Decision

1. The appeal is dismissed.

Procedural Matters

2. I have set out the description of development as per that shown on the planning application form omitting the additional detail concerning the layout of the original house as this does not relate to the development proposed as part of the appeal. My omission of this detail does not change anything fundamental and consequently I am satisfied neither party’s case would be prejudiced.

3. The planning application form states that the development subject of the appeal has been completed and thus retrospective planning permission is sought. I have considered the appeal scheme accordingly.

Main Issues

• The main issues in this case are whether or not the development has resulted in the unacceptable loss of family housing and whether or not it provides for an acceptable standard of living for occupiers.

Reasons

Family Housing

4. Policy BC4 of the Borough Wide Development Policies Development Plan Document 2011 (DPD) seeks to preserve and increase the stock of family housing and prevent its loss through conversion to flats or houses in multiple occupation. This is in order to maintain a supply of family housing for which the Council has identified a need.
5. It describes units with three or more bedrooms as constituting family housing. I note that the appellant considers that this should be regarded as a two-bedroom house and so exempt from protection by the policy, but the ‘pre-existing’ floorplans submitted with the planning application show four bedrooms in the property at that time and I find that as a result, the development has resulted in the loss of a family housing unit.

6. Whilst I note the appellant’s suggestion that there is a need for smaller units in the area, I give more weight to the Council’s reliance on the Outer North East London Strategic Housing Market Assessment as evidence of the need for family housing in the Borough which leads me to conclude that the loss in this case is unacceptable. Accordingly, I find that there would be a conflict with Policy BC4 of the DPD, the aims of which I have set out above.

**Standard of living accommodation**

7. There is a degree of dispute between the parties as to the size of the three flats that have been created. Even taking the appellant’s figures however, all three would fall below the standard for a one bedroom, single-storey flat designed for one occupier of 37m² that is set out at Policy 3.5 of the London Plan 2016 and in the Technical Housing Standards - Nationally Described Space Standards 2015.

8. The first and second floor flats fall substantially below this standard and whilst I note that an occupier of the first floor flat would have the benefit of an external balcony space, I do not find that those two flats in particular would constitute an acceptable standard of living accommodation for future occupiers because of their overall size and layout. I note that the appellant considers that the space standards should be applied flexibly, as guidance, but even if doing so, I would not have found the overall quality of the accommodation provided by the upper flats in particular to be acceptable. In any event, the standards set out are expressed as minimums and there is no compelling evidence before me as to why I should accept a standard less than that in this particular case.

**Other Matters**

9. The appellant has said that the property is near to local shops, transport links and open spaces but I consider that these benefits would apply equally to the use of the property as a family house. I have noted the concerns raised by the appellant relating to engagement with the Council as the development was being carried out and I have carefully considered the implications of planning permission not being secured on the appellant and their family, as described by the appellant, but I have not identified any factors that I feel are sufficient to outweigh the harm that I have found and the subsequent conflict with the Development Plan, as a whole, or that the appeal development securing planning permission is the only or most appropriate way to address the personal concerns raised by the appellant.
Conclusion

10. For the reasons I have set out, I have found that this appeal should not succeed.

\[N\] Smith

INSPECTOR