
Appeal Decision

Site visit made on 10 March 2020

by Guy Davies BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 25 March 2020

Appeal Ref: APP/L5240/W/19/3241842
40 West Street, Croydon CR0 1DJ

- 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 Ron Pudney of London Fire Protection Services against the decision of the Council of the London Borough of Croydon.
 - The application Ref 19/03061/FUL, dated 1 July 2019, was refused by notice dated 25 September 2019.
 - The development proposed is alterations to the front elevation, first floor rear extension and change of use from office B1 to a single dwelling C3.
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Decision

1. The appeal is dismissed.

Main Issues

2. The principle of a change of use to residential use is not opposed by the Council, subject to the development meeting other relevant policies. Against this background and from my assessment of the appeal, I consider the main issues to be:
 - The effect on the character and appearance of the area
 - The effect on the living conditions of neighbouring occupiers with regard to outlook and light
 - The effect on the living conditions of future occupiers.

Reasons

Effect on character and appearance

3. West Street lies within the Laud Street Local Heritage Area. It comprises mainly 2 and 3 storey domestic scale buildings, set close to the street with short front gardens bounded by low brick walls. Although many of the buildings have seen alterations to their fenestration and roofing materials, collectively they remain intact and reflect the original building styles and layout that gives the area its historic interest.
4. There are two aspects of the development that bear on this issue: the design of the first floor rear extension; and the alterations to the ground floor front elevation.

5. The first floor extension would be a flat roofed projection from the rear of the existing building. It would be relatively modest in scale and would not look out of place in terms of its size or location. However, the flat roof does not reflect the design of the main building and would appear discordant for that reason. I appreciate that public views are limited of the rear of the property, but it can still be seen from surrounding buildings. Local and national policies seek to promote good design and make no distinction on how visible a development may be.
6. The appeal site is one in a row of 5 similar properties, the other 4 of which have already been converted to residential use. In doing so, the ground floor front elevations have been replaced with similar proportioned windows and entrance doors. The designs of the windows have a vertical emphasis with doors and windows spanning the width of each frontage, set within the pilasters and cornices of the original commercial frontages. The vertical design of the fenestration complements the vertical proportions of the first floor windows in the terrace, and those generally found in other buildings in the street.
7. The proposed alterations to the front elevation fail to follow that theme. They would introduce a wall with asymmetrically placed windows of different sizes, one of which has a horizontal emphasis, and relocate the front door to the side alley. This would appear discordant and incongruous in the street scene when compared to the designs of the other front elevations in the terrace. While alterations are not expected to slavishly follow the other properties in the street, national planning guidance¹ advises that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.
8. Having regard to the flat roofed design of the first floor rear extension, and the design of the ground floor front elevation, I conclude that the development would harm the character and appearance of the Laud Street Heritage Area, contrary to policies 7.4, 7.6 and 7.8 of the London Plan 2016, policies SP4, DM10 and DM18 of the Croydon Local Plan 2018 and associated supplementary planning guidance on suburban design and the conversion of shops into homes, all of which promote good design and require development to respect its setting.
9. Attention has been drawn to other first floor projections at the rear of properties in West Street. Two have catslide roofs which integrate well with the main roof slopes. One is a flat roofed projection. I do not have full details of this extension but to my mind it reinforces the need for good design, even on relatively modest structures. In any event I am required to determine the appeal on its own merits and do not consider that this other example justifies development that I have found to be harmful to the character and appearance of the area.

Effect on living conditions of neighbouring occupiers

10. The first floor rear extension would project out 4 metres from the rear wall of the property, replacing an existing smaller addition. Both neighbouring properties have ground floor rear extensions that project out about the same depth or beyond that proposed. The first floor extension would not therefore

¹ National Planning Policy Framework 2019.

have any harmful impact on lighting or outlook to the ground floors of the neighbouring properties. There would be some additional shading to the first floor windows of the neighbouring properties, but in my view not harmfully so and not to a degree that would appear overbearing or cause an unreasonable loss of outlook. On the specific issue of the effect on the living conditions of neighbouring occupiers, I consider the development would comply with policy 7.6 of the London Plan 2016, policy DM10 of the Croydon Local Plan 2018 and supplementary planning document 2, which seek to protect the amenities of occupiers of adjoining buildings.

Effect on living conditions of future occupiers

11. Policy DM10 of the Croydon Local Plan 2018 requires a minimum amount of private amenity space for new residential development, which in this case amounts to a minimum of 6m². The proposed conversion does not achieve that requirement as it has no private amenity space, the property having been extended at ground floor level over what was previously its rear yard.
12. The Council suggest that it would not be unfeasible to demolish part of the existing ground floor extension to provide a small rear garden. However, the circumstances of this site are that at the rear it is enclosed on all sides, including a commercial workshop building immediately at the rear. A small garden in that situation would be a completely shaded and unappealing space.
13. The provision of private amenity space is a laudable aim for new development, but in the case of the conversion of existing buildings there may have to be a degree of compromise where the alternative would be to leave the building under occupied or even vacant. The property does have a side alley, which could serve some of the functions of amenity space, such as the storage of refuse bins, which would help mitigate the lack of a garden area.
14. The lack of private amenity space is contrary to policy 3.5 of the London Plan 2016, London Plan Housing supplementary planning guidance 2016 and policies SP2 and DM10 of the Croydon Local Plan 2018. However, because of the factors set out above, I only attach a limited degree of harm in this case.

Conclusion

15. I have found no harm to the amenities of neighbouring occupiers, limited harm arising from the lack of private amenity space, and a greater degree of harm to the character and appearance of the area. There is a limited benefit arising from the scheme through the creation of an additional unit of residential accommodation, but this does not outweigh the collective harm so identified or the conflict with the policies in the Development Plan taken as a whole. For those reasons, the appeal is dismissed.

Guy Davies

INSPECTOR