



Appeal Decision

Site visit made on 23 September 2019 by C Brennan BAE (Hons) M.PLAN

Decision by Andrew Owen BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 31st October 2019

Appeal Ref: APP/L5240/W/19/3231796

10 April Court, 107 Northwood Road, Thornton Heath CR7 8HW

- 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 Ms Jacqueline Bell-Gam against the decision of the Council of the London Borough of Croydon.
 - The application Ref 19/01162/FUL, dated 12 March 2019, was refused by notice dated 10 May 2019.
 - The development proposed is partial demolition of existing building and erection of 3 two storey houses to provide 2 x three bedroom units and 1 x two bedroom unit.
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Procedural Matters

3. The description of the proposed development included on the application form incorrectly states that the proposal involves the erection of two two-bedroom units and one three-bedroom unit, although the drawings show one two-bedroom unit and two three-bedroom units. For accuracy the description of development as included on the decision notice has been used above.

Main Issues

4. The main issues are:
 - i) the effect of the proposed development on the character and appearance of the site and surrounding area;
 - ii) the effect of the proposed development on the living conditions of the occupants of No. 9 April Court, with regard to light and outlook;
 - iii) whether the proposed development would provide acceptable living conditions for future occupants, with regard to the provision of private amenity space;
 - iv) the effect of the proposed development on surface water flooding; and
 - v) whether the proposed development would provide acceptable access for emergency and waste collection vehicles.
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Reasons for the Recommendation

Character and appearance

5. The appeal site accommodates an L-shaped, flat-roofed bungalow with an area of private amenity space to the front. The site is situated between the rear gardens of properties fronting Northwood Road to the south, Osterley Gardens to the north and Springfield Road to the east. The site is accessed via an undercroft from Northwood Road which measures around 2.5m in height. The appeal property adjoins No. 9 April Court to the west, another L-shaped, flat-roofed bungalow which has a private amenity space at the front. As the two buildings have a similar design, layout and use similar materials, they appear as a symmetrical pair. By contrast, the proposal would introduce three two-storey, pitched-roof houses. Although they would have a comparable height to neighbouring residential properties to the north, east and south, the scale of the proposal, in combination with its proximity to No 9 and its position within this constrained backland site, would result in a cramped, overly dominant and obtrusive form of development that would not integrate well within the established pattern of development.
6. The appellant states that the proposed development has been designed to respond to the character of surrounding buildings. However, the proposal would incorporate an excessive amount of glazing and striking zinc-clad pitched-roofs, neither of which are architectural characteristics of the locality. Furthermore, it is considered that the detailed design of the proposal would appear especially incongruous in the context of the adjoining bungalow.
7. For the above reasons, I conclude that the proposed development would cause an unacceptable level of harm to the character and appearance of the site and surrounding area. The proposal therefore conflicts with Policies SP4 and DM10 of the Croydon Local Plan (2018), which state that development will be required to respect and enhance local character and the development pattern and appearance of the surrounding area. The proposed development would also fail to comply with the Suburban Design Guide SPD (2018), which states that if any part of the proposed development within a rear garden site would be within 18m of the rear wall of any neighbouring property, the height of the proposed development should be a storey lower in height. The proposed development would also fail to comply with the London Plan, which states in Policy 7.4 that development should have regard to the form, function, scale and mass of surrounding buildings.

Effect on living conditions of occupants of No. 9 April Court

8. No. 9 April Court measures around 3m in height. It has an area of private amenity space which has a depth of 4-5m between the front façade and front boundary and a width of 9-10m. Several front-facing windows of the property look out onto this area of amenity space. The flank wall of the proposed development would introduce a blank wall measuring 6.4m in height, which would protrude past the front façade of No. 9 by approximately 5m. Given the height of the proposed flank elevation, the extent of its protrusion beyond the front façade of No 9, and its immediate siting on the boundary, it is considered that the proposal would cause an unacceptable level of harm to the front-facing windows at No 9 in terms of outlook and light, to the detriment of the living conditions of the occupants. As the proposal would protrude along the full depth of their private amenity space, it is also considered that the proposal

would cause unacceptable harm to the outlook from the private amenity space of No. 9.

9. For the above reasons, I conclude that the proposed development would cause an unacceptable level of harm to the living conditions of the occupants of No. 9 April Court with regard to light and outlook. The proposal therefore conflicts with Policy DM10 of the Croydon Local Plan (2018), which states that development will be required to respect the amenity of the occupiers of adjoining buildings. The proposed development would fail to comply with the Suburban Design Guide SPD (2019), which states that development proposals in suburban locations must minimise impact on neighbouring amenity as far as possible, as well as the London Plan (2016), which states in Policy 7.6 that development should not cause unacceptable harm to the amenity of surrounding land and buildings.

Living conditions of future occupants

10. The proposed development would provide the minimum amount of private amenity space for two-bedroom and three-bedroom properties as required by Policy DM10.4. However, as the rear amenity space for two of the units would be extremely narrow, it is considered that the rear amenity space provided would be so cramped that it would not be of functional use for future occupants.
11. I therefore conclude that the proposed development would not provide acceptable living conditions for future occupants with regard to the provision of private amenity space. The proposal therefore conflicts with Policy DM10 of the Croydon Local Plan (2018), which states that development will be required to provide functional and high-quality private amenity space. The proposed development would also fail to comply with the London Plan (2016), which states in Policy 3.5 that housing development should be of the highest quality internally and externally.

Surface water flooding

12. The Council state the site is situated within an area which is at high risk of surface water flooding. The appellant provides no consideration of this matter within their design and access statement, which has also been submitted as their appeal statement. As no evidence or comment has been provided by the appellant on this matter, I cannot consider the proposal to be compliant with Policies SP6.4 and DM25 of the Croydon Local Plan (2018), which state respectively that all development will be required to utilise sustainable drainage systems to reduce surface water run-off and that in areas at risk of flooding, development should incorporate flood resilience and resistant measures into the design.

Access for emergency and waste collection services

13. Waste and recycling storage would be adjacent to the porches of each proposed unit. In their consultation response, the Council's transportation team have stated a waste collection vehicle would not be able pass through the undercroft. Furthermore, as the distance between some of the proposed units and Northwood Road would exceed the maximum pulling distance for waste collection, a waste management strategy would be required. As the appellant has provided no evidence on either of these matters, it has not been

demonstrated that the proposed development would provide acceptable access for waste collection vehicles and therefore I cannot conclude the proposal would accord with Policy DM13 of the Croydon Local Plan (2018), which requires development to provide layouts that ensure that refuse and recycling facilities are easily accessible by occupants, operatives and their vehicles.

14. The transportation team also raised concerns as to whether emergency services vehicles could access the site given the height of the undercroft. However, as the policies cited within the decision notice do not refer to access for emergency service vehicles, I cannot consider this aspect of the proposal to be contrary to the development plan.

Other Matters

15. The appellant states that the proposed development would provide additional family-sized units to the housing stock. While the proposal would have some public benefit in this regard, it is not considered that this would outweigh the harm that would otherwise be caused.
16. The appellant states that the principle of development had previously been accepted by the Council, who had approved a scheme for two two-storey dwellinghouses in August 2004. However, as this previous scheme involved the erection of just two dwellinghouses, and was approved many years ago under a different policy background, it is not directly comparable to the current proposal. In any case, each appeal must be considered on its own merits.

Conclusion and Recommendation

17. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be dismissed.

C Brennan

APPEAL PLANNING OFFICER

Inspector's Decision

18. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is dismissed.

Andrew Owen

INSPECTOR