



Appeal Decision

Site visit made on 28 October 2020

by P D Sedgwick BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27 November 2020

Appeal Ref: APP/K3605/W/20/3248511

Newlands/Byeways, Woodside Avenue, Walton on Thames, Surrey, KT12 5LQ

- 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 Glenn Findlay against the decision of Elmbridge Borough Council.
 - The application Ref 2019/2652 dated 19 September 2019, was refused by notice dated 9 January 2020.
 - The development proposed is Change of use from 2 No Flats to single dwelling house. Alterations to form new entrance door, canopy and roof over. Removal of chimney stack, modifications to window openings and application of insulated render to first floor elevations. Provision of 2No. off street parking spaces.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. Both the Council and Appellant were afforded an opportunity to clarify the Council's position regarding its housing land supply and provide comments as to whether this has any implications for how I consider the appeal. No response was received.

Main Issue

3. The main issue is whether the proposal would constitute an acceptable form of development, with particular regard to the provisions of local policy in respect of housing.

Reasons

4. The appeal site is a semi-detached property that was converted into two flats in the 1980s.
5. Policy DM10 of the Elmbridge Local Plan Development Management Plan (April 2015) (LP) resists development that would lead to the net loss of housing units unless the benefits of the proposal would outweigh the harm caused by a reduction in the housing supply.
6. The proposed development would replace a ground floor 2 bedroom flat and first floor 3 bedroom flat with a four bedroom house. Policy DM10 states that consideration will be given to the type and quality of accommodation in considering such proposals. The appellant contends that the quality of

accommodation is currently poor, due to the layout of the ground floor flat, and the size of the garden available to occupants of the first floor flat.

7. Access to the bathroom and bedrooms in the ground floor flat is via the dining room. That does not in my view make the internal layout, and therefore the quality of the accommodation, unacceptably poor. The Council has stated that the flats meet its minimum floorspace requirements set out in Policy DM10 and I have no evidence to the contrary. Policy DM10 has no external space requirements for flats and it is common for first floor flats to have limited or no private outdoor space. Furthermore, open space is available at West Grove, a short walk from the appeal site.
8. Although the area is characterised by large family homes, the property largely retains the appearance of a semi-detached house, rather than that of a flatted development. Its impact on the character of the area at present is therefore minimal.
9. The proposed development would lead to the net loss of accommodation in a sustainable location, with a railway station and several shops within reasonable walking distance. The Strategic Housing Market Assessment for Kingston Upon Thames and North East Surrey Authorities (June 2016) identified 1-2 bedroom units as the accommodation type most needed in the Borough. The proposal would lead to the loss of a 2 bedroom flat and is not therefore an acceptable form of development. As a result, it would conflict with Policy DM10 of the LP which seeks to prevent the net loss of residential accommodation.

Planning Balance

10. The Council cannot currently demonstrate a five-year supply of deliverable housing sites as required by the National Planning Policy Framework (the Framework). Consequently, paragraph 11(d) of the Framework is engaged. It requires that planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.
11. The proposal would provide benefits in terms of returning the building to a family house and jobs during construction which weigh in favour of the development. In my view, the identified harm arising from the loss of residential accommodation in a sustainable location, for which there is an identified need, would significantly and demonstrably outweigh the benefits, when assessed against the policies in the framework taken as a whole. Thus, the proposal would not be sustainable development for which the Framework indicates a presumption in favour.

Conclusion

12. For the reasons given above I conclude that the appeal should be dismissed.

P D Sedgwick

INSPECTOR