality and there are no material considerations which indicate a decision should be taken other than in accordance with the plan. As I have found that the proposal does not provide that quality, I consider that the proposal would not provide suitable living conditions for future occupiers with regard to the standard of the accommodation internally and externally.
11. The proposal would therefore be contrary to Policies DMH 4, DMH 6 and DHM 7 of the Local Plan, as well as the guidance in the SPD. These policies seek, amongst other things to ensure that residential development, including conversions, provides a satisfactory environment for housing and meets internal and external space standards. The SPD provides additional detail and guidance to support those policies.

Other Matters

12. As noted, the site is within the CA. The Wandsworth Conservation & Design Group Roehampton Village Conservation Area Appraisal & Management Strategy notes that the significance of the CA lies in the still recognisable village character, with a small cluster of small-scale domestic buildings around a short commercial high street. Owing to the lack of external changes, I consider that any effect on the significance of the CA would be neutral, and as such the proposal would preserve the character and appearance of the area. In reaching this conclusion I have had regard to the nature of the proposal and its location, and the great weight which should be given to the conservation of the significance of the CA.
13. I note that a letter of support was received, caveated on the basis of any approval not setting a precedent for similar development elsewhere. Individual planning decisions are made on their own merits, however, as I have explained above, the Local Plan includes policies which control alternative uses in order to protect the vitality and viability of the town centre, and the appeal proposal is contrary to those policies.

Conclusion

14. For the reasons given above, I consider that the proposal is significantly contrary to the development plan, and there are no material considerations of sufficient weight to indicate that a decision be taken other than in accordance with it. I conclude therefore that the appeal should be dismissed.

S Dean

INSPECTOR