
Appeal Decision

Site visit made on 16 October 2020

by S Poole BA(Hons) DipArch MPhil MRTPI

an Inspector appointed by the Secretary of State

Decision date: 04 November 2020.

Appeal Ref: APP/L5240/W/20/3250202

23 Norfolk Road, Thornton Heath CR7 8ND

- 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 GS Landa against the decision of the Council of the London Borough of Croydon.
 - The application Ref 19/05654/FUL, dated 28 November 2019, was refused by notice dated 6 February 2020.
 - The development proposed is described on the application form as the "*conversion of an existing house into 1x2 bed and 1x2 bed with a box room self-contained flat*".
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Decision

1. The appeal is dismissed.

Procedural Matters

2. At the time of my visit the property had been converted into 2 self-contained flats with the upper one being occupied and the lower one at an advanced stage of completion. As the development for which planning permission was sought is substantially complete this appeal now relates to a retrospective planning application.
3. Whilst the description of development refers to the a "box room" in the upper flat, this space is capable of being used as a bedroom and at the time of my visit was in use for this purpose. For these reasons I view the upper level dwelling to be 3-bedroom unit and have determined the appeal on this basis.

Main Issue

4. The main issue is whether the appeal scheme provides acceptable living conditions for occupiers.

Reasons

5. The appeal property is a part 2 and part 3 storey end-of-terrace property situated in a residential street comprising houses of similar age and appearance. It has been converted from a 4-bedroom dwelling to 2 self-contained flats: a 2-bedroom unit on the ground floor and a 3-bedroom unit on the upper floors. The application drawings show the rear garden divided into 2 parts to provide separate private amenity areas for the two dwellings, accessed via the alleyway to the side of the property.

6. Whilst the ground floor flat exceeds the standard for a 2-bedroom 3-person unit set out in the Technical Housing Standards - National Described Space Standard (THS), the bedrooms are below the minimum standards. These transgressions are very minor and overall I am satisfied that the ground floor flat provides an acceptable standard of accommodation.
7. However, the upper floor unit is significantly below the THS requirement for a 3-bedroom dwelling arranged over 2 floors. In addition, one of the bedrooms is well below the size requirements for a single bedroom. As a consequence of its size and layout, the upper level dwelling provides a poor standard of accommodation.
8. For these reasons I conclude that the appeal scheme provides unacceptable living conditions for occupiers. It therefore conflicts with Policy 3.5 of the London Plan (2016) which states that boroughs should seek to ensure that new development reflect the THS.
9. The Council's reason for refusal refers to Policy DM10.4 of the Croydon Local Plan 2018, which relates to the provision of external amenity space. The Council has not suggested that the proposal is deficient in this respect and therefore I do not consider that this policy is relevant to the matters before me.
10. The appeal scheme creates an additional dwelling, albeit no additional residential floorspace is created. The contribution made to housing supply in the area is therefore minimal and this small benefit is not sufficient to outweigh the harm identified above.
11. The appellant has referred to a number of allowed planning appeals and planning permissions for the conversion of houses to flats in the area. There is no evidence before me that the cases referred to are directly comparable to the appeal scheme and I note the appeal relating to a property in Norfolk Road pre-dates the current development plan and the THS. As each planning application and appeal must be considered on its individual merits and against current development plan policy, I attribute limited weight to the permissions referred to.

Conclusion

12. For the reasons set out above, and having regard to all other matters raised, I conclude that the appeal should fail.

S Poole

INSPECTOR