

Appeal Decision

Site visit made on 10 October 2016

by David Cliff BA Hons MSc MRTPI

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

Decision date: 16th December 2016

Appeal Ref: APP/L5240/W/16/3155413

Premier House, 14c Sydenham Road, Croydon CR0 2EE

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant approval to details required by a condition of an approval.
 - The appeal is made by Dr Anwar Ansari against the decision of the Council of the London Borough of Croydon.
 - The application Ref 16/01341/RES, dated 16 March 2016, sought approval of details pursuant to condition No 1 of approval Ref 15/02781/GPDO, granted on 21 August 2015.
 - The application was refused by notice dated 18 May 2016.
 - The development proposed is conversion of basement, part ground floor and the first and second floors from Class B1(a) to 29 flats.
 - The details for which approval is sought are: Cycle storage and refuse/recycling storage.
-

Decision

1. The appeal is allowed and reserved matters are approved, namely the cycle storage and refuse/recycling details submitted in pursuance of condition 1 attached to approval reference 15/02781/GPDO dated 21 August 2015.

Main Issue

2. The main issue is whether the proposed cycle and refuse storage would be of an acceptable standard for the associated residential development, having particular regard to location and capacity of the proposed refuse storage.

Reasons

3. The Council argues that the capacity of the proposed bin storage would not be sufficient to meet the needs of both the proposed flats and the existing flats at 14B Sydenham Road. The Council's calculations as advised by its Waste Management Technical Officer are provided setting out the refuse requirements sought. It goes on to say that, in the light of the proposed refuse storage not being acceptable, the proposed location of the cycle storage is unacceptable as it would displace the existing refuse storage area.
 4. The London Plan Housing Supplementary Planning Guidance 2016 Refuse and recycling facilities state that refuse storage should be provided in accordance with local authority requirements and meeting at least British Standard BS5906: 2005 Code of Practice for waste management in buildings.
 5. Whilst the Council has provided details of its refuse requirements, there are no details before me of the basis for these requirements or how they have evolved in relation to refuse provision required for residential development. The
-

requirements do not appear to be part of any formal standard, policy, guidance or other formal documentation produced by the Council. On which basis, I have no explanation of the basis on which they have been calculated and I cannot be sure that they have been rigorously or empirically tested. This significantly reduces the weight I can give to the Council's stated requirements.

6. The appellant states that the proposed refuse facilities exceed the relevant British Standard, providing for both the existing and the approved residential units. The British Standard calculation is based on the average number of bedrooms in a development alongside the average amount of waste that would be expected from a residential development. The Council has not argued that provision does not accord with the British Standards. Although the provision made is substantially less than the Council requires, there is no detailed justification before me to evidence why it considers greater provision is required.
7. Whilst I recognise that the flatted developments pose particular challenges for waste storage, I have no reason to consider that the provision made in this instance, exceeding the relevant British Standard is unacceptable. The proposed refused area has convenient access to Sydenham Road, is within a separate enclosure and is located away from the subject residential building. The Council refers to the possibility of overflowing bins and the amenity of residents but has not demonstrated why the provision made in this case would result in such problems.
8. I have also considered the security, access and other issues raised by residents. Although the access way to the refuse area would be fairly tight, I am not convinced that there would not be sufficient space available for the bins to be moved. The Council has not objected to the appeal application on this matter following amendments made since the previous application. Whilst gates would need to be opened, this need not result in any significant security problem and would represent a similar situation to where gates need to be opened to access car parking or for other reasons. The distance of the bin store from individual flats does not appear to be so great to be impractical and there is no persuasive evidence before me that demonstrates that the positioning of the bins would be impractical for use. Other detailed matters including lease holder arrangements and the practical difficulties stemming from the two separate residential schemes (Premier House and Point Central) would appear to be most appropriately dealt with outside of this appeal and, with appropriate management, need not have any significant implications in relation to the refused provision for both the existing and proposed flats. The amount of cycle storage has been accepted by the Council and the provision of gates would provide adequate security. These matters, whether considered individually or collectively, do not persuade me that approval should be denied.
9. Based on the evidence before me, I find the proposed refuse storage to be satisfactory and would provide for an acceptable standard of development. There is also no objection to the location of the proposed cycle storage as there is no need for the existing refused storage area to be maintained in its current location, given the acceptability of the proposed arrangements.
10. I find the proposals to satisfactorily accord with the relevant design and service provision aims contained within policies 6.12, 7.4 and 7.6 of the London Plan (Consolidated with alterations since 2011), saved policies UD15 and T4 of the

Croydon Plan 2006, policies SP4.1, SP4.2 and SP8.6 of the Croydon Local Plan: Strategic Policies 2013 and the London Plan Housing SPG 2016.

11. Having considered all other matters, I conclude that the appeal should be allowed and approval granted.

David Cliff

INSPECTOR