



Appeal Decision

Site visit made on 1 November 2022

by F Harrison BA(Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 1st December 2022

Appeal Ref: APP/N5660/W/22/3294879

6 and 7 Myton Road, London SE21 8EB

- 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 Mark Barber of Brightstar Ltd against the decision of the Council of the London Borough of Lambeth.
 - The application Ref 21/02395/FUL, dated 17 June 2021, was refused by notice dated 16 September 2021.
 - The development proposed is new porch amalgamation of 6 and 7 into a single family dwelling.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. Since the appeal was lodged the Lambeth Local Plan has been found sound at examination and adopted. As such, it forms part of the development plan for the area and the appeal has been determined on this basis.
3. I note that a single family currently occupies 6 and 7 Myton Road and that the appellant has suggested that permission is not required for the amalgamation of the properties. Nevertheless, the proposal is before me, which I have assessed against the information submitted by the parties and my site visit.

Main Issue

4. The main issue is the effect on the supply of houses in the area.

Reasons

5. Policy H8 of the London Plan (2021) says that 'loss of existing housing should be replaced by new housing at existing or higher densities with at least the equivalent level of overall floorspace'. Lambeth Local Plan (2021) at Policy H3 says that 'existing self-contained C3 housing will be safeguarded in accordance with London Plan policy'. As such, there is a clear requirement to protect existing housing in the Borough.
6. 6 and 7 Myton Road currently provide self-contained C3 housing. C3 housing would continue to be provided were the appeal proposal to be allowed. The key difference is the numerical loss of one C3 dwelling. While not explicit, I have no reason not to consider policies H8 and H3 as a mechanism to prevent the numerical loss of housing. Moreover, while the proposal would increase the overall floorspace, the reduction in dwellings from two to one represents a

lower density of C3 housing provision at the site. As such the proposal would not meet the requirements of Policy H8 in this regard.

7. Policy H3 also includes an exception where the net loss of C3 housing may be acceptable, in cases where the proposal is for specialist non self-contained accommodation (use class C2) to meet identified local need. However, there is no dispute that this exception does not fall to be considered for the appeal proposal.
8. My attention has been drawn to the existence of other planning applications in the wider area that have resulted in the loss of a residential unit where planning permission has been granted. However, the information before me relating to these applications is minimal. It would appear that some of the examples relate to the amalgamation of flats and it has not been shown that the schemes are directly comparable to this proposal. As such, a decision to refuse permission at the appeal site would not be inconsistent with other decisions that have been taken in the area.
9. Consequently, the proposal would be harmful to the supply of houses in the area, in conflict with policies H8 and H3 which seek to safeguard existing housing.

Other Considerations

10. I have considered the appellant's comments that the proposal would improve the living standards of the owners. Although there may be some improvement to the present owners living standards there is no reason other approaches could not be taken in line with the approved development plan. There is nothing convincing to demonstrate that acceptable living standards cannot otherwise be met.
11. It may well be that the proposal could be relatively easily reversed by any future owners, and I note that the proposal would reflect the prevailing character and appearance of the properties in the immediate area. However, these neutral factors carry limited weight. The proposal is also said to enhance housing in the area through the formation of a larger family home, however it has not been shown that there is a particular problem that needs to be resolved at this specific site, so I attribute this general benefit limited weight.

Planning Balance and Conclusion

12. My above findings bring the proposal into conflict with the development plan, read as a whole. There are no material considerations that have been shown to have sufficient weight to warrant a decision otherwise than in accordance with it. Therefore, the appeal is dismissed.

F Harrison

INSPECTOR