



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/20/3255428

28A Portland Road, South Norwood, London SE25 4PF

- 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 Richard Bransby against the decision of London Borough of Croydon.
 - The application Ref 20/00024/FUL dated 3 March 2020 was refused by notice dated 2 April 2020.
 - The development proposed is a 1 bedroom (2 people) self-contained, double aspect dwelling & retaining parts of the existing commercial unit and shop frontage.
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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. Policy 2.15 of the former London Plan 2016 is referred to in the Council's decision notice. Its provisions are generally replicated in policy SD6 in the London Plan 2021, therefore, I refer to that in my reasoning.

Main Issues

3. The main issues are the effect of the proposal on i) the vitality and viability of the district centre; and ii) the living conditions of occupants.

Reasons

District centre

4. The appeal property is a ground floor unit on the secondary retail frontage along Portland Road within the South Norwood District Centre. At the time of my visit, the appeal property was in use as a fishmonger shop (Class E, formerly A1) with customers queuing outside.
5. It is proposed to change the use of the appeal property to create: an office premises, accessed from Portland Road, and a single bedroom flat accessed from the rear service yard/car park that serves both the ground floor units and flats above. The flat and office would be linked by an internal door.
6. The proposal results in the net loss of what was, prior to October 2020, Class A floorspace, and only partial re-use as an office. The appellant has provided

information on occupancy/use of properties on the west side of Portland Road between Nos. 2 to 110 and considers that there is little or no demand for vacant retail premises, including the appeal property.

7. During my visit I did observe a number of vacant units, a number of these are not on the secondary retail frontage. However, the appeal property is not vacant, it was in use as a fishmonger shop.
8. Notwithstanding this, generally speaking, an office for a business providing services to visiting members of the public, does not generate as much footfall as a shop. Further the loss of retail floorspace would negatively impact on consumer choice within the District Centre.
9. I have no evidence before me that either of the proposed changes relates to a community use.
10. Therefore, the proposal conflicts with policy DM4 of the Croydon Local Plan 2019 (Local Plan), and policy SD6 of the London Plan 2021. Among other things, these require that the vitality and viability of district centres be maintained.

Living conditions

11. The proposed flat is of a size that exceeds the minimum gross internal floor area required by the Technical Housing Standards - National Described Space Standard 2015, and includes a suitably dimensioned/sized double bedroom.
12. The main entrance to the flat would be directly from the existing car park/service yard (accessible to the public) and the sole view from the living/kitchen area. Although the window to the living/kitchen area would receive direct sunlight, privacy is compromised as this habitable room looks directly onto public space. This outlook is poor due to presence of motor vehicles and waste/recycling bins for the downstairs units and upstairs flats. The proposed flat would be dual aspect, however, the bedroom window looks directly onto a blank façade.
13. Outside space of about 5m² has been identified for use of occupants. However, this is within the rear car park/servicing area and would not be private.
14. Therefore, the proposal conflicts with policy DM10 of the Local Plan and standards in the London Plan Housing Supplementary Planning Guidance 2016. Among other things, these require a high quality of design in new housing including adequate privacy, outlook and private outdoor space that is practical and utilisable.
15. The appeal property is located within South Norwood Conservation Area. The statutory duty in Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 is of considerable weight and importance. This is reflected in the NPPF at paragraph 193 which states that great weight should be given to the asset's conservation irrespective of the degree of harm.
16. The Council concludes that as alterations are restricted to the rear of the appeal property and limited, the proposal would cause no harm, thus preserving the character and the appearance of South Norwood Conservation Area. I see no reason to disagree.

Other Matters

17. The appellant has suggested that the proposal would provide a 'work/life' unit. However, a Class B1 office associated with a residential unit, is unlikely to attract footfall, again to the detriment of the vitality and viability of the District Centre.
18. Therefore, this does not change my conclusions on the specific harm I have identified arising from the appeal proposal.

Conclusion

19. 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