
Appeal Decision

Site visit made on 6 August 2024

by Thomas Courtney BA(Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 08 NOVEMBER 2024

Appeal Ref: APP/C5690/W/24/3337420

164 Brownhill Road, Lewisham, London SE6 2DJ

- 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 Mr Muhammad Ahmad against the decision of the Council of the London Borough of Lewisham.
- The application Ref is DC/23/131710.
- The development proposed is the retrospective conversion of a single dwelling into two self-contained residential units.

Decision

1. The appeal is dismissed.

Procedural Matters

2. In the interest of accuracy, the description of development in the banner heading above is based on the decision notice. Furthermore, the appeal relates to a retrospective application as the conversion of the dwelling to two self-contained units has already taken place. I have therefore determined the appeal on this basis.

Main Issues

3. The main issues in this case are:
 - Whether the proposal will be contrary to local housing policies that seek to protect family housing;
 - Whether the proposal will provide adequate living conditions for the occupiers of 164 Brownhill Road, with particular regard to the internal layout and the provision of built-in storage and private amenity space; and
 - Whether the proposal will provide adequate cycle storage.

Reasons

Supply of family housing

4. No 164 Brownhill Road is a two-storey house with a rear garden. It is subdivided into two self-contained residential units. The plans indicate that the ground floor flat has two double bedrooms. However, on my site visit, it appeared that the front living/dining room was being used as a bedroom. The plans also show the first floor flat having three bedrooms although it appeared that the study room was also being used as a bedroom.

5. Policy DM3 of the Lewisham Local Plan (2014) (LLP) seeks to resist the conversion of family housing (single-family houses with three or more bedrooms) into flats except where environmental conditions mean that the single-family house is not suitable for family accommodation. The aim of the policy is to ensure that new dwellings provide a high standard of amenity, and to promote and retain housing choice in the borough. The Council also refers to the Strategic Housing Market Assessment (SHMA, 2022) as justification for the policy. The SHMA indicated that family housing was one of the highest priorities and recommended that 25% of the future housing market up to 2040 be comprised of four or more bedrooms.
6. Whilst the appellant states that the conversion of the building began over ten years ago, this does not alter the fact that it has resulted in the loss of a single-family house. Although the building would exceed the net internal floorspace required for conversions under Policy DM3, I have not been provided with any tangible justification for the conversion in line with the policy's requirements. The Building Regulation Records and Tenancy Agreements provided serve to indicate the building has been converted into flats and let out to tenants but do not justify the sub-division or satisfy the requirements of Policy DM3. The proposal will reduce the stock of family housing in the Borough and in doing so will unacceptably undermine the Council's housing strategy.
7. The appellant states that there is a proposal for a single storey extension. However, I have not been provided with any evidence of this. In any case, it is not clear how this is relevant to the appeal.
8. Policy DM3 also states that conversions must meet general design requirements and housing standards. As will be discussed in the second main issue of this decision, the flats fail to provide adequate living standards for the occupiers with regards to the internal layout and the lack of private outside amenity space.
9. Given the above, the proposal will be contrary to local housing policies that seek to protect family housing. It will conflict with Policy DM3 of the LLP which seeks to resist the conversion of family housing into flats. It will also conflict with Policy D6 of the London Plan (2021) which seeks to ensure housing developments have comfortable and functional layouts, meet minimum space standards and provide adequate private outside space.

Living Conditions

10. Policy 32 of the LLP and Policy D6 of the London Plan state that accommodation should include sufficient built-in space for storage and utility purposes in addition to the minimum space standards. Whilst the appellant indicates there is storage in the kitchen and in wardrobes this has not been clearly indicated on the submitted drawings. Furthermore, there are no details of the size of those storage areas and whether they comply with the minimum standards set out in the policy. In any case, wardrobes do not contribute towards the storage area required. The flats therefore do not provide sufficient built-in storage.
11. Furthermore, the first floor flat does not have access to any private outside amenity space. It is also unclear whether minimum internal space standards are met given the first floor flat could function as a four-bedroom dwelling. Although the plans show a study room, it is capable, as was evident during my inspection, of being used as a bedroom. In this case, a four-bedroom dwelling

should have a minimum internal floor area of 90 square meters according to Table 3.1 of Policy D6 of the London Plan. The result would be a lack of sufficient space for the everyday activities of the flat's occupants, and this would significantly harm their living conditions.

12. Given this, the proposal will not provide adequate living conditions for the occupiers of the ground floor flat and first floor flat of 164 Brownhill Road, with particular regard to the internal layout, the lack of built-in storage and the provision of private amenity space. It will conflict with Policy 32 of the LLP, Policies D3 and D6 of the London Plan, the *Alterations and Extensions* Supplementary Planning Document (2019), and the National Planning Policy Framework (2023) which together seek to ensure developments, including conversions from single family dwellings to two or more dwellings, are well-designed, provide appropriate amenity and layout, and meet minimum space standards.

Cycle Storage

13. The appellant contends that they have made arrangements for the provision of a secure bike storage shed within the rear garden. However, I have no evidence this is the case and there is no bike storage indicated on the plans. Moreover, it is unclear how the occupants of the first floor flat will have access to the rear garden.
14. In light of this, the proposal will not provide suitable and accessible dry and secure cycle storage. It will conflict with Policy 14 of the Core Strategy (2011) and Policy T5 of the London Plan which together seek to ensure developments provide appropriate levels of cycle parking which should be fit for purpose, secure and well-located.

Other Matters

15. The retention of the conversion will result in a gain of one residential unit given the single dwelling will be sub-divided. The Government's objective is to significantly boost the supply of housing. Other provisions of the Framework observe that brownfield land and small sites can make an important contribution to meeting the housing requirement. However, the scale of development proposed means the contribution of one single additional dwelling to meeting housing need in Lewisham through a more efficient use of land in an urban area and the associated benefits will be limited. It will not outweigh the significant harm I have identified.

Conclusion

16. 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.
17. For the reasons given above the appeal should be dismissed.

Thomas Courtney

INSPECTOR