
Appeal Decisions

Site visit made on 3 April 2017

by Tim Wood BA(Hons) BTP MRTPI

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

Decision date: 24 April 2017

Appeal A: APP/L5240/W/16/3154264

14 Cavendish Road, Croydon CR0 3LB

- 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 Mr K Mehta against the decision of the Council of the London Borough of Croydon.
 - The application Ref 15/04080/P, dated 9 September 2015, was refused by notice dated 4 February 2016.
 - The development proposed is described as alterations and the addition of a new floor to provide a 1 bedroom flat.
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Appeal B: APP/L5240/W/16/3154268

14 Cavendish Road, Croydon CR0 3LB

- 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 MM9 Investments Ltd against the decision of the Council of the London Borough of Croydon.
 - The application Ref 16/01499/P, dated 25 March 2016, was refused by notice dated 21 June 2016.
 - The development proposed is described as the erection of 1 new floor to provide 1 studio.
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Decisions

Appeal A

1. The appeal is dismissed

Appeal B

2. The appeal is dismissed.

Main Issues

3. The main issues in these appeals are the effects of the proposal on the character of the area and, in relation to Appeal A only, the effects of an absence of amenity space.

Reasons

4. The appeals relate to this 2 storey building which faces onto Cavendish Road adjacent to its sharp bend. The property abuts a short terrace of 2 storey houses comprising Nos 16, 17 and 18 Cavendish Road. Cavendish Road also contains a number of other similarly modest terraced houses and also, to the east and north east, larger buildings of a significantly different character.

5. The appeal building sits immediately at the back edge of the pavement and has a flat roof. It is set forward of the adjacent houses and its roof level is higher than the eaves of the houses. Within the context of the houses, the appeal building appears prominent and in my judgement has a dominating effect when seen with the attached terrace.
6. The proposals both involve the construction of a second floor with a set-back from the front and side; the set-back would be greater for Appeal B. The design of the proposals for both schemes would be almost identical, with the provision of a flat roofed, zinc-clad addition. I consider that the proposed extensions would appear as considerable additions to the existing building which would be seen, most immediately, within the context of the neighbouring houses. The proposals would both add to the already dominating effects of the appeal building when seen with Nos 16-18. The proposals would both appear significantly higher than the houses and I judge that they would both have an unacceptably dominating effect on the residential properties. This would have a significantly harmful effect on the street-scene.
7. The appellant seeks to set the appeal building within the context of the larger buildings to the east and north-east and suggests that no harm would arise. If these buildings were the only ones within the area, then this may be the case; however, it is impossible to ignore the most immediate relationship that the proposals would have with the building attached to it. In considering this relationship I find that the proposals would have a significantly harmful effect and I find that the reduced form represented by Appeal B would be insufficient to overcome these concerns. As a result, the proposals would be contrary to Policy SP4.1 of the Croydon Local Plan; Strategic Policies 2013, and Policy UD3 of the Unitary Development Plan.
8. In relation to amenity space, the scheme within Appeal B includes an 'internal balcony' which satisfies the Council's aims in this respect. The scheme within Appeal A has no provision and the Council refer to Standard 4.10.1 within the London Plan Housing Supplementary Planning Guidance (SPG), which states that a minimum of 5sqm of private outdoor space should be provided for a 1-2 person dwelling. I have taken account of the surrounding area and the fact that a number of the existing/approved flats do not have amenity space. However, this does not alter the aim of the SPG and Policy which is to ensure a suitable quality of living environment in new development. I consider that the absence of any such provision is contrary to the SPG and to Policy SP2.6 of the Croydon Local Plan Strategic Policies.

Conclusions

9. I have taken account of the mixed nature of the surrounding area, its accessibility and to the other forms of residential developments in the area. However, I find nothing which alters my conclusions that the proposals would both have a significantly unacceptable effect on the street-scene and that appeal A would not provide a suitable living environment through the absence of amenity space. Therefore, the appeals are both dismissed.

S T Wood

INSPECTOR