



Appeal Decision

Site visit made on 20 October 2020

by Bhupinder Thandi BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13 November 2020

Appeal Ref: APP/C5690/W/20/3253797

19 Wickham Mews, Brockley, London SE4 1PQ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant approval required under Article 3(1) and Schedule 2, Part 3, Class PA of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).
 - The appeal is made by Mr Thomas Crowley against the decision of the Council of the London Borough of Lewisham.
 - The application Ref DC/20/115175, dated 6 December 2019, was refused by notice dated 9 March 2020.
 - The development proposed is conversion of existing premises in light industrial use (Use Class B1 C) to enable a one bedroom single storey dwelling house to be provided with associated amenity space and bin storage.
-

Decision

1. The appeal is dismissed.

Procedural Matter

2. Under Article 3(1) and Schedule 2, Part 3, Class PA of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended (the GPDO), planning permission is granted for the change of use of premises in light industrial use to dwellinghouses subject to limitations and conditions.

Main Issue

3. The main issue is whether the proposed change of use accords with the provisions of Schedule 2, Part 3, Class PA of the GPDO so as to be permitted development with particular regard to the transport and highway impacts of the development.

Reasons

4. Paragraph PA.1. (c) states that development is not permitted if the prior approval date falls on or after 1 October 2020. Paragraph X states that the prior approval date is the date prior approval is given or a determination that such approval is not required, or the relevant period has expired without the LPA giving a determination.
5. As I must make my decision on the basis of the legal framework in force at the time of the decision the proposal is not permitted development under Class PA of the GPDO having regard to the limitations set out in paragraph PA.1 (c).

6. Given my conclusion, it is not necessary to consider the transport and highway impacts of the development.

Conclusion

7. For the reasons given above the appeal does not succeed.

B Thandi

INSPECTOR