



Appeal Decision

Site Visit made on 17 March 2021

by H Miles BA (Hons), MA, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 14 MAY 2021

Appeal Ref: APP/L5240/W/20/3261916

4 Cheyne Walk, Croydon, London CR0 7HG

- 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 Mrs Ann Stanhope against the decision of London Borough of Croydon.
 - The application Ref 20/02037/FUL, dated 30 June 2020, was refused by notice dated 15 September 2020.
 - The development proposed is construction of a part single, part double storey side extension to enable conversion of a single dwellinghouse into 4 flats consisting of 1 x 1 bedroom, 1 person unit, 2 x 1 bedroom, 2 person units and 1 x 3 bedroom 5 person unit, along with associated cycle and waste storage provisions.
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Decision

1. The appeal is allowed and planning permission is granted for construction of a part single, part double storey side extension to enable conversion of a single dwellinghouse into 4 flats consisting of 1 x 1 bedroom, 1 person unit, 2 x 1 bedroom, 2 person units and 1 x 3 bedroom 5 person unit, along with associated cycle and waste storage provisions at 4 Cheyne Walk, Croydon, CR0 7HG in accordance with the terms of the application, Ref 20/02037/FUL, dated 30 June 2020, subject to the conditions in the schedule at the end of this decision.

Application for costs

2. An application for costs was made by Mrs Ann Stanhope against the decision of London Borough of Croydon. This application is the subject of a separate Decision.

Main Issue

3. The main issue is the effect of the proposed development on the setting of the Grade II listed 281 Addiscombe Road.

Reasons

4. 281 Addiscombe Road is Grade II listed. I have paid special regard to the desirability of preserving the building, its setting, or any features of special architectural or historic interest which it possesses. Its significance relates to its age and the external appearance and materials including flint and brick facing.
5. 4 Cheyne Walk is visible in the background of the public views towards the listed building along Addiscombe Road. Therefore the appeal site forms part of the surroundings in which the heritage asset is experienced and consequently forms part of its setting. The appeal site is part of the somewhat dense

residential backdrop, which includes the bungalow to the rear of 4-6 Cheyne Walk. However, the limited heights and modest scale of these dwellings do not dominate the listed building and therefore these aspects form a positive part of the setting.

6. The proposed development is a modest addition to the host dwelling. It includes a lower ridge height, broadly follows the rear building line, is set back to the front at first floor and its width is not so large as to dominate the original property. Consequently, the proposed extension appears as a subservient addition relative to the main property and the surrounding residential development. Nor am I persuaded that the use of the property as flats would be harmful to the character and appearance of this residential area.
7. Although it would occupy an area that is currently open, for the reasons described above it integrates within the existing residential backdrop in views of the Listed Building from Addiscombe Road. Furthermore, the subdivision of the garden area would not harm the appreciation of the heritage asset's significant features. As such, although close to the LB, it would retain a height and scale appropriate to the surrounding development and as such would have a no adverse impact on the setting of the listed building.
8. Glimpsed views are also possible along the existing driveway of 4 Cheyne Walk towards the side elevation of the listed building. Although due to the size, angle, and the partial screening from the garden to 4 Cheyne Walk of this view there is a limited appreciation of its features of significance. As such the proposed development would make a neutral contribution to the ability to appreciate the significance of the asset in this respect.
9. Matters including the materials, boundary treatment, refuse storage and cycle storage could be secured by condition. This would ensure that the proposed development was of acceptable quality and detailing.
10. Consequently, the proposed development would not have a harmful effect on the setting of the Grade II listed 281 Addiscombe Road. Therefore, it would not be contrary to Policies SP4.12, DM10.1, DM10.7, DM18.1 and DM18.2 of the Croydon Local Plan 2018 which together seek high quality design and detailing which respect heritage assets and their settings, amongst other things.

Other Matters

11. Cheyne Walk is proposed to become part of the East Outer Controlled Parking Zone. Parking bays would be 'free to park' and would not require a resident parking permit. Whilst these bays could change in the future to become resident permit bays, I am not provided with any detail that this is likely to occur. As such, I have assessed the application on the basis of the situation now. Furthermore, I am not provided with a planning obligation to restrict the future issue of residents' car parking permits, and the application was not refused on this basis.
12. The proposed development provides one car parking space and space for cycle parking. The site is well connected by public transport which would minimise the requirement for car parking. Even if on-street parking were to occur I am not provided with detailed evidence that this would be of a level to be harmful to the operation of the road network or highway safety. As such the provision of a single space for the proposed development would be acceptable.

13. There is an 18.3m separation distance between the side elevation of 281 Addiscombe Road and the rear elevation of the proposed extension, and the first floor windows would create similar views to those which already exist from 4 Cheyne Walk. A condition is proposed to restrict windows at first floor facing towards 6 Cheyne Walk. Therefore, the proposed development would not result in a harmful loss of privacy to the existing occupiers. Due to the separation distance and location I am not persuaded that there would be likely to be an unacceptably harmful loss of light to nearby properties.
14. The proposed development would provide a mix of housing units including a family sized unit and some smaller flats, and these would be of an acceptable size and provide appropriate living conditions. The noise that would occur from the proposed residential use within a residential area would not be so changed from the existing situation to be significantly harmful to the living conditions of nearby occupiers.
15. The site is at a low risk from flooding, and a condition requiring a sustainable urban drainage strategy would also minimise any risk from surface water. The evidence before me shows that no trees are proposed to be removed as a result of the proposed development.
16. The appeal before me now relates to the appeal scheme only and this decision does not relate to any previous permissions or breaches at 4 Cheyne Walk. Any covenants on the land would be a private legal matter private and not a material planning consideration to which I can attribute any degree of weight.

Conditions

17. I have had regard to the planning conditions that have been suggested by the Council and considered them against the tests in the Framework and the advice in the Planning Practice Guidance. I have made such amendments as necessary to comply with those documents.
18. I am attaching the standard implementation condition, and in the interests of certainty a condition to define the plans with which the scheme should accord.
19. The drawings submitted with the application do not specify external facing materials, although they are shown to match the host property. I have therefore amended the Council's condition 3 to require the scheme to be built in materials to match. This would be necessary to preserve the character and appearance of the area. Details of refuse storage, cycle storage, security lighting and electric vehicle charging points are required for the same reason. However, I am not satisfied that details of the manufacturer are required to ensure an appropriate effect on the character and appearance of the area and therefore this requirement has been omitted.
20. Details of hard and soft landscaping including boundary treatment and children's play space are also required in the interests of the character and appearance of the area. I am not persuaded that planting semi-mature trees is required for this reason. However, details of any semi mature tree planting and details of flora and fauna enhancements are required in the interests of biodiversity and I have amended this condition to reflect this requirement.
21. The parking area and visibility splays are required to be implemented and retained in the interests of highway safety and the character and appearance of the area. Water efficiency measures and details of SUDs are required in order

to deliver development that is adaptable in a changing climate. Adaptable and accessible dwellings must also be provided in so as to provide housing choice.

22. No windows should be provided in the northern elevation, in the interests of the living conditions of neighbouring occupiers.
23. Due to its position very close to residential properties, a Construction Logistics Plan (CLP) would be required in the interests of the living conditions of existing occupiers, highway safety and to prevent adverse impacts on the road network. This would need to be a pre commencement condition as the details in the CLP would be required for the duration of the works.

Conclusion

24. For the reasons given above, and subject to the conditions listed, I conclude that the appeal should be allowed.

H Miles

INSPECTOR

Schedule of Conditions

- 1) The development hereby permitted shall be begun within three years of the date of the permission.
- 2) The development hereby permitted shall be carried out entirely in accordance with the approved drawings and supporting documents submitted with the application listed : BDR679.PL.03_OPT 9 ; BDR679.EX.01 Rev A.
- 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.
- 4) Prior to the commencement of the first occupation of the new dwellings, full details of the following shall be submitted to and approved in writing by the Local Planning Authority:
 - i) Hard landscaping, including existing to be retained and materials including samples
 - ii) Soft landscaping, including existing planting to be retained, the species, size and density of proposed new planting.
 - iii) Measures to promote biodiversity/diverse ecology through flora and fauna enhancements, such as semi-mature trees.
 - iv) Boundary treatments (including new partition fences and works of making good to existing boundary treatments).
 - v) Children's play space.

New planting shall be provided and completed in accordance with this condition prior to the end of the first planting season following completion of the development and maintained for a period of five years from the date of planting. Any new planting which dies, is severely damaged, becomes seriously diseased or is removed within that period shall be replaced by planting of a similar size and species to that originally planted.

All other details approved shall be provided and completed in accordance with this condition prior to the first occupation of the new dwellings, and maintained for the lifetime of the development

- 5) Prior to the commencement of the first occupation of the new dwellings, full details of the following shall be submitted to and approved in writing by the Local Planning Authority:
 - i) Appearance of the refuse storage enclosure,
 - ii) Appearance of the cycle storage enclosure,
 - iii) Siting and details of the security lighting,
 - iv) Siting and details of the electric vehicle charging point for the parking space

Once approved, the items above shall be implemented as specified and shall be retained as such for so long as the development remains in existence.

- 6) The forecourt parking layout (and associated visibility splays to vehicle crossover) shall be implemented prior to the first occupation of the new dwellings. Once implemented the parking layout shall be retained as such for so long as the development is in existence.

- 7) The residential dwellings in the new development shall achieve a water use target of 110 litres per head per day.
- 8) Details of a Sustainable Urban Drainage Systems (SUDs), having regard to Defra's non-statutory technical standards for sustainable drainage systems (or any subsequent version), shall be submitted to the local planning authority for its written approval prior to the first occupation of the new dwellings. Once approved the SUDs scheme shall be implemented as specified and retained as such for so long as the development remains in existence.
- 9) No windows shall be formed at first floor level or above in the northern flank elevation of the two-storey side extension hereby permitted.
- 10) Prior to the commencement of the development (including demolition and foundation works) a Construction Logistics Plan (CLP) shall be submitted to and approved in writing by the Local Planning Authority. The CLP shall include the following information for all construction phases of the development:
 - i) Hours of construction;
 - ii) Hours of deliveries;
 - iii) Parking of vehicles associated with deliveries, site personnel, operatives and visitors;
 - iv) Facilities for the loading and unloading of plant and materials;
 - v) Details of the storage facilities for any plant and materials;
 - vi) The siting of any site huts and other temporary structures, including site hoardings;
 - vii) Details of the proposed security arrangements for the site;
 - viii) Details of the precautions to guard against the deposit of mud and substances on the public highway, to include washing facilities by which vehicles will have their wheels, chassis and bodywork effectively cleaned and washed free of mud and similar substances prior to entering the highway;
 - ix) Details outlining the proposed range of dust control methods and noise mitigation measures;
 - x) Details demonstrating compliance with the non-road mobile machinery (NRMM) regulations 2015;
 - xi) Details confirming that all delivery vehicles are registered under the Freight Operators Recognition Scheme (FORS) achieving a minimum of silver status.

All construction phases of the development shall be carried out strictly in accordance with the details so approved.

- 11) New ground floor dwellings within the scheme shall meet minimum M4(2) accessibility and adaptability standards.