



Appeal Decision

Site visit made on 11 July 2017

by Beverley Wilders BA (Hons) PgDurp MRTPI

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

Decision date: 24 August 2017

Appeal Ref: APP/L5240/W/17/3173614

25A Beulah Crescent, Thornton Heath CR7 8JL

- 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 Mrs Edith Ezech against the decision of the Council of the London Borough of Croydon.
 - The application Ref 16/05329/FUL, dated 14 October 2016, was refused by notice dated 17 February 2017.
 - The development proposed is described as demolition of garage and new build of a one bedroom single family dwelling house.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - the effect of the proposal on the character and appearance of the area;
 - whether future occupiers of the dwelling would have satisfactory living conditions having regard to the size of the accommodation, daylight, outlook and external amenity space;
 - the effect of the proposal on the living conditions of the occupiers of neighbouring properties having regard to outlook and daylight.

Reasons

Character and appearance

3. The appeal site comprises a small triangular shaped piece of land containing a single storey garage located in a prominent position at the junction of Beulah Crescent and Beulah Road. It is positioned between a short terrace of three bay windowed, two storey plus basement buildings fronting and parallel with Beulah Crescent and a pair of three storey semi-detached properties fronting and parallel with Beulah Road. The surrounding area mainly comprises traditional buildings though there are some more modern buildings nearby.
4. The position of the proposed dwelling means that it would front and be parallel with Beulah Crescent. However the front elevation of the proposed dwelling would be significantly forward of both the front elevation of the terrace fronting Beulah Crescent and the semi-detached properties fronting Beulah Road. This

would result in an awkward and cramped relationship with the neighbouring buildings and would mean that the proposed dwelling would be highly conspicuous and prominent in the streetscene. In addition the scale and design of the proposed dwelling would be at odds with the neighbouring buildings. In particular the eaves height, ridge height and window positions would not align with either of the neighbouring buildings and would result in a visually intrusive and incongruous form of development that would fail to contribute positively to the character of the local area.

5. I have had regard to the appellant's comments that the existing garage is in a state of disrepair and incongruous and that there have been many alterations and extensions carried out to properties nearby and the construction of a large block of flats on the roundabout opposite. However, the small scale of the existing garage means that it has a limited impact on the character and appearance of the streetscene. Whilst other development may have been carried out nearby, in reaching my decision I have had regard to the mixed character of the area but for the reasons stated above, the proposal would nevertheless be harmful.
6. Taking the above matters into consideration, I conclude that the proposal would have a significant adverse effect on the character and appearance of the area. It is therefore contrary to policies 7.4 and 7.6 of the London Plan (LP), policies SP4.1 and SP4.2 of the Croydon Local Plan (CLP) and policies UD2 and UD3 of the Croydon Replacement Unitary Development Plan (UDP). These policies seek, amongst other things, to ensure that development is of a high quality which respects and enhances local character and respects the existing development pattern and respects the height and proportions of surrounding buildings.

Living conditions (future)

7. The Council states that the floor area of the proposed dwelling would be 37 square metres and this figure has not been disputed by the appellant. This is significantly below the minimum space standard as set out in the nationally described space standard which requires a minimum gross internal area (GIA) of 58 square metres for a one bedroom, two person, two storey dwelling. Standard 24 of the Mayor of London's Housing Supplementary Planning Guidance (SPG) states that all new dwellings should meet the nationally described space standard with reference made within the SPG to Policy 3.5 of the LP which underscores the importance of dwelling space standards as a policy concern. Having regard to the significant shortfall in the GIA and to the particular layout of the proposed dwelling which appears cramped, I do not consider that future occupiers of the dwelling would have satisfactory living conditions.
8. The siting and design of the proposed dwelling and the shape and position of the appeal site is such that the proposed dwelling would effectively be single aspect with the only source of outlook and daylight being to the front. Though windows are proposed to the side and rear of the proposed dwelling these would be very close to nearby buildings and boundary fencing meaning that the outlook from them and access to daylight would be severely restricted. Consequently the proposed dwelling would not have a satisfactory outlook or access to daylight, with the rear kitchen in particular having a severely

compromised outlook. This would not be overcome by the fact that the ground floor living room and kitchen would be open plan.

9. Garden areas are proposed to the rear, side and front of the proposed dwelling. None of these garden areas would be private and the rear garden area is likely to be overcast and in shade for the majority of the time having regard to its position near to surrounding buildings. The proposed dwelling would not therefore have a satisfactory amenity area for future residents.
10. Taking the above matters into consideration, future occupiers of the proposed dwelling would not have satisfactory living conditions having regard to the size of the accommodation, daylight, outlook and external amenity space. The proposal is therefore contrary to Policy UD8 of the UDP, guidance contained within the SPG and to the nationally described space standard. This policy and this guidance and standard seek, amongst other things, to ensure that future occupiers of housing development have satisfactory internal accommodation and external amenity space and are protected from undue visual intrusion and loss of privacy and have sufficient daylight.

Living conditions (existing)

11. The proposed dwelling would extend towards the rear of the appeal site and would be positioned close to the side elevations of the neighbouring buildings at 25 Beulah Crescent and 128 Beulah Road and close to the common side boundaries. The side elevation of No 128 contains a number of windows and it appears that the outlook from and daylight received by one of these would be likely to be adversely affected by the proposed dwelling which would be positioned very close to it and at a similar height. A pedestrian walkway is located to the side of No 128, adjacent to the common side boundary with the appeal site which is currently marked by a fence.
12. Whilst the outlook from and the amount of light to this walkway would be significantly reduced by the proposal, I do not consider that this would be materially harmful to the living conditions of the occupiers of No 128. Similarly though the front elevation of the proposed dwelling would project beyond the front elevation of the neighbouring buildings, having regard to the relative position of the buildings I do not consider that the outlook from the neighbouring properties would be materially adversely affected by the proposal.
13. Taking the above matters into consideration, I conclude that the proposal would have a significant adverse effect on the living conditions of the occupiers of neighbouring properties having regard to outlook and daylight. It is therefore contrary to policies UD2 and UD8 of the UDP. These policies seek, amongst other things, to ensure that development proposals allow adequate daylight to penetrate into and between buildings and that existing occupiers are protected from undue visual intrusion.

Other Matters

14. In reaching my decision I have had regard to the fact that the proposal would provide an additional dwelling in an accessible location and that it would also bring some modest economic benefits. However these benefits would not outweigh the harm identified.

Conclusion

15. For the above reasons and having regard to all matters raised, I conclude that the appeal should be dismissed.

Beverley Wilders

INSPECTOR