
Appeal Decision

Site visit made on 9 August 2016

by **Thomas Hatfield BA (Hons) MA MRTPI**

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 26th August 2016

Appeal Ref: APP/L5240/W/16/3151325

263 Wickham Road, Croydon, CR0 8TJ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Aventier Limited against the decision of the Council of the London Borough of Croydon.
 - The application Ref 15/04417/P, dated 1 October 2015, was refused by notice dated 3 February 2016.
 - The development proposed is the demolition of the existing building and erection of a three storey building comprising retail use at the ground floor and 8 x 2-bed apartments; formation of associated access and parking.
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Decision

1. The appeal is allowed and planning permission is granted for the demolition of the existing building and erection of a three storey building comprising retail use at the ground floor and 8 x 2-bed apartments; formation of associated access and parking at 263 Wickham Road, Croydon, CR0 8TJ in accordance with the terms of the application, Ref 15/04417/P, dated 1 October 2015, and the plans submitted with it, subject to the conditions set out in the attached schedule.

Procedural Matter

2. The application is in outline with all matters reserved for future consideration except for the means of access, layout and scale of the development. Drawings showing an indicative design of the building and landscaping were submitted with the application, and I have had regard to these in determining this appeal.

Main Issues

3. The main issues are, firstly, the effect of the development on the character and appearance of the area and, secondly, whether the development would provide adequate living conditions for future occupants with regard to access to communal amenity space.

Reasons

Character and appearance

4. The appeal site is located on the corner of Wickham Road and Wickham Avenue, and is currently occupied by a 2-storey building and car parking. It is
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adjacent to 3 storey development on either side along the Wickham Road frontage. The proposed development is a 3-storey structure that would be significantly larger than the existing building.

5. The proposed building would be larger than the existing structure and would occupy a greater proportion of the plot. However, at present the plot is inefficiently used and surface car parking takes up around a third of the site area. The increased length of the proposed building would be at the expense of this area of parking, which in itself would not be unduly harmful. Adequate spacing around the building would be retained, which would avoid an excessively cramped form of development. In terms of height and bulk, the development would be comparable to the 3-storey buildings located on either side of site. In that context, the development would not appear out of character.
6. Whilst the built footprint is relatively elaborate, it is comparable to the development on the opposite side of Wickham Avenue. I do not consider that the proposed layout will necessarily lead to an unacceptable appearance, full details of which can be controlled at reserved matters stage.
7. The parking areas would not be unduly dominant, and the impact of these on the street scene could be mitigated by landscaping, which is a reserved matter. The location of the bin store would not be significantly removed from the main entrance to the building. The details of this structure could be controlled by condition, and it should not be problematic if designed appropriately.
8. For these reasons, I conclude that the development would not unacceptably harm the character and appearance of the area. It would therefore accord with Policies 3.5, 7.1, 7.4, 7.5 and 7.6 of the London Plan (2015), Policies SP1.1, SP4.1 and SP4.2 of the Croydon Local Plan: Strategic Policies (2013) and Policies UD2, UD3, UD8, UD15 and H2 of the Croydon Replacement Unitary Development Plan (The Croydon Plan 2006) Saved Policies 2013. It would also be consistent with the National Planning Policy Framework which encourages good design.

Living conditions

9. The development proposes an area of communal amenity space to the rear of the building. This would be relatively small in size, and located in between the apartment building, the parking area, and the rear boundary fence.
10. There is no specific requirement in either local or London-wide policy that communal amenity space is provided in this case. Furthermore, the proposed amenity space would meet the qualitative requirements set out in the London Housing Supplementary Planning Guidance (SPG). I further note that all of the apartments would benefit from private outdoor amenity space, in the form of balconies. This would provide appropriate outdoor space to serve each dwelling.
11. I conclude that the development would provide adequate living conditions for future occupants with regard to access to communal amenity space. It would therefore accord with Policy UD8 of the Croydon Replacement Unitary Development Plan (The Croydon Plan) 2006 Saved Policies, Policy 3.5 of the London Plan (Consolidated with Alterations since 2011), Policy SP2.6 of the Croydon Local Plan Strategic Policies and the London Housing SPG.

Other Matters

12. Some of the balconies illustrated on the submitted plans appear to be below the minimum size for private amenity space required by the London Housing SPG. However, appearance is a reserved matter, and the increase in size required to meet this standard is small. Accordingly, I am satisfied that this matter can be addressed at the reserved matters stage.
13. A number of the proposed balconies would be in proximity to neighbouring properties. However, with appropriate screening (which could be secured by condition) this would not lead to an unacceptable loss of privacy. Fenestration details, including any obscure glazing, would be addressed at the reserved matters stage. The Council has not sought to resist the development on these grounds, and in this case I see no reason to take a different view.
14. In relation to the density matrix at Policy 3.4, the London Plan advises that "It is not appropriate to apply Table 3.2 mechanistically". The London Housing SPG also states that "Table 3.2 in particular should be used as a starting point and guide rather than as an absolute rule". In this case, I have found that the development would not cause unacceptable harm to the character and appearance of the area, and I do not regard it as inappropriately dense for its location.
15. The development proposes adequate levels of parking equating to more than 1 space per dwelling. This is consistent with Table 6.2 of the London Plan, which sets out maximum parking standards. There is no evidence before me that the development would compromise highway safety, and the Council's highways section have not objected to the proposal.
16. Policy RO12 of the Croydon Unitary Development Plan is not cited by the Council in its reasons for refusal. In this case, the development comprises 10 dwellings or less and is therefore exempt from tariff style planning obligations.

Conditions

17. The Council suggested a number of conditions, some of which I have edited for clarity and enforceability. In addition to the standard outline conditions (1, 2, 8), I have imposed a condition (3) that requires the access and car parking to be laid out before the development is occupied. This is necessary to ensure that future occupants of the development have access to these facilities. I have also imposed a condition requiring the submission of various other details (4). These are necessary to ensure an acceptable standard of development.
18. A condition (5) requiring the submission of a Construction Method Statement is necessary in order to preserve the amenities of nearby occupiers during the construction process, and to ensure the safety and free flow of pedestrian and vehicular traffic. A further condition relating to carbon dioxide emissions (6) is necessary in order to comply with Policy SP6.13 of the Croydon Local Plan: Strategic Policies, and Policy 5.2 of the London Plan. Similarly, conditions regarding wheelchair accessibility (7) and water use (9) are necessary to comply with Policies 3.8 and 5.15 of the London Plan.
19. Finally, I have imposed a condition that requires the development to accord with the approved plans insofar as they relate to access, layout and scale (10). This is for the avoidance of doubt and in the interest of proper planning.

20. The Council suggested a condition that would require the submission of the facing materials, to be approved in writing by the Local Planning Authority. However, this condition is not necessary as appearance is a reserved matter.

Conclusion

21. For the reasons given above I conclude that the appeal should be allowed.

Thomas Hatfield

INSPECTOR

Schedule of Conditions

- 1) Details of the appearance and landscaping (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the local planning authority before any development takes place and the development shall be carried out as approved.
- 2) Application for approval of the reserved matters shall be made to the local planning authority not later than 3 years from the date of this permission.
- 3) No dwelling shall be occupied until the parking and access arrangements have been laid out in accordance with the application, and thereafter shall be kept available at all times for those purposes.
- 4) No development shall take place until details of the following have been submitted to and approved in writing by the local planning authority:
 - i) Visibility splays
 - ii) Refuse and cycle stores
 - iii) Existing and proposed land levels
 - iv) Balcony screens

The approved details shall be implemented prior to the first occupation of the development, and retained for so long as the development remains in existence.

- 5) No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by the local planning authority. The Statement shall provide for:
 - i) the parking of vehicles of site operatives and visitors;
 - ii) loading and unloading of plant and materials;
 - iii) storage of plant and materials used in constructing the development;
 - iv) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
 - v) wheel washing facilities;
 - vi) measures to control the emission of dust and dirt during construction;
 - vii) delivery, demolition and construction working hours.

The approved Construction Method Statement shall be adhered to throughout the construction period for the development.

- 6) No development shall take place until details of how the proposed dwellings shall achieve a reduction in carbon dioxide emissions of 19% beyond the 2013 Building Regulations are submitted to and approved in writing by the Local Planning Authority. Prior to the first occupation of the development, details confirming that the carbon dioxide emission reductions have been achieved shall be submitted to and approved in writing by the Local Planning Authority.

- 7) The dwellings designed to be wheelchair accessible or easily adapted for residents who are wheelchair users shall be provided as specified in the application and shall be retained as such for so long as the development remains in existence.
- 8) The development hereby permitted shall take place not later than 2 years from the date of approval of the last of the reserved matters to be approved.
- 9) The development shall achieve a mains water consumption target of 110 litres or less per head per day.
- 10) The development hereby permitted shall be carried out in accordance with the following approved plans, insofar as they relate to access, layout and scale: A100d, A101d, A102d, A103d, A104d, A105d, A106d.