
Appeal Decision

Site visit made on 6 November 2017

by Patrick Whelan BA(Hons) Dip Arch MA MSc ARB RIBA RTPI

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

Decision date: 28th November 2017

Appeal Ref: APP/L5240/W/17/3180324

The George, 132 Canterbury Road, Croydon CR0 3HD

- 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 G McCarthy against the decision of the Council of the London Borough of Croydon.
 - The application Ref 16/05924/FUL, dated 22 November 2016, was refused by notice dated 23 January 2017.
 - The development proposed is the conversion and extension of existing storage shed into a two bedroom unit with amenity space at the rear, recycling and cycle storage to front.
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Decision

1. The appeal is allowed and planning permission is granted for the conversion and extension of the existing storage shed into a 2-bedroom unit with amenity space at the rear, recycling and cycle storage to front at The George, 132 Canterbury Road, Croydon CR0 3HD, in accordance with the terms of the application, Ref 16/05924/FUL, dated 22 November 2016, and the plans submitted with it, subject to the conditions on the attached schedule.

Main Issues

2. The main issues are the effect of the proposed development on:
 - the character and appearance of the area; and,
 - the living conditions of future occupiers, with particular regard to noise and disturbance.

Reasons

The character and appearance of the area

3. The storage building to be demolished already has a presence in the street scene. The additional width and height of the proposed house to replace it would not be so great as to disrupt the order of the street scene. Nor would it unbalance the space between the last house in Wortley Road and the first building in Canterbury Road.
 4. It would retain a sufficiently wide gap between its flank and the public house to reflect the character of space between a corner public house and the terrace of houses in the return street. Its site coverage would be similar to No 1. There is an almost continuous frontage behind the building on the opposite street corner. This runs along the back edge of the footway, whereas this proposal would be set back from the footway to align with No 1. It would not therefore
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be at odds spatially with the surrounding pattern of development or with the character of space between returning urban blocks.

5. The roof form of the house would be unlike its adjoining neighbour, but the scale of the two houses is quite different too. Its parapet form would reflect many examples in the street. The lean-to side of the proposal would not appear out of place next to the single storey rear element of the public house.
6. The development would result in the loss of a storage building at one time connected with the public house. However, given the residential character of the street, the proposal would not appear cramped or over developed or at odds with the spatial and townscape character of the area. Nor would it depart from the surrounding pattern of development.
7. I conclude that there would be no harm from the proposal to the character and appearance of the area. It would accord with policies SP4.1 and SP4.2 of the Croydon Local Plan: Strategic Policies 2013 (CLP) and policies UD2, UD3, H2, and H5 of the Croydon Replacement Unitary Development Plan 2006 (UDP), which require development to respect and enhance local character and the local pattern of development.
8. There would be no conflict with policies 3.5, 7.1, 7.4, and 7.6 of the London Plan 2016 (LP) which require buildings to be of the highest architectural quality, to enhance the quality of local places, to reinforce or enhance character, and have regard to the pattern and grain of existing spaces and streets. Nor would it be at odds with the design advice in section 7 of the National Planning Policy Framework.

The living conditions of future occupiers

9. While the Council is concerned that future occupants may be disturbed by the public house adjoining the site, the appellant indicates that it has closed. Notwithstanding this, the noise impact assessment shows that even with the beer garden in use, and subject to the development incorporating appropriate construction including acoustic trickle vents to windows, there would be an acceptable internal noise environment for future occupiers.
10. Were the public house use to be resumed, the garden of the proposed house would be vulnerable to disturbance. However, this would be little different to the gardens of the other houses, neighbouring the public house. In the context of this urban location where corner public houses are a feature of the area, where a degree of disturbance is likely to be expected and tolerated, and given the limited size of the garden, the risk of disturbance having an unacceptable effect on the living conditions of the future occupiers is low.
11. There is no evidence to suggest that, with particular regard to noise and disturbance, there would be harm to the living conditions of future occupiers. There would be no conflict with CLP policies SP2.6 and SP4.1, UDP policies EP1 and UD8, and LP policy 7.6 which seek to protect the amenity of future occupiers and to provide high quality indoor and outdoor spaces.

Other Matters

12. The proposal would increase the volume of built form on the site. However, the degree of increase would not be so great as to reduce the outlook of surrounding occupiers to an unacceptable degree.

Conditions

13. Conditions relating to commencement and plan numbers are necessary for the avoidance of doubt and in the interest of proper planning. The drawings indicate external materials generally matching the surrounding development; a matching materials condition is therefore unnecessary. Given the proximity of surrounding occupiers, and to protect their living conditions, a condition requiring a Construction Method Statement is necessary. However, given the dimensions of the site and the scale of the development, details of wheel washing facilities and personnel parking are unnecessary.
14. Given the proximity of the surrounding houses, the site coverage of the proposal, and the spatial sensitivity and density of the character of the area, the potential to form roof windows and to enlarge the houses further, without adversely affecting the living conditions of neighbours or the character of the area, is limited.
15. While the PPG advises that conditions limiting permitted development rights should only be used in exceptional circumstances, I agree that the withdrawal of permitted development rights for enlargement, outbuildings and south-facing windows would be necessary. The removal of rights under these classes would be reasonable, as a restrictive condition would not prevent development, but would bring it under planning control. Accordingly, I have imposed a condition restricting development under classes A, B, C, and E.

Conclusion

16. For the reasons given above, and taking account of all matters raised, I conclude that the appeal should be allowed.

Patrick Whelan

INSPECTOR

Schedule of 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 plans: 1:1250 Location Map; EX.01 Existing Plans, Section and Elevations Site Block Plans; P.51 Proposed Plans, Section and Elevations Site Block Plans.
- 3) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no enlargements as provided for within Schedule 2, Part 1, class A and class B, no development as provided for within class E, and no windows in the south-facing walls or roof slopes as provided for within classes A, B and C of that Order shall be constructed.
- 4) No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by the local planning authority. The Statement shall provide for:
 - i) the loading and unloading of plant and materials;
 - ii) the erection and maintenance of security hoarding;
 - iii) delivery, demolition and construction working hours.

The approved Construction Method Statement shall be adhered to throughout the construction period of the development.

End of Schedule of Conditions