

Appeal Decision

Site visit made on 12 April 2017

by Grahame Gould BA MPhil MRTPI

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

Decision date: 4th May 2017

Appeal Ref: APP/L5240/W/17/3166666

170 Woodside Green, South Norwood, London SE25 5EW

- 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 Grahame Ralph of Blaze Estates Limited against the decision of the Council of the London Borough of Croydon.
 - The application Ref 16/05256/FUL, dated 10 October 2016, was refused by notice dated 6 December 2016.
 - The development proposed is garage block to provide 3 No car spaces at the rear of 170 Woodside Green.
-

Decision

1. The appeal is allowed and planning permission is granted for a garage block to provide 3 number car spaces at the rear of 170 Woodside Green, South Norwood, London SE25 5EW in accordance with the terms of the application, Ref 16/05256/FUL, dated 10 October 2016, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plan: 190816/P/01 Revision A entitled Proposed Garage Block.

Procedural Matter

2. The application drawing was amended prior to the application's determination by the Council from 190816/P/01 to 190816/P/01 Revision A. I have therefore only had regard to the details shown on the amended drawing.

Main Issues

3. The main issues are:
 - the effect of the development on the character and appearance of 170 Woodside Green (No 170);
 - the effect of the development on the living conditions of the occupiers of adjoining properties, with particular regard to outlook, light and privacy; and
 - whether the level of parking provision would be appropriate.
-

Reasons

Character and Appearance

4. The development would involve the construction of a block of three garages within No 170's rear garden. No 170 is a two storey, semi-detached property, with attic accommodation, which is occupied as three flats. The garage block would have a very shallow mono-pitched roof and its walls would be clad in render to match the exterior of No 170. The garage block would, on the basis of the dimensions quoted by the Council, have a width of 8.1 metres, a depth of 5.1 metres and a maximum height of 3.0 metres. This building's front and rear elevations would be orientated at right angles to the rear elevation of No 170.
5. Although side garages are a more typical way of providing covered parking in the area, the garage block would have the proportions and design of outbuildings frequently found in the rear gardens of residential properties. I consider there would be nothing particularly unusual about the garage block's scale, design or siting and No 170 is of no particular architectural merit. I therefore conclude that this development would not detract from the character and appearance of No 170.
6. I therefore find that there would be no conflict with Policy SP4.1 of the Croydon Local Plan Strategic Policies of 2013 (the CLPSP); saved Policies UD2 and UD3 of the Croydon Replacement Unitary Development Plan of 2006 (the UDP); and Policies 7.4 and 7.6 of the London Plan (with consolidated alterations since 2011) of 2015 (the London Plan). That is because the building would be of a design and scale that would respect No 170's appearance.
7. While conflict with Policies 3.5 and 7.1 of the London Plan is alleged in the second reason for refusal I consider those policies to be irrelevant to this case because they address the design for new homes and neighbourhood scale planning. I also consider that the guidance contained within the Council's Residential Extensions and Alterations Supplementary Planning Document No. 2 is not relevant because it does not address outbuildings of this nature.

Living Conditions

8. The garage block would be sited behind the neighbouring properties at No 170A and 18 Cleaverholme Close (No 18), respectively a house and a bungalow. With respect to the boundary enclosure between Nos 170 and 18, while the Council has referred to the fence being 2.0 metres high, the fence that I saw I estimate to be around 2.3 metres high.
9. The garage block would be taller than the fencing enclosing the boundaries between Nos 170, 170A and 18. However, I consider that the building's siting and height relative to Nos 170A and 18 would mean that its presence would not give rise to any harmful losses of light/overshadowing to the interiors or garden areas of the neighbouring properties. In particular I consider that the orientation and height of the garage block relative to No 170A's garden would mean that only very limited overshadowing would occur.
10. I also consider that the height of the garage block and its siting relative to the boundaries with Nos 170A and 18 would mean that its presence would not cause any harmful loss of outlook for the occupiers of those dwellings. I am

also of the opinion that the siting of the garage block relative to No 170 would mean that its occupiers would not experience any harmful loss of outlook.

11. The first reason for refusal and the Council's officer report refer to the development giving rise to a loss of privacy, without elaborating on that concern. The Council's appeal case similarly makes no reference to privacy. The only openings in the building would be the garage doors and I therefore consider that the building's use would not cause a loss of privacy for the occupiers of the neighbouring dwellings.
12. For the reasons given above I conclude that the development would not harm the living conditions of the occupiers of the neighbouring properties. There would therefore be no conflict with the Policy UD8 of the UDP and Policy 7.6 of the London Plan because there would be no unacceptable harm to living conditions arising from losses of light or outlook.

Parking Provision

13. The forecourt of No 170 is capable of accommodating two cars and there is a detached garage belonging to this property with a vehicular access via Cleaverholme Close. The Council is concerned that the provision of a further three parking spaces would result in No 170 being over provided for, given that this property is rated as having a public transport accessibility level (PTAL) of four (ie good), with access to buses and a nearby tram stop. While pedestrian access to No 170's existing garage is possible via a private alley running between 18 and 20 Cleaverholme Close that arrangement is not particularly inviting and I consider that this garage is unlikely to be of much utility to the occupiers of No 170.
14. It has been submitted that the garages would provide parking for the occupiers of No 170, leaving the forecourt parking area for use by visitors to the flats. As I am of the opinion that No 170's existing garage should be discounted as a readily usable parking space, I consider that the provision of three garages would not result in No 170 having an excessive amount of off-street parking available to it. In this respect I consider that the amount of on-site parking would not necessarily deter the occupiers of or the visitors to No 170 from using the public transport facilities in the area. I also consider that there would be some benefit to the free and safe flow of traffic on Woodside Green (the B243) from there being some additional off-street parking at No 170.
15. On this issue I therefore conclude that the amount of parking would be appropriate and that this development would not undermine the strategy for minimising on-site parking in higher PTAL areas, as promoted by Policy T8 of the UDP, Policy SP8.15 of the CLPSP and Policy 6.13 of the London Plan.

Other Matter

16. Concern has been raised that the appellant does not have a right of way to access the proposed garaging. Any concern in this regard is a civil matter and is something that I cannot take account of.

Conditions

17. The Council has suggested various conditions and I have considered the need for their imposition, having regard to the provisions of national policy and guidance.
18. Apart from the standard time limit condition, I find it necessary that the development should be built to accord with the submitted plans for certainty. A condition requiring the exterior of the building to be finished with external materials to match those of No 170 has been suggested. However, I consider that a matching materials condition is unnecessary because the external materials are stated on the application drawing and the plans condition will require the development to be implemented in accordance with that drawing.
19. I consider the suggested condition precluding the garage block's use as a separate dwelling is unnecessary because the occupation of the building in that way would require express planning permission. I am also of the opinion that a condition precluding the roof's use as a balcony or roof terrace is unnecessary because the likelihood of the roof being used in that way is unlikely, given the degree of separation there would be from No 170 and the practicalities of accessing the building's roof.

Conclusion

20. For the reasons given above the appeal is allowed.