



Appeal Decision

Site visit made on 6 October 2020 by Hannah Ellison BSc (Hons) MSc MRTPI

Decision by M Seaton BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 24 November 2020

Appeal Ref: APP/N5660/W/20/3251567

73 Greyhound Lane, London SW16 5NW

- 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 Miss Blanca Yiannopoulos against the decision of the Council of the London Borough of Lambeth.
 - The application Ref 19/04444/FUL, dated 28 November 2019, was refused by notice dated 9 April 2020.
 - The development proposed is to divide one large three storey house into two 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 are the effect of the proposed development on (i) the supply and mix of family housing; (ii) the living conditions of future occupiers, with particular regard to garden provision; (iii) the character and appearance of the area, and (iv) highway safety with particular regard to on-street parking demand.

Reasons

Supply and mix of family housing

4. The appeal property is a three-storey semi-detached dwelling located on the north west side of Greyhound Lane. Permission is sought for the conversion of the dwelling into a one bedroom flat on the ground floor and a two bedroom flat on the upper floors.
5. Policy H6 of the Lambeth Local Plan (September 2015) (the LLP) seeks to ensure mixed and balanced communities with a choice of family-sized housing and states that in parts of the borough under conversion stress, all dwellings suitable for occupation by families will be protected. Greyhound Lane is identified as a street under conversion stress thus, as the appeal property is a large family dwelling, it is protected from conversion by Policy H6.

6. Both main parties have provided information with regards to the number of properties which have been converted along Greyhound Lane. The appellant has undertaken a survey of a selective and limited amount of properties on the odd side of Greyhound Lane, which indicates that 15 of the 38 surveyed properties are flats and 23 are still in use as single family dwellinghouses. The Council's findings, which are derived from a larger sample size, suggest that 66 of the 107 properties are flats and 41 are houses.
7. At the time of my site visit I walked the full length of Greyhound Lane and observed that, whilst properties immediately surrounding the appeal site appeared to still be in use as single dwellings, there are many properties along the extensive length of Greyhound Lane and a substantial amount appeared to have been converted to flats. As such, there is considerable doubt in my mind as to whether the appellants figures are a true representation of the conversion activity in the area and the conversion stress status of the street as identified within the LLP. I therefore consider that this proposal would increase the already high number of converted family dwellings in the area.
8. Policy H4 of the LLP expects all residential developments, including conversions, to provide a balanced mix of unit sizes including family-sized accommodation. The justification text to both Policy H4 and H6 confirms that family-sized accommodation is defined as houses, purpose-built maisonettes and duplex dwellings with ground-floor access to a rear garden, with 3 or more bedrooms. The larger of the proposed flats would only provide 2 bedrooms and, even if it is of a generous overall size, its upper floor location and lack of garden provision would further reduce its suitability for occupation by a family as residents would have to carry items, such as push chairs, up and down flights of stairs and it would not have outdoor space for children to play in. As such, in terms of the LLP it would not constitute a dwelling which would meet the definition of being suitable for occupation by a family.
9. Taking all the above into consideration, this proposal would have a harmful effect on the provision of a mixed and balanced community in the area and would result in the loss of a dwelling suitable for a family. It would therefore conflict with the requirements of Policies H4 and H6 of the LLP as set out above.

Living conditions

10. There is no disagreement between the main parties that the proposed flats would provide acceptable internal accommodation. However, only the ground floor flat would have use of and direct access to the rear garden. The upper floor flat would have no form of garden or other external space. Policy H5 and Q2 of the LLP collectively seek, amongst other things, that external space is provided for all units.
11. It is acknowledged that the appeal site is within close proximity to Streatham Common however a public recreation area is not a private space for future occupiers and any benefits it may offer would not outweigh the lack of useable external space on-site.
12. As such, this proposal would not provide acceptable living conditions for future occupiers, with particular regard to garden provision. It would therefore fail to comply with Policies H5 and Q2 of the LLP whose collective purpose is to ensure adequate standards of amenity are achieved.

Character and appearance

13. The Council are concerned that the proposal fails to demonstrate that adequate refuse, recycling and cycle storage could be achieved. The space to the front of the appeal building, which is predominantly taken over by hardstanding for the parking of vehicles, is of a generous width and depth. There is also further space along the side of the property behind a locked gate.
14. Whilst this proposal would introduce an additional unit of accommodation to the appeal site, the host building would retain the same number of bedrooms, thus it is unlikely that there would be a considerable increase in total numbers of occupiers. The requirement for refuse, recycling and cycle storage would not therefore be dissimilar to the existing arrangement and I consider there to be sufficient space within the site to achieve well-designed and integrated storage. Were the appeal to have been allowed this could be secured by condition.
15. Consequently, this proposal would not harm the character and appearance of the wider area and would comply with Policies Q12, Q13 and T3 of the LLP which collectively seek to ensure developments include adequate provision of integrated, secure and well-designed refuse, recycling and cycle storage, amongst other things.
16. The Council's fourth reason for refusal includes reference to Policies T7 and T8 of the LLP which relate to parking standards and servicing. I do not consider these policies to be relevant in the context of this matter.

Parking demand

17. The appeal site has a public transport access level (PTAL) of 5 which is considered 'very good'. It is therefore located in a highly accessible location. Policy T7 of the LLP states that developments should be car-free, including permit free and permit-capped schemes, particularly in areas where alternative modes of transport are available and where public transport accessibility is high. This policy also requires car club membership or car pool schemes for all residents in new residential development in place of private parking.
18. However, the appeal site currently has provision for off-street parking, which is to be retained for the proposed development. The width of the parking area is disputed between the parties however, even taking the Council's lower figure, I consider that it could accommodate 2 vehicles whilst also providing enough space to manoeuvre between any parked vehicles. I acknowledge that the crossover may not have planning permission however there is nothing before me to suggest that an acceptable crossover could not be agreed. Given this existing provision for parking of private vehicles, it would be unreasonable to require car club membership and not necessary to make the development acceptable.
19. Furthermore, the appeal site is not located within a controlled parking zone (CPZ) and I observed that on-street car parking was largely unrestricted and available in the surrounding streets at the time of my site visit. Whilst demand for spaces may be higher in the evenings and overnight, there is no compelling evidence before me to suggest that there is substantial pressure for on-street parking in the area. Any mechanism to prevent future occupants from applying for permits in the event that the area became a CPZ in the future would be

unreasonable and I have determined this appeal on the context of the site and locality at the time of the decision.

20. Therefore, due to the limited scale of the development and the existing off-street parking provision, this proposal would not lead to a significant increase in demand for on-street parking to the extent that it would cause harm to the safe operation of the highway. Despite the conflict with Policy T7 of the LLP and Policies 6.1, 6.12 and 6.13 of the London Plan (March 2016) whose collective purpose is to promote sustainable transport and reduce reliance on the private car, this proposal would comply with Policies T1 and T6 of the LLP which seek to ensure proposals do not have unacceptable transport impacts, including cumulative impacts on on-street parking, amongst other things. As I consider a Section 106 obligation is not necessary, Policy D4 is not triggered.

Conclusion and Recommendation

21. I recognise that the provision of an additional residential unit to the local housing market must attract some limited weight in support of the proposed development. Furthermore, the local economy would have the potential to benefit to a limited degree during the construction period and subsequent occupation of the unit.
22. Whilst I have had regard to the limited benefits and my conclusions that the proposal would not be harmful to the character and appearance of the area or highway safety, these would not outweigh the considerable harm I have found to the supply and mix of family housing and living conditions of future occupiers. I therefore recommend that the appeal is dismissed.

Hannah Ellison

Appeal Planning Officer

Inspector's Decision

23. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is dismissed.

Martin Seaton

INSPECTOR