



Appeal Decision

Site visit made on 24 October 2017

by Graham Wyatt BA (Hons) MRTPI

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

Decision date: 29th November 2017

Appeal Ref: APP/L5240/W/17/3180076

113 Waddon New Road, Croydon CR0 4JE

- 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 Jesus Bravo against the decision of the Council of the London Borough of Croydon.
 - The application Ref 17/00508/FUL, dated 31 January 2017, was refused by notice dated 19 May 2017.
 - The development proposed is the conversion of the lower ground floor in a semidetached 3 storey house into a 1 bedroom self-contained apartment.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the development on the living conditions of future occupiers with particular regard to outlook and daylight.

Reasons

3. The appeal site is the basement of a three storey semi-detached dwelling. The basement contains 4 rooms accessed off a narrow hallway. The development proposes to create a lounge in the room to the front of the basement, the centre into a kitchen and bathroom and the rear into a bedroom. The front of the building faces to the northwest and a single bay window and light well would serve the proposed lounge. The kitchen would be served by a single glazed door at the bottom of a light well while the bedroom would be served by a single window. The bathroom would not be provided with any windows.
4. The basement is accessed via a steep staircase with the main door sited under the stairs that lead to the ground floor of the dwelling. Consequently, the hallway does not receive adequate levels of daylight and was quite gloomy on my visit. The bedroom and kitchen were also quite dark during my visit and given the orientation of the building, any light afforded to these rooms would reduce as the position of the sun moves throughout the day.
5. Waddon New Road itself is subject to parking restrictions with double yellow lines outside the appeal site. A parking space is provided to the front of the building, which sits adjacent to the light well and bay window which is the main source of daylight for the lounge. The light afforded to the lounge is limited as a result of the orientation of the building and would be further reduced by any vehicles parking to the front of the light well and basement window.

6. Moreover, the window and door that serve the kitchen and bedroom look out onto a light well and stairs which would not provide a reasonable outlook for future occupiers. The outlook from the lounge would also be restricted as a result of the light well to the front and would be further compounded by the parking of vehicles to the front of the building.
7. The Council have referred to the DCLG Technical housing standards—nationally described space standard (2015) within their decision. However, the application form states that the floor space for the development would be 60 sq. m which exceeds the space standards for a 1 or 2 person, 1 bed flat.
8. I therefore conclude that the proposed development would harm the living conditions of future occupiers of the basement apartment, having regard to outlook and daylight. The proposal would be contrary to Policy SP2.6 of the Croydon Local Plan, Strategic Policy H7 of the Croydon Replacement Unitary Plan 2006, Policy 3.5 of the London Plan (consolidated with alterations since 2011) 2015, and the Housing Supplementary Planning Guidance to the London Plan (March 2016) which seek, amongst other things, to ensure a satisfactory level of accommodation for occupiers.

Other Matters

9. The appellant has referred to the London Plan Housing Supplementary Planning Guidance 2016 which in turn refers to BRE¹ advice within the 'Site Layout Planning for Daylight and Sunlight: Guide to good practice' document. The appellant is confident that should the tests within the document be applied, the light received in each room would be adequate. However, I have not been provided with any evidence that the light to each room passes the tests set out within the BRE document.
10. I accept that the occupiers of the apartment could be key workers or young professionals and that there is support for the principle of the proposed development which lies within a sustainable location close to shops, employment and transport links. I also acknowledge that the occupiers of the apartment would have access to the rear garden and that the development would be carried out to a high standard using energy efficient technologies. However, this, nor any other material consideration that has been advanced outweighs the identified harm and conflict with policy.

Conclusion

11. For the reasons given above, and having regard to the development plan when read as a whole, I conclude that the appeal should be dismissed.

Graham Wyatt

INSPECTOR

¹ Building Research Establishment