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# Appeal Decision

Site visit made on 3 May 2022

**by E Grierson BSc (Hons) MSc MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 30 May 2022**

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**Appeal Ref: APP/L5240/W/21/3287992**

**226 Lower Addiscombe Road, Croydon CR0 7AB**

- 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 Anton Prenga against the decision of London Borough of Croydon.
  - The application Ref 21/04824/FUL, dated 20 September 2021, was refused by notice dated 12 November 2021.
  - The development proposed is the conversion of a single dwellinghouse into 2x 2-bedroom self-contained flats.
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## Decision

1. The appeal is dismissed.

## Preliminary Matters

2. The appellant has submitted an amended floor plan and a section plan with the appeal. These plans were not considered by the Council in their determination of the planning application. While the appeal process should not be used to evolve a scheme, the amendment results in internal changes only and the Council have had the opportunity to comment on the amended plans as part of this appeal. Therefore, I do not consider that the Council and interested parties would be prejudiced by my acceptance of the amended plans. Thus, I have considered the appeal on this basis.
3. Although the application was not submitted retrospectively, I saw during my site visit that the dwelling had already been subdivided into two self-contained flats. I noted that the upper floor unit currently has three bedrooms whereas the submitted plans indicate that the proposal would provide two 2-bedroom flats. Consequently, I have considered the appeal on the basis of the amended floor plan indicated above, which shows two and not three bedrooms for the upper floor flat.

## Main Issues

4. The main issues in the appeal are:
  - The effect of the proposed development on the supply of family housing, and
  - whether the proposed development would provide satisfactory living conditions for the future occupiers, with regard to the provision of internal space, private outdoor space and privacy.

## Reasons

### *The Supply of Family Housing*

5. Policy DM1.2 of the Croydon Local Plan (2018) states 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). As the proposed development would convert a single 3-bedroom dwelling, as originally built, into two 2-bedroom flats, it would not comply with this policy.
6. Neither party has provided substantive evidence to demonstrate that there is a surplus or deficit of family housing against local demand. However, policy SP2.7 of the Croydon Local Plan (2018) sets a strategic target for 30% of all new homes up to 2036 to have three or more bedrooms. This demonstrates that there is an identified need for larger family homes in the area and that the loss of this dwelling, through conversion into two flats, would be to the detriment of this need.
7. The appellant has identified a need for additional housing in the National Planning Policy Framework and The London Plan (2021) and the proposal would provide one additional dwelling to contribute towards this. However, this would be a minimal contribution to the housing stock and would not outweigh the local policy requirement for the retention of 3-bedroom homes as detailed above.
8. Therefore, in conclusion, the proposal would result in the loss of a valuable family dwelling and would be contrary to Policies DM1.2 and SP2.7 of the Croydon Local Plan (2018) for the reasons set out above.

### *Living Conditions*

9. Policy DM10.4 of the Croydon Local Plan (2018) requires new residential development to provide a minimum amount of private amenity space of 5m<sup>2</sup> per 1–2-person unit and an extra 1m<sup>2</sup> per extra occupant thereafter. For flatted development, it also requires a minimum of 10m<sup>2</sup> per child of new play space. Whilst the ground floor unit would have access to the rear garden, the upper floor unit would have no private outdoor space. Therefore, the proposal would not comply with this policy and, due to the lack of outdoor space, would not provide sufficiently acceptable living conditions for its future occupiers.
10. The amended floor plan, submitted as part of this appeal, results in an increase in the floor area of bedroom 2 within the upper floor unit and a reduction in the size of the wardrobe/storage space. The resultant storage space, with a floor area of 9.5m<sup>2</sup> would not be permissible as a third bedroom and therefore the dwelling would be a 2-bedroom 3-person unit. Within the space standards outlined within Policy D6 of The London Plan (2021) and the Nationally Described Space Standards such a unit would require a minimum internal space of 61m<sup>2</sup>. The proposed upper floor unit would have an internal space of approximately 91.5m<sup>2</sup> and would therefore comply with this requirement. The proposed ground floor unit would also comply with minimum space standards and both units would provide sufficient ceiling heights.
11. The Council have highlighted that the ground floor unit would have a bedroom with a front facing window, in close proximity to the communal entrance and waste storage area. Whilst no external screening solution has been suggested

by the appellant, it is considered that internal screening, could be used to sufficiently protect the privacy of future occupants.

12. Consequently, whilst the proposed development would provide satisfactory internal space and would not significantly harm the privacy of its occupants, due to the lack of private outdoor space for the upper floor unit, the proposed development would not provide satisfactory living conditions for its future occupiers. It would therefore conflict with Policies D3 and D6 of The London Plan (2021) and Policies SP2.8 and DM10.4 of the Croydon Local Plan (2018). These policies collectively seek to ensure that development achieves outdoor environments that are comfortable and inviting for people to use, provides functional space and meets minimum standards.
13. The proposal would also be contrary to the Suburban Design Guide Supplementary Planning Document (SPD) (2019) which requires new dwellings to include outdoor amenity space as set out in policy DM10.4 of the Croydon Local Plan (2018) which, where possible, is directly accessible from the dwelling.

### **Conclusion**

14. For the reasons given above and having had regard to all other matters raised, the proposal would conflict with the development plan taken as a whole and I conclude that the appeal should be dismissed.

*E Grierson*

INSPECTOR