



## Appeal Decision

Site visit made on 5 September 2017

by L Gibbons BA (Hons) MRTPI

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

Decision date: 29<sup>th</sup> November 2017

**Appeal Ref: APP/L5240/W/17/3178260**

**8-10 Crown Hill, Church Street, Croydon CR0 1RZ**

- 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 Martin Tynan (Wintertime Developments) against the decision of the Council of the London Borough of Croydon.
- The application Ref 17/00787/FUL, dated 14 February 2017, was refused by notice dated 26 April 2017.
- The development proposed is the construction of fourth floor to provide an additional 3 new flats (1 x one bedroom flat and 2 x studio flats).

### Decision

1. The appeal is dismissed.

### Main Issue

2. The main issue is whether the proposed development would preserve or enhance the character or appearance of the Central Croydon Conservation Area and whether it would preserve the setting of the Grade II listed buildings of Nos 11, 13 and 13A Crown Hill.

### Reasons

3. The appeal site is a four storey building with a ground floor retail unit and the upper floors are within residential use. The proposal is to construct an additional residential floor on the roof containing three flats.
4. The appeal site is located within the Central Croydon Conservation Area. This is a large area that is very varied in character and appearance. It is described in the Conservation Area Appraisal and Management Plan Supplementary Planning Document (SDP) 2014 as the commercial and civic heart of the town and has been for centuries. The street layout has special historic interest, and the variety of uses including markets and Almhouses also add to the interest of the area. Older buildings tend to be two or three storeys in height. The architectural detailing including roofscapes are also varied. Based on the variety of historic buildings, development of the area over time and the street layout the Conservation Area's significance is both architectural and historic. There are a number of modern taller buildings including the appeal building. The appeal building is referred to in the SPD as detracting from the special character of Conservation Area.
5. I accept that rooflines within the Conservation Area are varied in terms of height and appearance. The appeal site is located immediately adjacent to two

other buildings, which overall are of a similar height. The roof form of the existing building is such that it in itself it is not prominent, and is currently seen in context with its neighbours. The SPD refers to proposed extensions disrupting the scale and proportions of buildings. It also states that roof extensions to prominent roofscapes that are visible from a public highway will generally not be permitted due to a negative impact in resulting additional massing.

6. Although the majority of the appeal building would not be within the Old Town area, the Council consider that the front elevation is within the Master Plan Area. Based on the evidence before me I see no reason to disagree. The Old Town Master Plan, 2014 refers to the bulk of taller buildings being inappropriate, and that residential extensions should be set back in subservience to the primary frontage.
7. I accept that the proposed scheme would not interrupt views of the Minster. The setback would not be contrary to the requirements of the Old Town Master Plan relating to top floor residential extensions. Nevertheless, the scheme would result in the building appearing much higher than the closest part of the roofs of the properties on the east and west side of the appeal building. Even allowing for the setback from the front and sides, due to its height and bulk across the majority of the building the additional storey would be a very visible addition to the streetscene. The roof extension would be seen from the east and west, with particular prominence when seen from the higher ground at the junction of George Street, High Street and North End.
8. Although the overall height of the building would be lower than others within the area, the scheme would result in additional massing which would not reinforce the character and appearance of the Conservation Area as a whole. Rather the negative impact of the existing building would be exacerbated.
9. Nos 11, 13 and 13A Crown Hill are Grade II listed buildings located on the opposite side of Crown Hill and are very close to the appeal site. The buildings are currently in commercial use. I have had special regard to the desirability of preserving the setting of the listed buildings. The listings for the buildings refer to architectural details. I acknowledge that the listed buildings have been subject to alteration over time. However, due to the scale and design of the buildings including the size of plots, and relationship with the older street pattern this gives them architectural and historic interest.
10. With regard to the consideration of the listed buildings, the setting includes the surroundings in which it is experienced. Although the buildings immediately opposite are modern, the listed buildings are experienced in the context of their immediate surroundings including the appeal site. The road layout is similar to a map of the 1800 roads shown in the SPD. Some buildings have changed. However, the layout shows the existing roads of Middle Street, Bell Hill and Crown Hill. Moreover, the contrast of the size and scale of the listed buildings to the buildings opposite is clear in views from the top of Crown Hill. This serves to emphasise the human scale of the listed buildings contributing to their significance. Additionally views of the appeal scheme would be possible from Middle Street close to No 11, and also from the east outside the listed buildings. For these reasons I do not agree with the appellant that the increase in height of the appeal building would not be detrimental to the setting of the

listed buildings, rather the increase in height would serve to diminish the established setting.

11. The presence of other taller buildings in the area such as the Barclays Bank building are disruptive to the townscape and are not sufficient justification for allowing further harm. I have been referred to examples of buildings within the Conservation Area which have set back floors on the roof. Some of these buildings are not as tall as the appeal building. In any event, I do not have the full details of the circumstances that led to these proposals being accepted or indeed whether they have planning permission. I cannot be sure that they represent a direct parallel to the appeal proposal. In any case I have determined the appeal on its own merits.
12. For the reasons given above, I conclude that the proposed development would fail to preserve the character and appearance of the Central Croydon Conservation Area and would fail to preserve the setting of the listed buildings of 11, 13 and 13A Crown Hill. It would be in conflict with Policy SP4.13 of the Croydon Local Plan Strategic Policies 2013, saved Policies UD2, UD3 and UD8 of the Croydon Replacement Unitary Development Plan 2006, and Policy 7.8 of the London Plan (consolidated with alterations since 2011). These amongst other things seek new development that conserves the significance of heritage assets by being sympathetic to their form, scale, materials and architectural details, enhances the quality of local places, and respects and enhances Croydon's varied character, reinforces and respects the existing pattern of development and has regard to the form, function and structure of an area.

### **Other matters**

13. Residents of the flats have raised concerns in relation to waste storage capacity for existing and proposed properties. The Council does not raise any concerns in this regard. The appellant indicates that existing provision could be rationalised, and storage provided in a more efficient manner. Were other matters acceptable, these measures could be secured by an appropriate condition.

### **Conclusion and balance**

14. Paragraph 132 of the National Planning Policy Framework sets out that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the assets conservation. When the proposed development is considered in the context of harm to the significance of the designated heritage asset, the harm may be considered as less than substantial. The Framework requires that any such harm be assessed against any public benefits including securing its optimum viable use.
15. The availability and lack of constraint to constructing an additional floor at the appeal site would be a neutral consideration. I recognise that appeal site is located within town centre of Croydon which has major facilities and services. There are also extremely good transport links within the town and to other locations. The provision of three new dwellings would contribute to housing supply within the area and the variety of sizes of flats would add to the mix of dwelling and would be public benefits. However, the benefits in these respects would be very modest, and would be very significantly outweighed by the harm I have found.

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

*L Gibbons*

INSPECTOR