



Appeal Decision

Site visit made on 15 October 2024

by H Senior BA (Hons) MCD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 28 February 2025

Appeal Ref: APP/N5660/W/24/3347041

69 Stanthorpe Road, Lambeth, London SW16 2EA

- 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 Winston Sterling against the decision of the Council of the London Borough of Lambeth.
 - The application Ref is 24/00104/FUL.
 - The development proposed is change of use from a C3(b) to use class C2 as a residential Nursing Home for up to 8 patients who require assisted living.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is whether the proposed development would accord with the development plan in respect of the safeguarding of existing housing and the provision of housing to meet specific community needs.

Reasons

3. Policy H3 of the Lambeth Local Plan 2021 (LLP) seeks to safeguard existing housing but in exceptional circumstances conversion to specialist non-self-contained accommodation to meet an identified need may be acceptable. Policy H8 of the LLP supports the provision of housing to meet specific community needs where it, amongst other matters, is demonstrated that it would meet an identified local need, be suitable for the intended occupiers, is accessible to uses appropriate to the needs of the intended occupiers and contributes to a mixed, balanced and inclusive community.
4. The appeal site is a three-storey mid terraced building in a predominantly residential area. On my visit I saw that the building was unoccupied, however the layout of the rooms was similar to that shown on the plans, apart from the kitchen on the second floor which has not been completed. There is disagreement as to whether the building is in use as a care home for up to five residents and staff, however express planning permission would not be required for such a use. As an existing C3 use, the property could be reoccupied as a family dwelling without the need for a change of use. Granting a change of use to a C2 use would therefore result in the loss of a family dwelling.
5. There is a reasonable amount of information in the appellant's submission with regard to an increase in mental health related illnesses in Lambeth in recent years compared to other areas of London and nationally, however there is no

evidence before me of the level of local need in the vicinity of the proposal. In addition, there is no compelling evidence to support the need for the proposal in this location and why the building is particularly suited to providing this type of supported accommodation. Although there may be interest in the proposal from social services and other organisations there is no written evidence of their support before me.

6. The rooms would be of an adequate size and with the existing rear amenity space there would be opportunities for outdoor recreation. The space would be accessible via a specific part of the house but there is nothing to suggest that this would be challenging to get to since there would be staff on site at all times and that the proposal would provide good quality residential accommodation taken as a whole. However, there is no compelling evidence before me to indicate that the accommodation would be suitable for the target client group in terms of access to public transport, community facilities and community networks or why this site is particularly suited to providing this type of supported accommodation.
7. Whilst the building may have been in use as a care home in the past, without justification of a local need the loss of the building as a family dwellinghouse would be contrary to the requirements of the development plan. In addition, from the evidence before me I am not convinced of the need for the proposal in this location to meet specific community needs.
8. The proposal would not accord with the Development Plan in respect of the safeguarding of existing housing and the provision of housing to meet specific community needs. It would conflict with Policies H3, H8 and H9 of the LLP and Policies H1, H9 and H12 of the London Plan 2021 (LP) which together and amongst other matters seek to ensure that existing self-contained housing is safeguarded and that housing to meet specific community needs would meet an identified local need. Policy H13 of the LP relates to specialist older persons housing. As the proposal would accommodate adults aged 18-65, I do not consider that this policy is relevant to the appeal.

Planning Balance and Conclusion

9. The appeal scheme would conflict with the development plan as I have set out. Given the nature and extent of development plan conflict, I afford this matter substantial weight. Care homes make an important contribution to the mix of housing stock and the scheme would create new homes for vulnerable persons which would contribute towards boosting supply of this type of accommodation. I would ascribe these matters moderate weight.
10. With this and the above in mind, there is nothing of sufficient weight to indicate a decision other than in accordance with the development plan and that, consequently, the appeal should be dismissed.

H Senior

INSPECTOR