



Appeal Decision

Site visit made on 13 June 2017

by Gwyn Clark BSc DipTP MRTPI

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

Decision date: 13 July 2017

Appeal Ref: APP/L5240/W/17/3171332

25A King's Road, South Norwood, London SE25 4ES

- 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 Amer Hameed against the decision of the Council of the London Borough of Croydon.
 - The application Ref 16/05837/FUL, dated 17 November 2016, was refused by notice dated 16 January 2017.
 - The development proposed is conversion of the existing garage adjacent to 25 Kings Road and separate studio flat over (25a Kings Road) to form a new 2b3P two storey dwelling.
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Decision

1. I allow the appeal and grant planning permission for the conversion of the existing garage adjacent to 25 Kings Road and separate studio flat over (25a Kings Road) to form a new 2b3P two storey dwelling in accordance with the terms of the application Ref 16/05837/FUL, dated 17 November 2016, and subject to conditions found in the attached Annexe.

Preliminary Matter

2. I have shortened the description in the interests of clarity.

Main Issues

3. The main issues are the effect of the development upon the character and appearance of the area and the quality of the living accommodation provided.

Reasons

Character and appearance

4. It is acknowledge by both parties that this area of King's Road is varied in character. The appeal site is attached to a pair of semi-detached houses which are mirrored by a similar pair of houses opposite. To the other side of the appeal site stands a single storey building which has planning permission for a replacement two storey detached dwelling. Further along King's Road there are terraced rows of houses some of traditional appearance and some of a more recent design. Also in the immediate vicinity blocks of flats of varying height can be found.

5. The symmetry of the original pair of houses has already been compromised by the garage and studio flat which has been added as an extension to No 25 and would be replaced by the proposed house. While this extension is subservient to the main house it is designed in a most awkward manner, particularly its asymmetrical roof and large, front facing flat roofed dormer window. The replacement two storey dwelling is of simple design reflecting the character of the adjoining house except that it will be narrower by around 1 metre. The front of the new house would be slightly stepped back compared with its neighbour by following the alignment of the existing garage and so provide some interest to the front elevation. The roof would line through and create the appearance of a terrace of three houses.
6. I consider that within the context of the varied character found in the local area and in particular the terraced houses that predominate along King's Road the variation in width of the proposed dwelling would not prove harmful to the character of the area. It would meet the tests found in policy 7.4 and 7.6 of the 2011 London Plan (the London Plan), policies SP 4.1 of the 2013 Croydon Local Plan Strategic Policies (CLP1) and policies UD2, UD3, UD8 and H2 found in the 2006 Croydon Replacement Unitary Development Plan (CRUDP) which require a high quality design and one that contributes positively towards and respects the character and appearance of the area.

Quality of the living accommodation provided

7. The proposed dwelling would be deficient in floorspace by around 8m² when measured against the requirement for this type of dwelling contained within the London Plan and updated by the Nationally Described Space Standards (which requires a floorspace of 70m²). However I have no evidence before me to show that harm would arise to future occupiers as a result of this deficiency.
8. I note that Policy 3.5 (C) of the London Plan and SP2.6 of the CLP1 seeks to apply minimum standards in order to have adequately sized rooms and convenient and efficient layouts. Within this dwelling each room would meet the minimum floor area requirement and room widths and ceiling heights comply with the relevant standard. There would be sufficient storage space, and a small but serviceable garden area that exceeds the minimum required. In addition all rooms would experience a good level of sunlight and daylight, and there are no identified privacy issues.
9. In my consideration of this appeal I find that there would be a significant shortfall in the overall floorspace measured against the minimum standard. However I consider that due to compliance with individual elements contained within the minimum standards and due to the quality of the living accommodation provided I do not attach significant weight to this shortfall.

Conditions

10. The Council has suggested a number of planning conditions which I have considered against the advice in the National Planning Policy Framework, the Planning Practice Guidance and retained Annex A (model conditions) of former Circular 11/95: Use of Conditions in Planning Permission.
11. I have omitted the condition withdrawing permitted development rights as this should only be imposed where there are exceptional circumstances which I do not consider applies in this case. I have also omitted suggested condition 8 as

this is a repeat of Condition 2. I have renumbered the standard 3 year time limitation for commencement condition as Condition 1. Conditions to secure details of the materials to be used, the boundary treatment and cycle storage are necessary in the interests of the character of the area, amenity and to promote more sustainable modes of transport. A condition requiring the return of the dropped kerb to pavement is necessary for highway safety and conditions setting a target for carbon dioxide emissions and water usage are imposed to ensure an efficient use of energy.

Conclusion

12. I consider that the new house is designed in such a way that it would make a positive contribution to the street scene. I find no direct harm caused by the deficiency of floorspace against minimum standards established in the development plan and afford this little weight. I therefore allow the appeal and grant planning permission subject to the conditions listed in the Annexe to this decision, which are imposed to provide certainty as to the permission granted and in the interests of the character of the area.

Gwyn Clark

INSPECTOR

Annexe – Conditions.

- 1) The development shall be begun within three years of the date of this permission.
- 2) The development shall be carried out entirely in accordance with the documents and approved drawings submitted with the application.
- 3) No works to any above ground external elevation of the building shall commence until details of the external facing materials have been submitted to and approved by the Local Planning Authority in writing. The development shall only be implemented in accordance with the approved details.
- 4) Prior to first occupation of the development, the written approval of the Local Planning Authority shall be obtained with respect to boundary treatment and enclosed cycle storage. Once approved these structures shall be provided prior to occupation and thereafter retained.
- 5) Prior to commencement of development, the developer shall enter into a Highway Agreement to return the entire length of the dropped kerb fronting the application site to pavement. The required works shall be undertaken and completed prior to the occupation of the development.
- 6) The development shall achieve a reduction in carbon dioxide emissions of 19% beyond the 2013 Building Regulations.
- 7) The development shall achieve a water use target of 110 litres per head per day.

END