



Appeal Decision

Site Visit made on 19 May 2021

by L J O'Brien BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 5 October 2021

Appeal Ref: APP/L5240/W/20/3254063

1 Abingdon Road, London, SW16 5QP

- 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 Chang Jin Huang against the decision of London Borough of Croydon.
 - The application Ref 20/01565/FUL, dated 4 April 2020, was refused by notice dated 29 May 2020.
 - The development proposed is alterations to existing rear extensions and conversion of dwelling into 2 x 1 bed and 1 x 2 bed self-contained flats.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. At the time of my site visit construction work appeared to have begun and had reached a fairly advanced stage. However, the works I observed on site appeared to differ from those shown on the plans submitted as part of this appeal. Therefore, for the avoidance of doubt, I have determined this appeal on the basis of the submitted plans.
3. Following the Council's refusal of the planning application in 2020, the London Plan, March 2021 (the London Plan) was adopted, superseding all previous versions of the London Plan. The parties to the appeal were invited to submit copies of the 2021 London Plan and I have determined the appeal on the basis of the adopted London Plan.

Main Issues

4. The main issues are:
 - the effect of the proposal on housing provision within the area; and
 - whether or not the proposal would provide satisfactory living conditions for future occupiers with particular regard to amenity space.

Reasons

5. The appeal property, 1 Abingdon Road, is a two storey dwelling which forms part of a terrace of four properties. The dwelling is set back from the road behind a small front garden area. The proposed development is for the subdivision of the property into three self-contained flats.

Housing provision

6. The proposal would result in the loss of a single family dwelling. The Council are clear in their aim to ensure that a choice of homes is available in the borough that will address the borough's need for homes of different sizes and, as such, consider that the proposed conversion would not be policy compliant.
7. Policy DM1.2 of the Croydon Local Plan 2018 (LP) sets out that the Council will permit the redevelopment of residential units where it does not result in the net loss of 3 bedroom homes (as originally built) or the loss of homes smaller than 130m².
8. The Council state that the proposal would indeed result in the subdivision and loss of an original 3 bedroom dwelling with a floor area of less than 130sqm; for which, the evidence before me suggests, there is an identified need in the borough. Though the plans appear to indicate that the dwelling now has more than 3 bedrooms, the appellant does not appear to dispute the figures or that the dwelling as originally built was a 3 bedroom dwelling.
9. On the basis of the evidence before me, I consider that the proposal would result in the loss of a 3 bedroom family dwelling and would cause harm to housing provision within the area. The proposal would thus conflict with Policy DM1.2 of the LP.
10. The Council also make reference to Policy SP2.7 of the LP. However, in my reading, this policy is mainly concerned with the Council's strategic aims for the provision of new homes. As such, this policy carries limited weight in my assessment of the scheme before me.

Living conditions

11. Policy DM10.4 of the LP states that all proposals for new residential development will need to provide private amenity space that provides a minimum space of 5m² per 1-2 person unit and an extra 1m² per extra occupant thereafter.
12. The dwelling at No 1 Abingdon Road currently has a rear garden area. Though the appellant states that each of the proposed flats would have access to an area of private external amenity space, with the exception of flat two, the plans submitted with the appeal before me do not give any indication as to whether or not this would be secured and how or where this would be provided. As such, I am not persuaded that proposed flats one or three would provide the required levels of private amenity space.
13. The proposed first floor flat, flat two, would have a small balcony accessed via a set of double doors from the kitchen. This flat would be a two bedroom, three person unit; as such, it is required to provide 6m² of private amenity space. The Council state that the balcony area would be approximately 5.4m². The appellant has not disputed this figure. This flat, therefore, would also fail to provide the required amount of private amenity space.
14. As such, on the basis of the evidence before me, I consider that the proposal would fail to provide satisfactory living conditions for future occupiers with particular regard to amenity space. The proposal would, therefore, fail to accord with Policy DM10.4 of the LP which sets out the requirements for the provision of private amenity space for new residential developments. The proposal would also be at odds with Policy SP2.8 of the LP which seeks to

ensure that new homes in Croydon meet the needs of residents by requiring new homes to achieve the minimum space standards set out in policy.

Other Matters

15. I acknowledge that the proposal would be in a location well served by existing facilities and infrastructure. I also recognise that the proposal would provide some, limited, benefits for example by providing two additional homes. I also acknowledge the economic benefits of engaging local professionals, trades and suppliers and the ongoing benefit of the occupiers of the proposed dwelling utilising local facilities. These benefits are, however, limited by the small scale of the proposal and must be considered in that context.
16. I have given careful regard to all of the above considerations. However, none are sufficient to dissuade me from the conclusions I have reached that the proposal would cause harm to housing provision within the area and would fail to provide satisfactory living conditions for future occupiers.

Conclusion

17. The proposal would not accord with the development plan when it is considered as a whole and I have not identified any material considerations which indicate that the appeal should be allowed. For the reasons given above I conclude that the appeal should be dismissed.

L J O'Brien

INSPECTOR