



Appeal Decision

Site visit made on 9 March 2020

by Adrian Caines BSc(Hons) MSc TP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11 March 2020

Appeal Ref: APP/L5240/W/19/3242612

24-26 Northwood Road, Thornton Heath CR7 8HQ

- 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 Windygreen Ltd against the decision of the Council of the London Borough of Croydon.
 - The application Ref 19/02364/FUL, dated 15 May 2019, was refused by notice dated 26 July 2019.
 - The development proposed is described as demolition of 24 and 26 Northwood Road. New build total of 8 private residential apartments (1 x 3 bed, 5 x 2 bed, 2 x 1 bed with provisions for bin store and cycle storage, drop curb).
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Decision

1. The appeal is dismissed.

Procedural Matters

2. During the course of the planning application the applicant was changed to Windygreen Ltd and the appeal proceeds on this basis.
3. I have used the address from the Council's decision notice and the appeal form as the appeal concerns 24 and 26 Northwood Road, not just No 24.
4. As part of the appeal the appellant included a revised drawing¹ reducing the number of parking spaces and adding further windows, along with internal changes and annotations. However, the plan was not subject to public consultation and therefore, if I were to take it into account, it would be prejudicial to the interests of those who would normally have been consulted and deprive them of the opportunity to comment on its potential effects. I have therefore determined this appeal on the basis of the scheme and the plans which were before the Council when it made its decision.

Main Issues

5. The main issues are i) the effect of the development on the character and appearance of the surrounding area; ii) whether the development would provide acceptable living conditions for its future occupiers; iii) the effect of the development on highway safety; and iv) whether the development would make adequate provision for waste storage.

¹ 1630/010 RevB

Reasons

Character and appearance

6. Nos 24 and 26 are a pair of two-storey, semi-detached properties with narrow back gardens and are bounded on both sides by commercial premises in a street which is otherwise characterised predominantly by two-storey terraced properties.
7. The appeal scheme would replace the modest pair of semi-detached properties with a four-storey building that would occupy a large proportion of the site. It is put to me that this would represent a continuation of the existing pattern of development due to other taller buildings of three stories in height on Northwood Road. However, two of the buildings are on corner locations where there are merits in having a taller building, as acknowledged in the Council's Suburban Design Guide Supplementary Planning Document 2019 (SPD). The other is a large flat roof commercial block of very similar height to the roofs of the terraced housing. In any event, the three storey buildings do not set any precedent for a development of four storeys. Furthermore, whilst Policy DM10.1 of the Croydon Local Plan 2018 (CLP) and the SPD encourage development to achieve a minimum height of three stories in a suburban context, it should still respect, among other things, the scale, height and massing of its surroundings.
8. Even if I were to accept that some increase in building height could be accommodated on the site, the height and depth of the proposed development would be markedly out of keeping with the scale and character of the residential development in this part of Northwood Road. The effect would be exacerbated due to the manner in which the adjacent commercial buildings are set further back from the road. Moreover, even though the upper floor would be set-back and make use of extensive curtain glazing, this would not result in a satisfactory massing of the bulk, or sympathetic integration of the development into the existing street scene. Nor would the use of complementary materials, deep reveals and a contemporary design satisfactorily overcome the incongruous height and scale of the development.
9. I am mindful that the site is not in a conservation area and that new development of a contemporary character is not wholly inappropriate in the context. Indeed the SPD showcases a number of examples of contemporary development in the Borough. Nevertheless, due to its overall scale, massing and design, the development would appear as a dominant and discordant addition to the street scene and as such, it would not contribute positively to the character and appearance of the area.
10. My attention has been drawn to a planning permission at 34 Caterham Drive². I have very few details of the scheme, but as the appellant acknowledges, this was three stories in height. It also appears to be a corner location. It is therefore not directly comparable to the scheme before me and does not lead me to a different conclusion. The appellant also suggests that the adjoining commercial premises are ripe for future development, but they are currently occupied by businesses and there is no evidence before me of any redevelopment proposals for those sites.

² LPA ref: 19/03385/FUL

11. I therefore conclude, on this issue, that the development would cause unacceptable harm to the character and appearance of the surrounding area. This would be contrary to Policy 7.4 of the London Plan 2016 (Consolidated with alterations since 2011) (LP), CLP Policies SP4.1 and DM10, and the Council's SPD. Amongst other things, these seek high quality development that has regard to the scale, height and mass of surrounding buildings, and which contributes positively to townscape and local character.

Living conditions of future occupiers

12. Flats 3 and 5 have been labelled as 2 bed/3 person dwellings, but the single bedroom is the size of a double bedroom³ so they are effectively 2 bed/4 person dwellings with a Gross Internal Area of 64.5sqm. The minimum space standard for this size of dwelling unit is 70sqm, so the flats are undersized, which would result in the living conditions of future occupants being compromised through insufficient space.
13. The bedroom of flat 7 would not have any windows, nor would bedroom 2 of flat 8. The absence of natural light, ventilation and outlook to these bedrooms would make them oppressive and unattractive places to reside in.
14. Flat 1 would have a north-facing single aspect towards the parking area and road. Whilst the size of the windows would ensure adequate light and ventilation, the accommodation would nevertheless suffer a poor outlook and level of privacy, as well as disturbance from parking activity. The appellant suggests a landscaping buffer could be secured by a condition. However, it is unclear how this could be accommodated within the parking area, and in any event, to be effective in privacy terms it would block the only outlook and light to the flat, so it would not overcome the concerns.
15. In addition, flat 1 would have no private amenity space and the balconies to flats 3, 4, 5 and 6 would be undersized. The appellant does not dispute these shortcomings, but suggests that they should be balanced against the internal layouts and provision of a communal garden. However, CLP Policy 10.4 requires both communal and private amenity space. Moreover, I have found that the internal living accommodation would not meet acceptable standards for all occupiers. There is also no play space provision as required by CLP Policy 10.4 and there is no evidence before me to demonstrate that this could be satisfactorily addressed by a condition. I did observe a play area on the opposite side of the road, but the gate was padlocked shut and it did not appear to have been in use for some time. Accordingly, the development would not provide adequate amenity and play space for its occupiers.
16. Drawing all these matters together, I conclude, on this issue, that the development would not provide acceptable living conditions for all its future occupiers in terms of internal and external space, outlook, light, privacy and disturbance. This would be contrary to LP Policy 3.5, CLP Policies SP2.8 and DM10.4, and the Council's SPD, which collectively seek to secure a satisfactory standard of living conditions for future occupiers through provision of a high quality internal and external residential environment.

³ Technical Housing Standards – nationally described space standard. DCLG 2015

17. The Council's second refusal reason refers to CLP Policy SP2.6 and LP Policy 3.8, but as these policies primarily concern housing mix and affordable housing, they are not relevant to living conditions.

Highway safety

18. The two existing dwellings do not have any off-street parking and I note that there is an extant permission for their conversion into four flats with no off-street parking⁴. Nevertheless, the proposed development would result in a significant intensification in residential occupation of the site and create additional parking demand in an area with a poor public transport accessibility level of 1b.
19. The appellant does not dispute that there would be a shortfall of 1.5 parking spaces for the development, but suggests that Northwood Road has capacity to accommodate this shortfall. However, the only evidence submitted to support this position are selective Google street view images.
20. During my site visit I observed that the dedicated parking spaces along Northwood Road were fully occupied and that parking elsewhere along the road was taking place within keep-clear markings, and also obstructing the footway. This was impeding the free flow of vehicular and pedestrian traffic along Northwood Road, as well as obstructing the visibility of drivers exiting from the commercial premises along it, and from nearby streets. Similar conditions were observed in other nearby streets.
21. Accordingly, the proposal is likely to increase instances of dangerous and obstructive parking in the vicinity, to the detriment of the free and safe flow of vehicular and pedestrian traffic.
22. My attention has been drawn to a planning permission for the conversion of a public house to flats without off street parking further up Northwood Road⁵, but I do not have any details of the circumstances which led to its acceptance. It also pre-dates the current development plan. In any event, I must judge this appeal on its own merits, which I have done.
23. I note the appellant's willingness to provide a disabled parking space and an electric charging point, but this does not alter or outweigh the harm that I have identified.
24. I conclude, on this issue, that the development would have an unacceptably harmful effect on highway safety by reason of inadequate parking provision. This would be contrary to CLP Policy DM30, which requires development to reduce the impact of car parking and ensure that highway safety is not compromised.
25. The Council also refers to conflict with CLP Policy 6.3, but this appears to be an error and I was not supplied with a copy of the policy.

Refuse storage

26. The integral refuse storage facility would be discretely located at the side of the building and therefore it would not conflict with CLP Policies DM10 and DM13 in

⁴ LPA ref: 18/05119/FUL

⁵ LPA ref: 15/00680/FUL

visual terms. However, its doors would open out over the only circulation space down the side of the building and to the communal garden. Therefore, irrespective of whether the bins themselves could fit down the passageway, when in use, the doors of the refuse storage facility would obstruct the narrow passageway and inconvenience any occupiers wishing to access the communal garden area.

27. The supporting text to CLP Policy DM13 states that the layout, siting, function and design of refuse storage facilities are all of equal importance. Accordingly, whilst the refuse storage facility would not be visually intrusive, it would at times be functionally inconvenient for the occupiers of the development.
28. I conclude, on this issue, that the development would not make satisfactory provision for waste storage. This would be contrary to CLP Policy DM13, which seeks to ensure that the location and design of such facilities are treated as an integral element of the overall design and conveniently located for all users of the development.

Other Matters

29. The proposal would make effective use of land and add to the supply and choice of housing in the area. However, these objectives and the modest benefits of the proposal in these respects do not outweigh the significant harm identified and the proposal's failure to comply with the policies of the adopted development plan.

Conclusion

30. For the reasons given and having taken into consideration all matters raised, I conclude that the appeal should be dismissed.

Adrian Caines

INSPECTOR