



Appeal Decision

Site visit made on 5 November 2019

by Julia Gregory BSc(Hons) BTP MRTPI MCMI

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

Decision date: 29 November 2019

Appeal Ref: APP/L5240/W/19/3234678

47 Portland Road, South Norwood, London SE25 4UF

- 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 Charles Vaillant against the decision of the Council of the London Borough of Croydon.
 - The application Ref 18/04630/FUL, dated 19 September 2018, was refused by notice dated 2 July 2019.
 - The development proposed is demolition of garage and the erection of a detached two bedroom single family dwelling house with garage.
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Decision

1. The appeal is dismissed.

Preliminary matters

2. I have taken the address in the banner heading from the application form. The dwelling would be sited at the rear of No 47 Portland Road and would have a frontage onto Coventry Road.

Main Issues

3. The main issues are:
 - The effect on the supply of employment sites within the Borough;
 - whether the dwelling would preserve or enhance the character or appearance of the South Norwood Conservation Area;
 - the effect on the living conditions of the occupiers of No 1 Coventry Road in respect of light and outlook;
 - the adequacy of provision for refuse storage; and
 - the adequacy of provision for cycle parking.

Reasons

Employment sites

4. Policy SP3.2 and Table 5.1 of the Croydon Local Plan 2018 (LP) sets out the Council's 4 tier approach to the retention and redevelopment of employment land. In scattered employment sites such as here there is general protection for industrial and warehousing activities. The existing use is B2. Planning permission for limited residential development will be granted if there is no

demand for the existing premises or for a scheme comprised solely of the permitted uses; and residential use would not harm the wider locations business function.

5. The appellant states that the garage has been unoccupied for several years. At the time of the site visit the building was not being actively used, but body repairs to cars were being carried out on land to the other side of the two cottages Nos 1 and 2, and on Coventry Road.
6. The building is in a poor state of maintenance, with limited space and no rest area and kitchen. The appellant asserts that it would be uneconomic to use the building for a profitable business, but this has not been quantified.
7. Whilst I acknowledge the limitations of the existing premises and its location close to residential properties, this does not overcome the policy requirements necessary to enable development to be permitted. No evidence in respect of demand for the existing building or a development scheme for the permitted use has been submitted. On this basis its redevelopment would be contrary to LP policy SP3.2 and table 5.1.

Conservation Area

8. Development in the South Norwood Conservation Area is mainly from the 19th century and followed the railway development.
9. South Norwood Conservation Area Appraisal and Management Plan Supplementary Planning Document (SPD) identifies that the Conservation Area has a varied character with Portland Road characterised by mainly three storey buildings with shops on the ground floor and a straight building line with no set back. No 47 has a high flank elevation which is hard to the back of the footway with a yard separating the garage from it.
10. The residential side streets are characterised by predominantly two storey buildings with small front gardens. There are some listed buildings and locally listed buildings in the Conservation Area. Nos 1 and 2 are locally listed 19th century flint two storey cottages with front gardens. These are identified as making a positive contribution to the character of the Conservation Area. Also, behind the application site there is a flint constructed two storey building which has interesting details and is a positive building locally.
11. The existing building is not a positive feature of the Conservation Area but is relatively benign with a plain frontage and is of modest size being single storey. Although the design of the dwelling would have small gable features above the first floor windows and a simple pitched roof, seeking to draw on the design of the cottages next door, there has been no elevation plan submitted showing the relationship of the dwelling with the two locally listed cottages.
12. The building would be further forward than their frontages, which would make it prominent in relation to them. The dwelling would have no front garden as common in side streets locally. It is unclear how the pitch of the roof, fenestration, eaves details, materials and frontage detailing generally would relate to its context next to the locally listed buildings. Incorporating bin storage into the front of the building would introduce domestic clutter within the frontage. As a two storey building it would also harmfully obscure the detail of the rear flint building from view from the street.

13. I conclude that the dwelling house would harm the setting of the locally listed buildings and would fail to preserve or enhance the character or appearance of the Conservation Area. This would be contrary to LP policy DM10 which seeks high quality design that respects its context and LP policy DM18 which requires development to preserve and enhance the character, appearance and setting of the heritage assets within the Borough.
14. The National Planning Policy Framework (the Framework) identifies 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. This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance. Where a development proposal would lead to less than substantial harm to the significance of a heritage asset, this harm should be weighed against the public benefits, including where appropriate, securing its optimum viable use.
15. I conclude that the harm to the heritage assets would be of the scale of less than substantial harm given the extent of the conservation area. I accord this less than substantial harm great weight.
16. Turning to public benefits. There might be a reduction in traffic generated from the site and highway safety might be improved, but this has not been quantified. A single new dwelling would be provided but this provision is minimal. These public benefits do not outweigh the harm to the heritage assets.

Living conditions

17. LP policy DM10.6 requires that the amenity of the occupiers of adjoining buildings are protected. The building would have a two storey flank side elevation. There is one side window on the side elevation at first floor in No 1 which would be some 2m away. There has been no assessment provided of the effect of the development on light levels and outlook. Nonetheless, the SPD Suburban Design Guide Chapter 2 on Suburban Residential Development indicates that analysis is not normally required where a neighbour's window faces directly onto or over an application site. This leads me to conclude that it would not be essential to protect light or outlook from the side window.

Refuse storage

18. LP policy DM13 seeks to ensure that refuse facilities are adequately integrated into the scheme so that they are not visually intrusive. Although the bins would be located behind the main building line, they would not be screened and would be located central to the main frontage of the building. This would harm the character and appearance of the street scene and would be contrary to the policy. Furthermore, as I have already stated that the development would fail to preserve or enhance the character or appearance of the South Norwood Conservation Area by introducing domestic clutter in that area.

Cycle parking

19. LP policy SP8.7 requires the provision of cycle parking in new developments. The London Plan table 6.3 identifies that for dwellings with more than 1 bedroom, two spaces should be provided as a minimum.

20. No cycle parking is shown on the plans. Nonetheless, I am satisfied that the garage space would enable some cycle parking provision. There is also a secure yard at the rear. The provision of cycle parking facilities could be satisfactorily addressed by way of a planning condition.

Conclusion

21. Notwithstanding my conclusions in respect of the living conditions of the occupiers of No 1 and the adequacy of cycle parking, for the reasons given above in respect of the other main issues, I conclude that the appeal should be dismissed.

Julia Gregory

Inspector