



Appeal Decision

Site visit made on 4 February 2020

by Paul Cooper MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13 March 2020

Appeal Ref: APP/L5240/W/19/3240009

59 Headcorn Road, Thornton Heath CR7 6JR

- 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 Mrs Nataliya Heslop against the decision of the Council of the London Borough of Croydon.
 - The application Ref 19/03211/FUL, dated 9 July 2019, was refused by notice dated 4 September 2019.
 - The development proposed is erection of a single storey detached dwelling house with habitable roof space (following demolition of existing rear garage at 59 Headcorn Road)
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues in this case are:-
 - Whether the proposal would provide acceptable living conditions for future occupiers with regard to living space and amenity space and;
 - The effect of the proposal on the character and appearance of the area.

Reasons

Living conditions

3. The main dwelling forms part of a terraced block, which are characterised by long rear gardens, many of which contain outbuildings. The area is predominately residential in nature.
4. The appeal site forms part of the lower section of the rear garden space of the main dwelling and is currently occupied by an existing garage. The site measures approximately 6m x 7.5m. The proposal would have a front dormer and two rear facing dormers at first floor level in order to facilitate a habitable room at first floor level.
5. The size of the site undoubtably sets constraints in terms of the available site area. I note that there is a difference in the interpretation of the dwelling as it is designed between the two parties. In this instance, I agree with the interpretation of the Council in that I consider that the proposal would constitute a two storey dwelling given the layout and external design, and use of three dormers to facilitate a first floor to overcome the site constraints. This would therefore require a larger floor area as set out in the Nationally Designed Space Standards of 58sqm, which is not achieved by the appeal proposals and

would therefore create a substandard level of accommodation for future residents.

6. In addition to the above, Policy DM10.4 of the Croydon Local Plan (2018) (the LP) states that a minimum amount of 5sqm of private amenity space should be provided per 1-2 person unit. The appeal proposals indicate that 5sqm would be provided, but this would be partially taken up by cycle storage, leaving actual space below the 5sqm, and the remaining space could not be considered private, given the fact that it could be easily overlooked by others.
7. Therefore I find that the proposals are contrary to Policies SP4 and DM10 of the LP, Policy 3.5 of the London Plan (2016), the Housing Supplementary Planning Guidance to the London Plan (2016), the Technical Housing Standards (2015) and the guidance set out in the Nationally Designed Space Standards which when taken as a whole, seek to ensure that suitable living conditions are available for new residents of development.

Character and Appearance

8. The site is extremely cramped and restrictive, and the proposals would give the appearance of overdevelopment and include the design of a building that would be contrived to meet the circumstances of the site. The design of the development would also introduce an uncharacteristic building form in an area of traditional properties with larger rear gardens. The introduction of a dwelling on this site, against the prevailing pattern of development, in a prominent position and not in alignment with any building lines in the established grain of development, would be harmful to the character and appearance of the street scene and the wider area.
9. Consequently, I consider that neither the form nor the positioning of the development would relate satisfactorily to its context, and it would be particularly cramped within the site. In the light of this, I find that the proposals would cause harm to the character and appearance of the area, and as a result the development would be contrary to Policies SP4 and DM10 of the LP and Policies 7.4 and 7.6 of the London Plan (2016) which collectively, amongst other matters, state that development should have regard to the form, function and structure of an area and include high quality design.

Other Matters

10. I have noted the comments of the appellant in relation to the proposals meeting the aims of the National Planning Policy Framework for boosting the supply of housing, but the harm that I have identified outweighs the limited benefits that one unit would provide in meeting housing need, and therefore I can only attach limited weight to this argument.
11. I have taken into account the comments of the Appellant in relation to other developments that have gained consent. However, I do not have the full details of those cases in front of me, but the sites have different designs, locational circumstances and relationships with their surroundings than the appeal scheme. I am required to deal with this proposal on its own merits, and as such, I accord them limited weight.

Conclusion

12. For the reasons given above, I conclude that the appeal should be dismissed.

Paul Cooper

INSPECTOR