
Appeal Decision

Site visit made on 16 July 2024

by Thomas Courtney BA(Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 09 OCTOBER 2024

Appeal Ref: APP/L5240/W/24/3338379

154 Frant Road, Thornton Heath, Croydon CR7 7JW

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mrs B Brown against the decision of the Council of the London Borough of Croydon.
 - The application Ref is 23/00450/FUL.
 - The development proposed is the change of use from residential dwelling to HMO for up to 5 persons.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - whether the proposed conversion of the dwelling to a five persons House in Multiple Occupation (HMO) would be contrary to local housing policies in respect of the loss of a three-bedroom residential unit; and
 - The effect of the development on the character and appearance of 154 Frant Road and the surrounding area.

Reasons

Supply of three-bedroom units

3. No 154 Frant Road is a two-storey terraced dwelling situated on the eastern side of Frant Road within an established residential area. On my site visit I observed that the house was unoccupied and that a number of internal alterations appeared to be undergoing. There appeared to be six bedrooms with most rooms featuring a kitchenette and ensuite bathroom.
4. Policy DM1.2 of the Croydon Local Plan 2018 (CLP) refers to the need for the provision of housing choice to achieve sustainable communities. It seeks to protect against the loss of single-family units and retain its stock of three-bedroom residential units. It accepts the redevelopment of residential units where it does not result in the net loss of three-bedroom homes (as originally built). The Croydon Strategic Housing Market Assessment 2015 identifies a need for family-sized dwellings and forms part of the evidence base which underpins CLP Policy DM1.2.
5. The appellant states that it is not possible to definitively determine No 154 was originally built as a three-bedroom dwelling. However, the Council have

provided the original floorplans of the appeal building for when it was constructed in 1899. It shows three bedrooms and a box room at first floor level thus confirming the property was originally built as a three-bedroom house. The Council included the original floorplans in Appendix 3 of their Statement of Case. Whilst the appellant indicates they did not have sight of these plans during the application phase, they have had the opportunity to comment on the plans as part of this appeal.

6. I have not been provided with any counter evidence which clearly indicates a smaller or larger original arrangement and I have no reason to dispute that the plans provided by the Council do not relate to the dwelling's original room layout. I have also had regard to the plans relating to a planning consent in 2020 indicating that the existing internal layout at the time of that application showed the dwelling with three bedrooms.
7. The appellant argues that the property now has six bedrooms, and the proposal would reduce the number of bedrooms to five, which would therefore be closer to a three-bedroom unit. Notwithstanding the number of rooms used as bedrooms within the current dwelling, the purpose of CLP Policy DM1.2 is to safeguard the provision of single-family houses with three bedrooms. The conversion to an HMO would introduce single-occupancy accommodation within the building and lead to the loss of a three-bedroom house (as originally built) capable of accommodating a family. Whilst the dwelling has been altered since its original construction and currently incorporates six bedrooms, some of those bedrooms have replaced rooms originally indicated as communal areas. There would be nothing preventing further internal alterations and the reinstatement of some of those original communal spaces as well as the former three-bedroom layout.
8. I acknowledge a Certificate of Lawfulness was granted for a loft conversion in 2020 (ref 20/05366/LP). This would have provided three bedrooms in the new loft space, however, this has not been constructed. The permitted development provisions set out in the Town and Country Planning (General Permitted Development) Order 2015 sit outside the Council's local development management policies. The granting of the loft conversion is not relevant to the purpose of Policy DM1.2.
9. Accordingly, given the above, the proposal would lead to the loss of a three-bedroom residential unit (as originally built). It would conflict with Policies DM1.2 and SP2.7 of the CLP which together seek to ensure there is an appropriate mix of homes available in the borough and that proposals do not lead to the loss of three-bedroom residential units suitable for families.

Character and Appearance

10. The appeal dwelling has a traditional Victorian design with a small front forecourt. The building features a pitched roofed front gable with bay windows. Frant Road is characterised by terraced Victorian houses with small front gardens or forecourts with space for one vehicle.
11. The appellant states that the proposal would result in a less intensive use and that only one blue badge parking space would be required. Whilst the site is located close to public transport and amenities, Policy T6 of London Plan 2021 states that small scale HMOs should have two car parking spaces. Moreover, the site does not have a PTAL rating of 6A or 6B where a car free development would be more viable. In any case, the appellant has not submitted or

proposed a S106 legal agreement which is required in order to remove resident eligibility for parking permits.

12. The appellant also states that the forecourt could accommodate two car parking spaces and the required refuse storage. However, in the absence of a detailed site plan showing parking and refuse arrangements it is unclear whether the forecourt is wide enough to fit two vehicles as well as refuse storage for a five persons HMO.
13. The storage of cycles within the rear garden would be impractical given the future occupiers would have to move cycles through a series of passageways and doors within the building. This would be a difficult and inadequate manoeuvre. Furthermore, the path which could give access to the rear garden store appears to be unmaintained, overgrown and closed off by another dwelling. This would likely mean that the cycle storage would have to be provided within the forecourt.
14. The size of the forecourt is not particularly large. The arrangement of the required car parking spaces together with the refuse and cycle storage has the potential, given the relative width and depth available and the space that those facilities would likely require, to appear cramped and disorderly. In the absence of any details demonstrating otherwise, I remain unconvinced that the proposal would not adversely impact the setting of the host building. An overly cluttered forecourt would be read as a disagreeable feature and would appear prominently within the streetscene.
15. The appellant considers that if further details are required, they could be secured by planning condition as it is clear there is sufficient space to accommodate a large number of cycles. I would suspect that given the degree of uncertainty relating to the forecourt's ability to accommodate vehicular parking as well as refuse and cycle storage, the use of a condition would not be reasonable in this case. Also, at p. 12 of the appellant's appeal statement, it is stated that it is clear from the image provided that all necessary facilities can be provided. However, those facilities would all require different space requirements. Greater certainty regarding whether they can be accommodated would be needed beyond a visual inspection given the forecourt's restricted size.
16. The proposal has failed to demonstrate that the front of the appeal site can accommodate the required refuse, cycle and parking provision and, as a consequence, does not provide certainty that the residual effects of those facilities on the front forecourt would not harm the character and appearance of No 154 Frant Road and the surrounding area. It would thus conflict with Policies SP8, DM29, DM13 of the CLP and Policies T4, T5 and T6 of the London Plan insofar as they require proposals to provide adequate parking as well as refuse and cycle storage. It would also conflict with Policies SP4 and DM10 of the CLP and Policy D6 of the London Plan which together seek to ensure developments respect local character and are well-designed with adequate site layouts. Policy DM10 states that forecourts should be large enough to accommodate parking and should not cause undue harm to the character or setting of the host building.

Other Matters

17. The appellant states that the development would be an efficient use of land that would help to meet identified housing needs. Whilst I recognise the role of

HMOs in meeting local and strategic housing needs, in this instance, the conversion would conflict with the Council's housing policy aims regarding three-bedroom houses. This specific policy requirement, stated in Policy DM1, has been formulated based on the identified housing needs outlined in the Croydon Strategic Housing Market Assessment 2015. More recently, the London Borough of Croydon Local Housing Needs Assessment Final Report (2023) also highlights the need for three-bedroom residential units suitable for accommodating families.

Conclusion

18. The proposal conflicts with the development plan and the material considerations do not indicate that the appeal should be decided other than in accordance with it.
19. For the reasons given above the appeal should be dismissed.

Thomas Courtney

INSPECTOR