
Appeal Decision

Site visit made on 19 June 2025

by **O Tresise MSc MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 22 July 2025

Appeal Ref: APP/H5960/W/25/3360714

57 Schubert Road, Wandsworth, London SW15 2QT

- 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 Bertie Chilton against the decision of the Council of the London Borough of Wandsworth.
 - The application Ref is 2024/1864.
 - The development proposal is to de-convert a subdivided dwelling back to a single dwelling as originally built through a proposed new staircase.
-

Decision

1. The appeal is dismissed.

Preliminary Matters

2. The description of the proposal differs from the application form to the decision notice. For reasons of clarity, I have taken the description in the heading above from the application form, omitting superfluous wording.
3. The appellant states that the building is already occupied as a single dwelling. However, it is not ordinarily the role of this appeal to examine the lawful use of the building. It is open to the appellant to apply to have such matters determined under Section 191 of the Town and Country Planning Act 1990 (the Act). As such, I will deal with the proposal as applied for.

Main Issue

4. The main issue is the effect of the proposed development on the housing stock in the Council area.

Reasons

5. In managing the existing housing stock in the Borough, Policy LP25 of the Wandsworth Local Plan 2023-2038 (Adopted July 2023) (WLP) resists the loss of existing residential properties through amalgamations. In exceptional circumstances, the net loss of self-contained residential dwellings will be acceptable where the proposal involves combining no more than two non-family-size dwellings in order to create a family-sized dwelling and the total floorspace of the new dwelling created will be less than or equal to 130sqm. WLP paragraphs 17.23 and 17.24 explain that this approach has been taken to protect existing properties as an important source of housing, to ensure the provision of family sized accommodation in the borough and enable families to stay and expand without moving.

6. The appeal site comprises of two self-contained flats in a mid-terraced Victorian building. The lower ground floor flat has a front entrance on Schubert Road, it also has a patio door to access the garden area at the rear. The self-contained flat above is a larger family-sized accommodation. At my site visit, I observed most of the rooms in these self-contained flats are fairly sizeable and both self-contained flats are reasonably spacious.
7. The proposal would amalgamate the units as a single dwelling, and the proposed internal staircase would connect these units. The new dwelling would be considerably larger than 130sqm and combine an existing family-sized dwelling with another dwelling resulting in the loss of an existing self-contained dwelling contrary to WLP Policy LP25. This would be the case despite the building being originally constructed as a single dwelling.
8. Whilst the appellant states that the leasehold title of the basement flat was collapsed prior to the adoption of WLP Policy LP25, development proposals need to be determined in accordance with planning policies in force at the time of decision.
9. I note that the appellant purchased the building as a freehold single dwelling, however, this does not override the public interest in applying current planning policies consistently and does not meet the grounds for exceptional circumstances outline in WLP Policy LP25.
10. The appellant suggests that the use of the basement flat as a separate planning unit hinders the use of the building as a family dwelling. Whilst I appreciate that there is no internal staircase to connect two units and that this may be the case for the appellant, both units are already sizeable, and this does not overcome the policy conflict identified above. Therefore, this does not change my conclusion on this issue.
11. The proposal would result in the permanent loss of one existing self-contained dwelling, thereby reducing the range and availability of housing stock in the area. The proposal would also result in a new dwelling larger than 130sqm.
12. Accordingly, I conclude that the proposal would result in significant harm to the existing housing stock within the Council area. Therefore, it would conflict with Policy LP25 of the WLP, the aims of which I have outlined above.

Other Matter

13. I acknowledge the appellant's concerns over the Council's handling of the application. However, this is not a matter that I can consider under this planning appeal and does not alter my findings, in which I have had regard solely to the planning merits of the proposal.

Conclusion

14. 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. Therefore, the appeal is dismissed.

O Tresise

INSPECTOR