



Appeal Decision

Site visit made on 13 August 2019

by N Thomas MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12 September 2019

Appeal Ref: APP/L5240/W/19/3230031

130-132 Portland Road/1 Holland Road, South Norwood, London SE25 4PT

- 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 J Vigar on behalf of Sunstone Properties against the decision of the Council of the London Borough of Croydon.
 - The application Ref 18/04644/FULL, dated 21 September 2018, was refused by notice dated 7 May 2019.
 - The development proposed is the internal rearrangement of Flat 2 (Portland Road), addition of two storeys above existing building fronting Portland Road containing 2 x 2 bed flats; extensions to building fronting Holland Road to create 3 x 2 bed flats to replace 2 x 1 bed flats (net increase 3 flats in total). Provision of refuse storage and amenity space for all flats.
-

Decision

1. The appeal is dismissed.

Procedural Matter

2. I note that the appellant has suggested that the design and location of the refuse storage facilities could be amended in order to overcome the Council's concerns, and that a privacy screen could be added to the external staircase. However, no drawing has been provided and my consideration of these amendments would deny those who would have been consulted through the planning application process the opportunity of such consultation. I have therefore determined the appeal on the basis of the plans submitted to and considered by the Council.

Main Issues

3. The main issues are:
 - The effect of the proposal on the living conditions of neighbouring occupiers, with regard to outlook and privacy;
 - Whether the proposed layout would provide adequate facilities for the storage of refuse; and
 - The effect of the proposal on the character and appearance of the area.

Reasons

Living conditions

4. The appeal site is a corner plot that contains two buildings; a two storey end of terrace fronting Portland Road, and a two storey building to the rear, which fronts onto Holland Road. The two buildings are in residential use as flats and are separated by an open area divided into small gardens, parking and circulation space.
5. The appeal proposal would result in an increase in the height of 130-132 Portland Road by adding two additional floors of accommodation, and the increase in the height of 1 Holland Road by one floor, as well as an increase in its footprint. The existing small rear gardens serving the dwellings in the buildings fronting Portland Road, including the adjacent building at No 134, are already confined by the adjacent buildings, and the outlook from the rear habitable rooms on the ground floor is somewhat restricted. However, the increase in height of the building at No 1 and the extension of the building to the front of the site with Holland Road, would result in substantial additional built form in close proximity to the gardens and rear windows of flats. This would further restrict and dominate the outlook from the gardens and rear habitable rooms, increasing the sense of enclosure. The resulting effect would be harmful to the living conditions of the neighbouring occupiers.
6. The rear of properties fronting Portland Road is already subject to mutual overlooking of gardens and some overlooking is possible from the external staircase on No 1 towards the gardens and rear habitable rooms. The upward extension of the external staircase would allow a greater level and perception of overlooking, in close proximity to gardens and rear habitable rooms, from an elevated position. The private balcony at second floor level would allow direct overlooking into rear habitable rooms. For these reasons, the proposal would be harmful to the privacy of neighbouring occupiers.
7. I appreciate that a privacy screen is proposed to the balcony, but in order to be effective this would need to be of a sufficient height to restrict the view of a person standing on the balcony. The resulting external amenity space would as a result have very limited outlook and it is not clear to me that this would be a satisfactory solution.
8. I am aware that the appellant considers that some of these concerns could be overcome through conditions or amended plans. However, for the reasons previously set out, I have considered the proposal on the basis of the drawings that were submitted to and considered by the Council, and found that it would be harmful.
9. For the reasons set out above, I conclude that the proposal would be harmful to the living conditions of neighbouring occupiers, with regard to outlook and privacy. It would therefore be contrary to Policy DM10 of the Croydon Local Plan 2018 (the Local Plan), which seeks, amongst other matters, to ensure that new development protects the amenities of the occupiers of adjoining buildings.

Refuse storage

10. The refuse store to the front of Portland Road would open onto the footway, and its doors would open over the footway. This would narrow the footway

while in use, and would potentially hinder pedestrians and cause an obstruction, undermining the safety of the public. Moreover, the refuse store would not be easily accessible for occupiers.

11. The refuse store within the courtyard between the two buildings would be immediately adjacent to the entrance. When in use this would create an obstruction to the access and circulation space, and would not be safe or easily accessible by occupiers or by refuse collectors. The appellant considers that these concerns could be overcome through an amendment or a condition, but for the reasons previously stated I have determined the proposal on the basis of the drawings that were considered by the Council.
12. The proposal would therefore fail to provide adequate facilities for the storage of refuse, and would be contrary to Policy DM13 of the Local Plan, which seeks to ensure that the location and design of such facilities are treated as an integral element of the overall design, and provide layouts that are safe, conveniently located and easily accessible.

Character and appearance

13. Portland Road is dominated by terraced properties, and whilst the majority are two storeys with pitched roofs, there is a degree of variation, with occasional three storey buildings. Some buildings, such as Nos 130-132, have very shallow pitched roofs which are hidden by parapets. There is also a large degree of variation in materials, with brick, painted brick and render all evident in the immediate vicinity. While some buildings have ornate façades, the majority are simple and unadorned. I understand that the building at Nos 130-132 has been altered in the past, so that the brick infill at ground floor level does not match the upper floor or the return elevation along Holland Road. Although the building is on a corner plot, due to its relatively low height it is not prominent in the street scene.
14. The built form on Holland Road has a greater degree of uniformity and is dominated by two storey terraced houses, although adjacent to the appeal site is a modern residential infill development, and there is a three storey building of a contrasting ornate design on the opposite side of the road at the former Greyhound Tavern. However, in common with Portland Road, buildings are finished in a wide range of external materials. The building at No 1 is at odds with the built form in this road, as it has a narrow frontage, mono-pitch roof, and red brick inserts below the window openings.
15. The appeal proposal would significantly increase the height and massing of both of the buildings, with the result that they would be more prominent in the street scene. However, in the context of the varied street scene in the area, the resulting buildings would not appear noticeably out of step. I note that the Council is concerned that the proposal would not result in an overall improvement in the appearance of the appeal site and that the buildings would have poor detailing. While the proposal would not resolve the existing variation in the brick colour for Nos 130-132, in view of the wide range of materials in the area, I do not agree that this indicates that the proposal would be harmful.
16. The window depths would be similar to those on neighbouring properties, and the windows would be the same size as those existing on the existing building. Adequate detail is shown on the drawings in order to satisfy me that the building would not be poorly designed and would integrate successfully with

neighbouring buildings and the street scene. Additional clarity could be secured through a suitably worded condition, if I were minded to allow the appeal. I note that the corner gable feature is similar to one on a corner building at the junction of Apsley Road and Holland Road, and I do not find that it would appear weak, despite the scale of the resulting building.

17. The existing building at 1 Holland Road does not reflect the materials or form of the surrounding buildings, and the appeal proposal would retain the separate identity of this element. The addition to it would provide a visual link with the return elevation of Nos 130-132 through the design and the use of materials. As a result, the building at No 1 would have a more unified appearance with the building fronting Portland Road, and would not appear unduly prominent or obtrusive.
18. I therefore find that the proposal would not be harmful to the character and appearance of the area, and consequently would not conflict with Policies SP2 and DM10 of the Local Plan, and Policies 3.5 and 7.4 of the London Plan 2016, insofar as they seek to ensure that new development should be of high quality that enhances the quality and built features of the surrounding area.

Other Matters

19. The appellant has stated that the existing parking spaces and amenity space attracts anti-social behaviour, and that the proposal would have the benefit of removing the parking and relocating the entrance gate to remove any publicly accessible space for people to loiter. While this would be a benefit, it could be achieved by other means and does not justify the harm that would be caused by the proposal.
20. I am aware that paragraph 118 of the National Planning Policy Framework gives support for opportunities to use the airspace above existing residential and commercial premises for new homes, and that the site is well located for access to local services, facilities and public transport. However, this does not override the need to ensure that new development is acceptable in other respects.

Conclusion

21. Although I have found in favour of the appellant in relation to the third main issue, this does not outweigh the harm I have identified in relation to the other main issues. Consequently, I conclude that the appeal should be dismissed.

N Thomas

INSPECTOR