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## Appeal Decision

Site visit made on 11 December 2024

by **S Rawle BA (Hons) Dip TP Solicitor**

an Inspector appointed by the Secretary of State

Decision date: 31<sup>st</sup> December 2024

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**Appeal Ref: APP/L5240/W/24/3347689**

**First and second floor flat, 219 Wickham Road, Croydon CR0 8TG**

- 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 Paul Hampton against the decision of the Council of the London Borough of Croydon.
  - The application Ref is 24/01018/FUL.
  - The development proposed is the conversion of maisonette into a 1xbedroom self-contained unit; 1xstudio and dormer extension at second floor level.
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### Decision

1. The appeal is dismissed.

### Preliminary Matters

2. I have had regard to the updated National Planning Policy Framework (the Framework) which has been recently published. I note that although national policies relating to housing land supply have changed, they have not materially affected the outcome of my decision since I have identified conflict with the development plan in respect of other main issues where the Framework has not materially changed. Therefore, in this instance it has not been necessary to consult the parties on these changes.

### Main Issues

3. The main issues are:
  - Whether or not the proposed development would result in the unacceptable loss of a three-bedroom dwelling;
  - whether or not the proposed development would provide acceptable living conditions for future occupants with regard to provision of internal space and private amenity space;
  - whether or not the proposed development would provide adequate cycle storage facilities.

### Reasons

#### *Three-bedroom dwelling*

4. The appeal property comprises an existing three-bedroom dwelling located on the first and second floors above a café. The proposal would involve the conversion of the existing maisonette to form two dwellings comprising a one bedroom unit and a studio.

5. Policy SP2.7 and DM1.2 of the Croydon Local Plan 2018 (CLP) seek to ensure that a choice of homes is available to address the need for homes of different sizes and that redevelopment of residential units will be permitted where it does not result in the net loss of 3-bedroom homes as originally built or the loss of homes smaller than 130 sqm.
6. The proposed development would result in the loss of a three-bedroom dwelling which would be smaller than 130 sqm which would be at odds with the relevant development plan policies, and which would undermine the purpose of the policies which is to meet the need for three-bedroom homes which has been identified as the type of home in greatest need.
7. I therefore conclude that the proposed development would result in the unacceptable loss of a three-bedroom dwelling which would be at odds with policies SP2.7 and DM1.2 of the CLP for the reasons set out above.

### *Living Conditions*

8. As outlined above, the proposal would involve the conversion of an existing dwelling into two units. No private amenity space has been proposed as part of the proposal.
9. Amongst other things, Policy DM10 of the CLP sets out that proposals for new residential development will need to provide private amenity space that is of a high-quality design, provides functional space and provides a minimum amount of private amenity space of 5 sqm per 1–2-person unit and an extra 1sqm per extra occupant thereafter. This is consistent with Policy D6 of The London Plan – The Spatial Development Strategy for Greater London – March 2021 (the London Plan).
10. Future occupants would not have access to a useable outdoor space where they would be able to amongst other things sit, relax, store items, dry clothes and comfortably enjoy the outdoors in relative privacy. This would unacceptably harm the living conditions of future occupants. Moreover, the fact that the proposal would not provide any private outdoor space for either new dwelling is at odds with both the CLP and the London Plan. I accept that currently no private amenity space is provided for the existing unit which would be more suitable to accommodate a family given its size. However, the lack of existing facilities does not justify the proposed development providing sub-standard accommodation which would harm the living conditions of future occupants.
11. Policy SP2 of CLP seeks to ensure that new homes meet the needs of residents over a lifetime by requiring all new homes achieve minimum standards as set out in the London Plan. Policy D6 of the London Plan seeks to ensure that housing development provides adequately sized rooms (set out in Table 3.1), with comfortable and functional layouts which are fit for purpose. Moreover, while Policy D3 of the London Plan seeks to make the best use of land by following a design-led approach, it highlights that development should deliver appropriate amenity and achieve indoor and outdoor environments that are comfortable and inviting for people.
12. Table 3.1 sets minimum internal space standards. For a 1 bedroom two person dwelling that is 50 sq.m and for a one-person studio with a bathroom that is 39 sqm. This is consistent with the Nationally Described Space Standard (NDSS).

13. The appellant does not appear to dispute the Council's figures which indicate that both dwellings would fall short of this minimum internal space standard and in the case of the second-floor studio the shortfall would be significant.
14. Although the first floor flat would fall short, it would not be by a significant extent and the habitable rooms would have a suitable layout. As a result, in terms of the layout of the first floor flat, the proposal would not have an unacceptable impact on the living conditions of the future occupants of this dwelling.
15. However, the same cannot be said for the studio as this would not have an adequate amount of space to provide a suitable living area. As a result, the second-floor studio would not provide a comfortable and functional layout, would not be fit for purpose, and would not provide acceptable living conditions for its future occupants.
16. So overall, although the proposed layout of the first floor flat would be acceptable, the lack of private amenity space and the proposed substandard layout of the second-floor studio would unacceptably harm the living conditions of future occupants of the proposed development.
17. I therefore conclude that the proposal would not provide acceptable living conditions for future occupants with regard to provision of internal space of the second-floor studio and private amenity space for both proposed dwellings. Consequently, the proposed development would conflict with Policies DM10 and SP2 of the CLP and D3 and D6 of the London Plan which have been set out above.
18. The proposal would also be contrary to the minimum standards contained within the NDSS and would also be at odds with the Framework which seeks to ensure that developments result in a high standard of amenity for existing and future residents.

#### *Cycle Storage*

19. Space for cycle storage would be provided within the dwellings. However, such arrangements would not be practical as it would be necessary to manoeuvre bikes upstairs and store them within the main living areas of both units. As a result, I am not satisfied that appropriate accessible cycle storage facilities would be provided and consequently the proposal would not promote sustainable travel. Again, I have taken account of the fact that the existing dwelling does not provide any cycle storage facilities. However, that does not justify the lack of adequate provision in the proposed new development.
20. I therefore conclude that the proposed development would not provide adequate cycle storage facilities and consequently it would be at odds with Policies DM29, DM30 and SP8 of the CLP and Policy T5 of the London Plan which among other things seek to promote sustainable travel and require the provision of appropriate cycle storage facilities as part of any new development.
21. I note that the Council's refusal notice has made reference to Policies SI 7 and SI 8 of the London Plan which deal with waste and are not directly relevant to the determination of this appeal.

### **Other Matters**

22. I have taken account of the fact that the proposed development would make efficient use of the appeal site and would result in an additional residential dwelling which would help to support the Government's objective of significantly boosting the supply of homes. However, any benefits associated with the proposal are outweighed by those factors that weigh against the proposed development as set out above.

### **Conclusion**

23. 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. Consequently, the appeal should be dismissed.

*S Rawle*

INSPECTOR