

Appeal Decision

Site visit made on 7 May 2021

by R C Shrimplin MA(Cantab) DipArch RIBA FRTPI FCI Arb MCIL

an Inspector appointed by the Secretary of State

Decision date: 14 June 2021

Appeal Reference: APP/T5720/W/20/3264378

Land at 58 Seely Road, Tooting SW17 9QT

- 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 G Thiagmorthy against the decision of Merton London Borough Council.
 - The application (reference 20/P2450, dated 7 August 2020) was refused by notice dated 5 October 2020.
 - The development proposed is described in the application form as "Conversion of existing single family dwelling to form two self-contained flats – incorporating new single storey rear extension".
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Decision

1. The appeal is dismissed.

Main issues

2. The first main issue to be determined in this appeal is whether the scheme would provide satisfactory living conditions for occupiers of the proposed new residential accommodation. The second is the effect of the proposals on the provision of family sized accommodation in the locality.

Reasons

3. The appeal site is located in a residential area of Tooting, where long terraces are laid out in a rectangular street pattern. The houses have small front gardens and larger back gardens but the whole area is closely built up, with a strongly urban character.
4. The area is attractive, however, with trees in the street and planting in front gardens which soften the streetscene. The architecture, dating from the earlier part of the twentieth century, is traditional in form, with decorative elements that add to its overall interest.
5. Number 58 Seely Road is a mid-terrace, two-storey house that currently provides three bedrooms and a bathroom on the first floor, comprising a useful family house, with a plain back garden.
6. It is now proposed that the appeal building should be converted to provide two flats, that on the ground floor having the benefit of the back garden.

7. The 'National Planning Policy Framework' (which was revised in February 2019) emphasises the aim of "achieving well designed places" in the broadest sense (notably at Section 12), while making effective use of land and encouraging economic activity. It is aimed at achieving good design standards generally, which includes providing good standards of residential accommodation.
8. In this case, the 'Technical housing standards – nationally described space standard' is also particularly important. It was published in March 2015 and deals with internal space within new dwellings.
9. An emphasis on the importance of good design is also to be found in the Development Plan, including planning policies for the London Borough of Merton and more widely applicable policies in 'The London Plan'. Particular attention has been drawn to Policies DMD2 of the 'Sites and Policies Plan' (adopted in July 2014) and Policy CS14 of the 'LDF Core Planning Strategy' (adopted in July 2011). These policies underpin general principles (that are also to be found in 'The London Plan') and they emphasise the importance of good design and the aim of protecting urban character. In addition, Policy CS9 of the 'Core Strategy' aims to promote "socially mixed and sustainable neighbourhoods", while Policy CS14 identifies a need for family sized homes as well as setting out other design criteria.
10. The appeal proposals would create a new flat on the ground floor with a double bedroom and large living room, incorporating dining and lounge areas as well as an adjoining kitchen. This flat would exceed the requirements that are set out in the 'Technical housing standards' referred to above and it would also have the benefit of the back garden.
11. The first floor flat would also have a double bedroom and a separate living room (with an adjoining kitchen) but the gross internal floor area would fall significantly below the requirements of the 'Technical housing standards', according to the submissions. It would be unduly cramped, therefore. It would also lack external amenity space although this shortfall alone might not have been crucial for a first floor flat, if there had not been other objections.
12. The proposed conversion to form two flats would also involve changes to the front garden space. Additional refuse bins and bicycle storage provision would need to be accommodated and the attractiveness of the frontage would be significantly eroded if this were to be done.
13. It is acknowledged that the scheme would involve the creation of an additional dwelling but both the finished dwellings would be rather small; indeed, the potential occupancy rate for the building as a whole would be reduced. Moreover, the Council's more recent planning policies point out the need for family sized homes and, in this case, such a home would be lost.
14. It is acknowledged that planning permission was granted for such a conversion to form two flats on a previous occasion, in July 2008, but I am conscious that planning policies have changed in the meantime. Both the 'National Planning Policy Framework' and the 'Technical housing standards' have come into effect, laying emphasis on design considerations, including the achievement of good housing standards. Changes in local planning policies tend in the same direction and specifically identify the need for family sized dwellings.

15. Evidently, the appeal site lies within an established urban area, which is “sustainable” in planning terms, and the proposed development would add to the existing housing stock, in a sense, by creating two dwellings where one currently exists. Nevertheless, the conversion scheme would provide unsatisfactory living conditions for occupiers of the proposed new residential accommodation, because of the nature of the proposals, including the cramped nature of the first floor flat and the effect of the scheme on the frontage. The conversion would also have an adverse impact on the provision of family sized homes in the locality. Hence, I have concluded that the scheme before me would conflict with both national and local planning policies (including the Development Plan) and that the benefits of the proposals are outweighed by these objections.
16. In short, I have concluded that this appeal ought not to be allowed and, although I have considered all the matters that have been raised in the representations, I have found nothing to cause me to alter my decision.

Roger C Shrimplin

INSPECTOR