



Appeal Decision

Site visit made on 21 December 2020

by Euan FS Pearson BA(Hons) BTP FRGS MRICS MRTPI

an Inspector appointed by the Secretary of State

Decision date: 6th April 2021

Appeal Ref: APP/L5240/W/20/3254604

29 Manor Road, South Norwood, London SE25 4TD

- 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 Andy Szebeni against the decision of London Borough of Croydon.
 - The application Ref 20/00617/FUL dated 7 February 2020 was refused by notice dated 6 April 2020.
 - The development proposed is 'proposed ground floor rear extension, first floor rear extension with a new roof and a new full width dormer with a return to the main roof resulting in 6 HMOs'.
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Decision

1. The appeal is dismissed.

Procedure Matter

2. The London Plan 2021 has now been adopted and forms part of the Development Plan. Policies 3.5 and 7.6 of the former London Plan 2016 are referred to in the Council's decision notice. Their provisions are generally replicated in policies D3 and D6 in the London Plan 2021, therefore, I refer to them in my reasoning.

Main Issues

3. The main issues are the effect of the proposal on i) the character and appearance of the appeal property, terrace and surrounding area; ii) the living conditions of occupants and neighbours; and (iii) cycle parking provision.

Reasons

Character and appearance

4. The appeal property is a mid terrace dwellinghouse with hipped roof rear outrigger; paired and in reflective symmetry with the outrigger at the neighbouring property, No. 31. Such pairings are frequently occurring, and thus a feature of this, lengthy terrace. The appeal property is in use as a 5-bedroomed house in multiple occupation (HMO). A small ground floor extension has been added to the outrigger, to serve this purpose.

5. It is proposed to extend the outrigger, at first floor level, by circa 1m; raise the ridge height; and change its roof to gable ended, so as to accommodate a dormer, across almost the entire width of its roof. A similar dormer is proposed within the rear facing roof slope of the building. At ground floor level, a small flat roof extension is proposed, infilling the space between the boundary wall and the outrigger, for a length of approximately 3.5m.
6. The Council considers both the proposed infill extension and outrigger depth increase acceptable. I see no reason to disagree.
7. The other parts of the proposal result in an unbalancing of the outrigger pairing with No. 31, both in terms of height and roof shape, to its detriment, as a positive feature of uniformity in the terrace. In addition, the introduction of two, almost full width dormers, and at right angles to each other, would overcrowd the roofscape of the appeal property. Taken together, these would result in an incongruous form of development that overwhelms the appeal property, thus harming its appearance, and that of the terrace and the surrounding area.
8. Although the proposal relates to the rear of the appeal property, this is not hidden entirely from public view. The proposed development would be visible from Leybourne Court, particularly from the windows of upper floor flats.
9. Therefore, the proposal fails to comply with policy DM10 of the Croydon Local Plan 2019 (Local Plan) and Croydon's Suburban Design Guide Supplementary Planning Document 2019 (SDG-SPD). Among other things, these require a high quality of design that respects the appearance, scale, height, massing and features of its surroundings.

Living conditions

10. The appeal property and the neighbouring property at No.27, have rear and side facing upper floor windows, some in close proximity to each other. Therefore, the introduction of the proposed dormers windows and Juliet balcony will not result in unacceptable loss of privacy as there is already mutual overlooking of properties within the terrace.
11. The dormer proposed for the rear elevation of the appeal property would be wholly within the roof and have no consequences for rear and side windows at No. 27 in terms of light and outlook. Raising the height of the roof ridge of the outrigger by approximately 70cm and confining the proposed dormer to the roof, will similarly have little consequence. The roof of the outrigger will be no wider and only 1m deeper than before. Rear ground floor windows at No. 27 are already affected by the boundary wall and the shelter between that and the side of the outrigger at No. 27.
12. The Council has raised concerns specific concerns about the proposed arrangements for Bedroom No.2 and the ground floor kitchen/dining area, and thus future occupants. Bedrooms No.1 and No.2 are both accessed from the corridor leading to this area. The Council mentions fire safety and means of escape. These are matters best dealt with by other regulatory means, including licensing and building standards.

13. Bedroom No.2 would be single aspect with a window looking out towards the rear garden. There is a nearby outside opening with doors to/from the kitchen/dining area. This is not the only access/egress into the garden, and when on occasion that the doors are opened, these would only partially obscure the bedroom window. Therefore the outlook from, and the ability to receive light to this window is unlikely to be significantly affected.
14. Therefore, the proposal accords with policies SP2 and DM10 of the Local Plan, policies D3 and D6 in the London Plan 2021, the SDG-SPD, and standards in the London Plan Housing Supplementary Planning Guidance 2016. Among other things, these require a high quality of design in housing that are functional/fit for purpose, and protect residential amenity including adequate daylighting and privacy.

Cycle parking

15. It is proposed to physically alter/extend the existing building, resulting in a net increase the number of bedrooms by one, to 6 in total. Therefore, additional provision for a single cycle is necessary. I note from my site visit that there is a lockable storage building in the rear garden. I consider this is of a sufficient size capable of being used to store a number of cycles. Therefore, the proposal complies with policies SP8, DM29 and DM30 of the Local Plan. Among other things, these promote measures to increase cycling including providing on-site cycle parking.

Other Matters

16. The appellant has raised the issue of the scale of the proposed dormers relative to those mentioned in Class A of the General Permitted Development (England) Order. Class A relates to dwellinghouses only, not HMOs, and does not make the proposed roof dormers, in this case, acceptable. Therefore, this does not change my conclusions on the specific harm I have identified arising from the appeal proposal.

Conclusion

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

Euan FS Pearson

INSPECTOR