



Appeal Decision

Site visit made on 9 October 2018

by **E. Brownless, BA (Hons) Solicitor**

an Inspector appointed by the Secretary of State

Decision date: 13th December 2018

Appeal Ref: APP/L5240/W/18/3201715

4 The Mews, Norbury Crescent, Norbury, London, SW16 4JP

- 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 Anthony Thomas against the decision of the Council of the London Borough of Croydon.
 - The application Ref: 17/05610/FUL dated 10 November 2017, was refused by notice dated 18 January 2018.
 - The development proposed is described as 'extension of the building by the creation of a mansard roof with dormers to provide number of six art studios and the additional re-design of the north-eastern face of the building with a glazed curved which certainly improve the total appearance of the whole building'.
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Decision

1. The appeal is dismissed.

Procedural Issues

2. The Croydon Local Plan 2018 (CLP 2018) was adopted on 27 February 2018. The Council has advised that saved policies UD2, UD3, UC5 and UD8 of Croydon Replacement Unitary Development Plan and Policies SP4.1, SP4.12, SP4.13 and SP4.2 of the Croydon Local Plan: Strategic Policies (CLP1) 2013 have been replaced. I have therefore considered the proposed development against the relevant policies of the CLP 2018. The appellant has been afforded the opportunity to comment on the policies in the CLP.
3. The revised National Planning Policy Framework (Framework) was published on 24 July 2018. The main parties have had the chance to comment on the Framework. I have had regard to the Framework in reaching my decision.
4. The Council advises there is an extant planning permission under Ref: 15/01550/P for the erection of a two storey building with rear dormer extension and balconies for purposes within use class A3 and A4. Furthermore, the Council approved a minor material amendment allowing for alterations to elevations to provide a rounded corner of the building, among other things. The proposal is a repetition of those matters that have previously been considered under the aforementioned applications, save for the addition of a mansard roof together with the additional floor space created within the roof space. I saw that works had commenced at the time of my site visit.

Main Issues

5. The main issues are whether the proposed development would preserve or enhance the character and appearance of the setting of a listed building and

designated local heritage area, and the effect on living conditions of nearby residents with particular regard to outlook.

Reasons

Character and appearance

6. Norbury Crescent primarily consists of two-storey semi-detached dwellings of varying designs, style and materials. With relatively steep roof pitches, a large proportion of dwellings have been altered by the addition of a flat roof dormer window to the roof structure in order to utilise roof space as additional accommodation. Despite the variety and alterations, the dwellings along Norbury Crescent are generally characteristic of a suburban residential area.
7. At its junction, Norbury Crescent joins London Road, an area designated as an area of Local Area of Special Character (LASC) characterised by the good quality and cohesive design of properties. No. 1434 London Road, a Grade II Listed Building, occupies the corner plot at the junction. On the basis of the evidence before me, including the listing description and from my site visit, I consider that the significance of this building as a designated heritage asset lies, in part in its Venetian style architecture with elaborate detailing, which also incorporates a tiled mansard roof. Despite being separated by the width of Norbury Crescent, the appeal site sits in close proximity to the side elevation of the listed building. The appeal site is particularly prominent and visible from views from London Road and from the western end of Norbury Crescent, and forms part of the setting of the listed building.
8. Although the listed building incorporates a mansard roof, these are not commonplace within the area and thus by reason of its increased height, scale and mass, the proposal would appear bulky and cramped and generally at odds with most development nearby. Thus it would have an erosive and harmful effect on the appearance of the setting of the listed building and the LASC, albeit I note the mansard design would limit overall bulk to some degree, when compared to an additional full storey.
9. Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, requires the decision maker in considering whether to grant planning permission for development which affects a listed building or its setting, to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest.
10. The Framework advises that heritage assets are an irreplaceable resource and should be conserved in a manner appropriate to their significance. Paragraph 193 states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting.
11. It follows from my findings above that the proposal would erode the established character of the LASC and would fail to preserve or enhance the setting of a listed building. It would therefore be contrary to policy DM18 of the Croydon Local Plan 2018 (CLP 2018) and policy 7.8 of the London Plan 2016 (consolidated with alterations since 2011) (LP 2016) which seek to ensure developments are of a high quality design that integrate with and make a

positive contribution to the historic environment to ensure the significance of a heritage asset is preserved or enhanced. Furthermore, it would not comply with the more general provisions of policies SP4 and DM10 of the CLP 2018 which, among other things, refer to high quality design.

12. The harm identified would amount to “less than substantial harm” and in the context of paragraph 196 of the Framework, which requires such harm to be balanced against the public benefits of the proposal.
13. The appellant has identified a number of public benefits. Albeit sustainably located, any environmental benefit would be minor. Furthermore, the economic and community benefits generated by the scheme, such as the optimisation of the site and the formation of space for creative industries would be relatively modest in nature. Accordingly, I find that there would be insufficient public benefit to outweigh the identified harm to which I attribute great weight. I therefore conclude the proposed development would also fail to comply with national policy outlined in section 16 of the Framework. I also note the appellant’s view that the works have commenced to structural requirements with a third storey in mind. This has no significant bearing on the harm identified.

Living conditions

14. Excluding the commercially occupied ground floor properties of Nos. 1448-1456 London Road, the current outlook from the rear windows of the residential occupied upper floors is towards the partially constructed building with extant planning permission. There are a number of outbuildings and a motor repair garage positioned between these properties and the appeal site, however, views from upper floor windows towards the appeal site are largely unobstructed.
15. The scheme under construction provides for a flat roof along its entire length and therefore the addition of a mansard roof together with window openings to support the use of this upper floor as additional floor space would add to the overall height and mass of the building. Whilst this would alter the outlook from the rear windows of Nos. 1448-1456, the proposal would not have a significant enclosing effect on the neighbouring properties given the reasonable distance between those properties and the appeal proposal.
16. Assessing the scheme against the existing and proposed site circumstances show that the changes would not significantly harm the living conditions of the occupiers of Nos. 1448-1456 with particular regard to outlook. Therefore, the proposal would be in general conformity with the overall amenity protection and design aims of Policy DM10 of the CLP 2018 and policy 7.6 of the LP 2016.

Conclusion

17. No harm has been identified in regard to the living conditions of neighbouring occupiers at Nos. 1448-1456 London Road. Nevertheless, the harm identified in relation to character and appearance is decisive.
18. Accordingly, for the reasons stated above, the appeal is dismissed.

E Brownless

INSPECTOR