



Appeal Decision

Site visit made on 23 November 2023

by S Poole BA(Hons) DipArch MPhil MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13th December 2023

Appeal Ref: APP/H5960/W/23/3323808

19A Spencer Walk, London SW15 1PL

- 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 Richard Sinclair against the decision of the Council of the London Borough of Wandsworth.
 - The application Ref 2022/2700, dated 30 June 2022, was refused by notice dated 31 March 2023.
 - The development proposed is described on the application form as "Demolish existing and build one new house on 4 storeys + basement + rooms in roof".
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The Wandsworth Local Plan 2023-2038 (LP) was adopted in July 2023, after the determination of the planning application. Planning law requires me to consider the appeal proposal against the policies in the new LP. The policies in the superseded Local Plan no longer require consideration.

Main Issue

3. The main issue is the effect of the proposal on the supply of housing in the borough.

Reasons

4. The appeal property is a 2-storey building with accommodation within the roof space. It comprises 2 self-contained dwellings, a 2-bedroom flat on the ground floor and a duplex unit occupying the upper levels, both of which have small areas of outdoor amenity space to the rear. Whilst the latter contains 3 bedrooms, the 2 roof level bedrooms have limited head-room and the third bedroom falls well below the floor space requirements for a single bedroom set out in the Technical Housing Standards – Nationally Described Space Standard (2015). For these reasons the upper dwelling does not represent a family dwelling.
5. The property is situated in a residential street that primarily comprises semi-detached houses. Whilst the street as a whole forms a key part of the Charlwood Road and Lifford Street Conservation Area (CA) the appeal property makes a limited contribution to the Area's character and appearance.

6. Policy H8 of the London Plan (2021) states 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”. London Plan Policy H8 follows on from Policies GG4, H1 and H2 which very clearly identify the optimisation of housing delivery, including on small sites, as a strategic London Plan priority. The onus is very clearly on maximising the density of housing in terms of the number of dwellings delivered by each site. This is in line with the aims of paragraphs 124 and 125 of the National Planning Policy Framework (2023) which emphasise the need to optimise the use of land to meet housing needs.
7. LP Policy LP25 states that “existing self-contained housing will be protected in accordance with Policy H8 of the London Plan”. The Policy identifies exceptional circumstances where a net loss of self-contained dwellings will be acceptable, including where a proposal involves combining no more than 2 non-family-sized dwellings in order to create a family-sized dwelling of up to 130sqm in floor area. It is evident from the supporting text at paragraph 17.24 of the LP that this exception relates to situations where 2 dwellings in a converted house are amalgamated to return a property to its original configuration as a family dwelling.
8. The proposal would comprise the demolition of the appeal property and its replacement by a 4-storey house with 7 double bedrooms and living accommodation within a basement and at roof level. This would be similar in size and appearance to 15 and 17 Spencer Walk, the neighbouring pair of large semi-detached houses.
9. The proposal would more than double the amount of residential floorspace within the appeal site. However, at the same time there would be a 50% reduction in the number of dwelling units and there is very clear scope to provide at least 2 good-sized family houses with gardens or a number of flats. The proposal would not optimise the use of the site and would therefore have an unacceptable effect on housing supply in the borough. For these reasons it fails to accord with LP Policy LP25 and London Plan Policy H8 and is contrary to the aims of the Framework, which states that local planning authorities should refuse applications which they consider fail to make efficient use of land.

Conclusion

10. For the reasons set out above, and having regard to all other matters raised, I conclude that the appeal should fail.

S Poole

INSPECTOR