

Appeal Decision

Site Visit made on 9 March 2021 by Emma Worby BSc (Hons) MSc

Decision by Andrew Owen BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 29 March 2021

Appeal Ref: APP/C5690/W/20/3262978

350 Brownhill Road, Catford, London SE6 1AY

- 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 Nella Properties Limited against the decision of the Council of the London Borough of Lewisham.
 - The application Ref DC/20/117355, dated 30 June 2020, was refused by notice dated 23 September 2020.
 - The development proposed is the construction of rear single storey extension, alterations and enlargement of roof with side and rear dormers and conversion of extended building into 2 x three bedroom dwellings and a two bedroom flat.
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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.

Preliminary Matters

3. I saw at the site visit that the dormers and single storey extension had been constructed, however the property had not been subdivided and was unoccupied. Although it appears that dormers and a single storey rear extension have been granted a lawful development certificate¹, they have also been included as part of this appeal and therefore the development will be considered as a whole.
4. Since the appeal was submitted a new London Plan was published on 2 March 2021 and so policies 3.5, 3.8, 6.9 and 6.13 in The London Plan (2016) referred to in the decision letter are now superseded by policies D6, T6 and T5 in The London Plan (2021) (LP) as confirmed by the Council. Therefore the appeal will be considered against these policies from the newly published London plan.

Main Issues

5. The main issues in the appeal are:
 - The effect of the development on the supply of family housing;

¹ DC/19/111801 and DC/20/112158

- Whether the development would create satisfactory living conditions for its future occupiers with regards to living accommodation;
- The effect of the development on highway safety with regards to on-street parking;
- Whether the development would provide sufficient cycle parking.

Reasons for the Recommendation

The Supply of Family Housing

6. The appeal property is a two-storey semi-detached dwelling located in a residential area. The dwelling faces a busy main road from which it is set back with hardstanding to the front. The proposal includes extensions to the dwelling and the subdivision of the property into three self-contained residential units.
7. Policy 3 of the Development Management Local Plan (DMLP) 2014 states that the Council will refuse planning permission for the conversion of a single family house into flats except where environmental conditions means that the single family house is not suitable for family accommodation. Although the appeal site is located adjacent to a busy road, the road is only a single carriageway and the building is sufficiently set back to limit any traffic noise which may be experienced by the occupiers of the dwelling. It also provides ample external amenity space for family use. Therefore, there are no environmental conditions which indicate that the single family house in this location is not suitable. Furthermore, although other single dwellings on Brownhill Road have been converted into multiple residential units, this does not necessarily indicate properties on this road are unsuitable as family houses.
8. The property, as a single dwellinghouse, is large with a significant floorspace. Neither party has provided substantive evidence to demonstrate that there is a surplus or deficit of family housing against local demand. Paragraph 2.18 of the DMLP does state that the pan London SHMA identifies a surplus of large houses, but this is across London as a whole. Paragraph 2.22 states that the Lewisham SHMA identifies that the main need for housing in Lewisham is family housing and that the conversion of houses into flats should be limited as the projected housing growth for Lewisham can be accommodated without the need for such conversions. There is no evidence before me to refute this.
9. The proposal would result in two additional residential units on a small site, including two family sized flats, providing a small contribution to local and national objectives surrounding housing supply, such as those in the recent government white paper 'Planning for the Future' (2020) and LP policy H2. However, this would not outweigh the local policy requirement for the retention of single family houses as detailed above.
10. Therefore, in conclusion, the proposal would result in the loss of a valuable family dwelling and would be contrary to Policy 1 of the Core Strategy (CS) 2011 and Policy 3 of the DMLP. These policies require the retention of single family houses where suitable and seek an appropriate mix of dwellings including the provision of family housing.
11. Policy 3 also states that conversions must meet the requirements and standards set out in DMLP Policy 32, among others, which I do below.

Living Conditions

12. Flat 1 would provide three bedrooms for five people, over a single floor, with an overall floor area of 94m², thereby exceeding the minimum space standards set out in Policy D6 of the LP.
13. The appellant has stated that Flat 2 would provide three bedrooms for four people and Flat 3 would provide two bedrooms for three people, whereas the Council consider the flats would serve five people and four people respectively. However it is considered that if a bedroom is large enough to be a double bedroom, using the measurements given in Policy D6, it should be considered as such. Therefore, based on the floor areas of the bedrooms given by the appellant, Flat 2 would have two double/twin bedrooms and one single bedroom for a total of five people and Flat 3 would have two double/twin bedrooms for a total of four people.
14. Flat 2 would have an overall floor area of 87m² over two floors and Flat 3 would have an overall floor area of 77.5m² over two floors. These would be below the relevant minimum space standards required by the development plan and therefore the proposal would not provide sufficient living space.
15. In conclusion, the proposed development would not create satisfactory living conditions and would be contrary to Policy 32 of the DMLP and Policy D6 of the LP. These policies require residential development to meet the functional requirement of future residents with adequately sized rooms which meet minimum space standards. The proposal would also be contrary to paragraph 127 of the National Planning Policy Framework which requires a high standard of amenity for future users. Although Policy 15 of the CS requires development to apply national and regional policy and guidance, it does not make specific reference to space standards and therefore is not directly relevant to this issue.

Highway Safety

16. Policy T6 of the LP indicates that for inner London areas with a PTAL rating of 2, such as the appeal site, the maximum parking provision should be 0.5 spaces per dwelling. The proposed development would provide 2-3 car parking spaces to the front of the dwelling, which is marginally in excess of the amount required. As the number of spaces provided is in excess of the standard, a parking survey would not be necessary as the proposal would not be likely to result in a significant need for additional on-street car parking.
17. Although the sub-division of the property may result in an increase in the number of people occupying the property, the location is sufficiently close to public transport for residents to make journeys without the use of a car if necessary.
18. Therefore, the proposal would not harm highway safety and would not conflict with Policy 14 of the CS, Policy 29 of the DMLP or Policy T6 of the LP. These policies require a managed and restrained approach to car parking, in accordance with the maximum car parking standards.

Cycle Parking

19. The application form indicates that the site would provide five cycle parking spaces with the proposed block plan showing the general location of these to the front of the dwelling. In accordance with Policy T5 of the LP, the proposal

would be required to provide six cycle parking spaces and therefore the number of spaces proposed would be insufficient. However, there is ample space to the front of the dwelling to provide parking for six bicycles and it is considered that the number of spaces and the design of the cycle storage could be sufficiently secured by way of a condition.

20. Consequently, the appeal site and the proposed development would be capable of providing sufficient cycle parking and therefore would not be contrary to Policy 14 of the CS or Policy T5 of the LP, which requires cycle parking for new development in accordance with the minimum standards.

Other Matters

21. The appellant's concerns that the Council did not carry out a site visit are noted. However, this does not change my consideration of the planning merits of the proposal. Furthermore, the parts of the development to which the Council found no harm are neutral factors and do not outweigh the harm found.

Conclusion and Recommendation

22. Although the proposal would provide sufficient cycle parking and would not harm highway safety, it has been found that the proposal would result in the loss of a valuable family dwelling and would not provide satisfactory living conditions for its occupiers. Overall, the proposal would conflict with the development plan taken as a whole and there are no material considerations that indicate the decision should be made other than in accordance with the development plan.
23. Therefore, for the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be dismissed.

Emma Worby

APPEAL PLANNING OFFICER

Inspector's Decision

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

Andrew Owen

INSPECTOR