

Appeal Decision

Site visit made on 14 February 2017

by S J Buckingham BA (Hons) DipTP MSc MRTPI FSA

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

Decision date: 22 March 2017

Appeal Ref: APP/L5240/W/16/3161538

87 Addiscombe Road, Croydon CR0 6SF

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Dadoo Partnership Ltd. against the decision of the Council of the London Borough of Croydon.
 - The application Ref 16/04158/FUL, dated 11 August 2016, was refused by notice dated 11 October 2016.
 - The development proposed is described as "existing property consists of 7 bedsits, proposing a conversion into 4 flats (3 x 1b and 1 x 2b) with basement extension including external works, landscaping and cycle park."
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Decision

1. The appeal is dismissed.

Application for costs

2. An application for costs was made by Dadoo Partnership Ltd. against the Council of the London Borough of Croydon. This application is the subject of a separate Decision.

Preliminary Matters

3. The description of development in the heading above has been taken from the planning application form. However, in Part E of the appeal form it is stated that the description of development has not changed, but nevertheless, a different wording has been entered. Neither of the main parties has provided written confirmation that a revised description of development has been agreed. Accordingly, I have used the one given on the original application.

Main Issue

4. The main issue in this case is whether the development would provide adequate living conditions for future occupiers in respect of floorspace and outlook.

Reasons

5. No. 87 Addiscombe Road is a residential end-of-terrace building of two storeys plus a roof storey to the front and lower ground floor to the rear. The appeal proposal is for its subdivision into four flats.
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6. The proposed development would entail extension of the basement area of the building and provision of sunken outdoor amenity space to front and rear for a basement flat, Flat 1. This flat would have a living area with a number of small windows facing north into the rear garden area, which would be bounded by a high, obscure screen. The large kitchen-diner area would have a small window, which would be next to the cycle store, and double doors and windows facing south into a courtyard set against the front boundary of the site, adjoining the back edge of the pavement.
7. While not single-aspect when taken as a whole, the outlook of this flat to the rear would therefore be onto a relatively confined area dominated by its retaining walls and high boundary. This would therefore provide a poor outlook, which would not be adequately compensated for by the limited additional outlook from the series of small windows on the flank elevation facing into the stairwell, the communal area leading to the cycle storage, and retaining walls with the flank of No. 85 beyond.
8. The courtyard to the front would be small, at lower ground level, and surrounded by retaining walls. It would therefore be very confined and with an oppressive outlook. It would additionally sit below street level of busy Addiscombe Road, next to a bus stop. No indication of boundary treatments is given in the application, but it is likely that additional screening to protect privacy would be necessary, or would be sought by any future occupier of this flat, which would exacerbate this effect.
9. There has been some debate between the Council and the appellant as to whether Flat 1 could be converted from one to two bedrooms, but this would not alter the harm that I have identified to the living conditions of future occupiers.
10. The main living area of Flat 3, set on the first floor of the building, would have a series of windows on the flank elevation of the building. These are existing windows which have previously served bathrooms, a corridor area and a bedroom, and are relatively small. They would face the flank elevation of No. 85 across a gap of a few metres, and while there might be some oblique views to the north and south, overall the outlook provided would be poor overall. The addition of a small window on the small rebated north facing elevation of this room, shown on revised plan 14032 PG 01.02A, would be in a corner, and would do little to alleviate this effect.
11. I conclude therefore that the appeal proposal would provide accommodation which would harm the living conditions of future occupiers of the flats in terms of the outlook provided. It would as a result conflict with the provisions of policy SP2.6 of the Croydon Local Plan: Strategic Policies 2013, with saved policy H7 of the Croydon Replacement unitary Development Plan 2006 where they seek satisfactory accommodation which meets the needs of residents.
12. The appellant refers to another planning case involving Norbury Police Station, where outlook was a consideration, but I do not have sufficient details of that case in front of me to understand whether it is directly comparable to the appeal case, and in any case, each application should be determined on its own merits.
13. Flat 4 would be a split-level flat set on the first and second floors. The upper floor, which is set in the roof storey of the building contains some oddly shaped

spaces set under roof slopes. On inspection of these spaces on site it appeared to me that there was an adequate proportion of the roof storey which enjoyed reasonable headroom, and would not provide an unduly oppressive environment. The appellant has submitted measurements which indicate that the accommodation would meet the required level set out in the Nationally Described Space Standards, of at least 75% of the Gross Internal Area with headroom of at least 2.3m. On the basis of what I observed, I see no reason to doubt this.

14. I conclude therefore that in terms of providing adequate floor space, the proposal would not conflict with Policy 3.5 of the London Plan, or with the recommendations of the Housing Supplementary Planning Guidance to the London Plan 2016, which while recommending a higher standard of 2.5m also seeks development complying, as a minimum, with the Nationally Described Space Standards, which the proposal would do.
15. While the appellant refers to a previously approved application for the conversion of No. 87, it was for a different configuration of flats, and in any case, I have determined the case on its own merits, having regard to the evidence before me. The appellant also refers to other appeal decisions, but one, (Ref. APP/L5240/A/10/2123712) relates to issues of daylight and sunlight, which are not matters which I have been asked to determine here, and the circumstances of the other (Ref. APP/T5150/A/12/2181027) insofar as can be seen in the evidence supplied, are not directly comparable to those of this appeal.

Conclusion

16. Notwithstanding my findings on the issue of floor area, I conclude, for the reasons given above, and taking into account all other matters raised, that the appeal should be dismissed.

S J Buckingham

INSPECTOR