
Appeal Decision

Site visit made on 12 March 2021

by S Poole BA(Hons) DipArch MPhil MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13 April 2021.

Appeal Ref: APP/L5240/W/20/3260174

1B The Crescent, Croydon CR0 2HN

- 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 Edward Dublin against the decision of the Council of the London Borough of Croydon.
 - The application Ref 20/01427/FUL, dated 24 March 2020, was refused by notice dated 6 August 2020.
 - The development proposed is described on the application form as "*Retrospective loft conversion with rear dormer and 2 front rooflights to increase the first floor flat from a 1 bedroom self-contained unit to a 5 bedroom self-contained unit over two floors (first and second)*".
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Decision

1. The appeal is allowed and planning permission is granted for the development described above at 1B The Crescent, Croydon CR0 2HN in accordance with the terms of the application, Ref 20/01427/FUL, dated 24 March 2020, subject to the following conditions:
 - 1) The development hereby permitted shall accord with the following approved plans: AR/01REV P1; AR/02 REV P1; AR/03 REV P1; AR/04 REV P1; AR/05 REV P1; AR/06 REV P2; AR/07 REV P1; BR/01 REV P1; BR/02 REV P2; BR/03 REV P3 and BR/04 REV P1.
 - 2) The materials used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

Procedural Matter

2. This is a retrospective planning application as the development described above has been undertaken.

Main Issue

3. The main issue is whether the appeal scheme provides acceptable living conditions for future occupiers, with particular regard to internal accommodation and outdoor amenity space.

Reasons

4. The appeal site contains a 2-storey semi-detached house that has been converted into a self-contained flat on each floor. The subject of this appeal is

the upper floor flat, 1B The Crescent, which was originally a 1-bedroom unit. The appeal scheme comprises the installation of a dormer in the rear roofslope, rooflights in the front roofslope and formation of 4 bedrooms and a bathroom within the roofspace to create a 5-bedroom, 2-level dwelling.

5. The appeal scheme results in a very small fifth bedroom and the information before me indicates that the overall size of the enlarged dwelling would be below the minimum standard for a 2-level 5-bedroom dwelling set out in the Technical Housing Standards – Nationally Described Space Standard (2015). However, the first paragraph of the Standard states that it applies to “internal space within new dwellings”. Similarly, Policy D6 London Plan (2021), entitled *Housing quality and standards*, sets out minimum internal space standards for new dwellings, which include dwellings created via the conversion or change of use of a building.
6. The appeal scheme essentially comprises the expansion of useable domestic living space into the loft void to provide additional sleeping accommodation: it does not involve the creation of a new dwelling. For this reason the appeal scheme does not conflict with either the Standard or the London Plan in this respect.
7. Policy DM10.4 of the Croydon Local Plan (2018) states that “all proposals for new residential development need to provide private amenity space” in accordance with specified criteria. As the appeal scheme does not involve new residential development, the absence of private amenity in the appeal scheme is not contrary to Policy DM10.4.
8. For these reasons I conclude that the appeal scheme provides acceptable living conditions for future occupiers and accords with development plan policy in this respect.

Other Matters

9. I concur with the Council’s view that the appeal scheme is acceptable in townscape terms and would not harm outlook from, or daylight to, neighbouring properties. There is nothing before me to indicate that the appeal scheme would create a health and safety risk or fire hazard. The other matters referred to by the occupier of the ground floor flat fall outside the remit of this planning appeal.

Conditions

10. I have considered the conditions suggested by the Council having regard to the National Planning Policy Framework (2019). For the avoidance of doubt and in the interests of proper planning, conditions are imposed requiring the development to accord with the approved plans and for materials to match existing materials. There is no information before me to indicate that the appeal scheme should trigger a requirement for cycle or refuse storage. The Council’s suggested condition in this regard is not therefore imposed.

Conclusion

11. For the reasons set out above, and having regard to all other matters raised, I conclude that the appeal should succeed.

S Poole INSPECTOR