



Appeal Decision

Site visit made on 6 July 2021

by **J Somers BSocSci (Planning) MA (HEC) MRTPI IHBC**

an Inspector appointed by the Secretary of State.

Decision date: 23 July 2021.

Appeal Ref: APP/L5240/D/21/3272533

6 Croham Park Avenue, South Croydon, CR2 7HH

- 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 and Mrs Niren and Archana Shah against the decision of the London Borough of Croydon.
 - The application Ref 20/05233/HSE, dated 9 October 2020, was refused by notice dated 12 February 2021.
 - The development proposed is the demolition of porch and part of rear extension, erection of single / two storey front / rear extension with loft extension and dormer windows, to include increase in ridge height.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. During the course of the appeal, the National Planning Policy Framework 2021 (the Framework) was published on the 20 July 2021 which supersedes the 2019 version. The planning application was not refused on the basis of the Framework, however any references made to the Framework will be from the most recent 2021 version.
3. The Reason for Refusal on the Council's Decision Notice makes reference to policies of the London Plan 2016, which has been since superseded by the London Plan, March 2021. The Council were asked for further comments with regards to this change in policy position¹, however no further response was received from the Council. Despite this, I shall make my decision on this basis and only refer to the updated London Plan 2021 within this decision.

Main Issues

4. The main issues are the effect of the proposed development upon:
 - the character and appearance of the locality, including the appeal building, and the setting of nearby non-designated heritage assets; and
 - the living conditions of neighbouring occupiers with particular regard to loss of privacy and outlook.

Reasons

¹ Email from Planning Inspectorate to Croydon Council, Dated 8th July 2021.

5. The appeal site is located along Croham Park Avenue, which is a residential street containing a number of formally laid out detached villas. A number of the dwellings² are noted as being of local historic and/or architectural importance and are included on the Council's Local List. In reviewing these buildings against the Council's Local List of Buildings of Architectural or Historic Significance Supplementary Planning Document (SPD) criteria, I also agree that the buildings are worthy of such a designation.
6. The locally listed buildings appear to date from the turn of the twentieth century and whilst the designs are different, their scale, massing and proportions gives the dwellings a strong sense of grandeur in their built form, with many dwellings having mock Tudor cladding to the first floor and brick to the ground floor. A number of the larger dwellings also have large chimney stacks, protruding bay windows, decorative ridge tiles and characteristic open front porches. The use of traditional materials such as timber, brick and slate along with the similar roof pitches such as hipped and pitched, and gabled forms reinforce a uniformity and authenticity between the locally listed buildings which creates a formal picturesque townscape. The visual gaps between properties along with vegetated front gardens and street trees give a spacious, leafy, uncluttered and distinctive character.
7. Historically, it would appear that there were larger plots of land surrounding the historic buildings where the grounds have been eroded by the erection of infill dwellings, the majority of which appear to date from the mid-late twentieth century. These buildings have a much simpler and functional form to their design, such as the appeal site which is two storeys, and has a simple hipped roof with forward projecting front porch to one side. Whilst the appeal site also includes the mock Tudor boarding at first floor level to attempt to blend in with the character of the street scene, the appeal building is experienced as a later infill plot. The appeal site, like the other infill plots along the street is much simpler in design and is subservient in that its design and form does not compete or distract from the larger historic buildings along the street. These elements reinforce the local character, appearance and distinctiveness of the area.
8. In undertaking extensions to buildings, Croydon Local Plan 2018 (LP) (which sets a number of design criteria to ensure development respects and enhances local character and contributes positively to the public realm) and Policy DM10 (which seeks that development respect the appearance, existing materials and built features of the surrounding area). The Croydon Suburban Design Guide Supplementary Planning Document (CSDG) supports these local plan policies and seeks that residential additions achieve subordination and protect the design integrity of the host building and the character of the surrounding locality.
9. Whilst I agree with the Applicant's Statement of Case (SoC) that the more modern infill dwellings sit comfortably beside the large historic buildings, to me this is because they are of a smaller and simple design and scale and do not have an elevated form or status which competes with the historic buildings along the street. As shown on the proposed street scene plan, the roof extension is very large, so much so that the proposed extension would have a ridge height that was similar to the historic buildings surrounding. The roof

² No.s 1, 2, 8, 17, 21, 22, 24, 35, 37 Croham Park Avenue.

form would have a half hipped appearance that has an awkward height that is disproportionate with the existing building and has a 'top-heavy' appearance which is incongruous within this street scene.

10. The proposed dormers in addition to the increased height of the ridge give an overcomplicated form and appearance which competes with the status of the historic buildings surrounding. Elements such as the proposed front porch which would extend past the neighbouring properties and the addition of large roof dormers and a roof light take up most of the front roof form and when seen together would add additional clutter which results in the elevation of the status of the appeal dwelling. Additionally, the use of poor quality materials such as uPVC for windows and composite products for doors and roof cladding furthers the inappropriateness of the proposed scheme which does not reinforce the positive qualities and characteristics of the local area. The proposed scheme would significantly alter how the infill scheme is experienced within the street scene, and would therefore cause harm to the significance of the locally listed buildings nearby as a result of development within their setting.
11. I note reference is made to a similar infill dwelling located at No.16 and an earlier bungalow at No.40 which have a front dormer window which is centrally placed within the roof plane. In both of these cases there is only one dormer placed centrally and neither example dwelling involved the substantial alteration of the roof form in terms of its height, bulk and massing as in the appeal proposal. Similar comparisons are also drawn with No.s 17, 19 and 32, where dormers are proportionate to the roof form, unlike the proposed scheme. It is clear that whilst not characteristic of the street scene, that when roof dormers have been constructed they are proportionate in size, number and character to the host building. As such, the examples specified do not demonstrate similar comparisons or considerations to the appeal site.
12. I also note comparisons to front porch extensions were a similar front extension exists on No. 3 Croham Park Avenue. This extension does not appear to extend past the neighbouring dwellings like the appeal site and is not part of a larger substantial alteration in design, massing and form, like the appeal site. When considered as a whole, I am not convinced that the circumstances between each of the schemes is similarly comparable.
13. Overall, and in conclusion on this matter, I disagree that the proposed scheme results in high quality design and as such the proposed scheme would fail to reinforce the positive qualities of local character, appearance and distinctiveness of the area. Consequently the scheme would be in conflict with LP Policies SP4.1 and DM10 which are supported by the CSDG as described previously. I have also taken into account weight attributed to harm caused to the significance of locally listed buildings as a result of development within their setting in accordance with Paragraph 203 of the Framework. The proposed scheme would also be in conflict with Policy D3 of the London Plan which seeks good design in development.

Living Conditions

14. The main concerns from the Council with regards to living conditions derives from outlook and lack of privacy. Looking firstly at outlook, the proposed scheme, whilst large in massing and visual bulk, would not appear to significantly impinge upon the enjoyment of the existing rear open space of the neighbouring dwellings, and would not be placed significantly closer to the boundary of the property, maintaining the visual gap between the properties. As such, I am not convinced that the proposed dwelling would be significantly overbearing to the surrounding neighbours.
15. With regards to loss of privacy, the concerns from the Council arise from the placement of the side windows of the scheme. The plans note that all of the side windows which are capable of overlooking towards neighbouring properties would be obscurely glazed. The one slimline window to the side elevation to the first floor that is not obscurely glazed would appear to be greater than 1.7 metres in height and would therefore not result in overlooking.
16. That said, and in conclusion of this matter, I am not persuaded that there would be significant detriment caused to living conditions of neighbouring occupiers as a result of privacy and outlook. Consequently, the proposed scheme in relation to living conditions would be in accordance with LP Policy DM10 which seeks that the living conditions of neighbouring occupiers be protected and which is supported by the CSDG. The proposal would also be in accordance with London Plan Policy D3 which seeks a design led approach to not cause adverse impacts to the amenity of neighbouring residents. I note that the Reason for Refusal relating to this matter states LP Policy SP4, however this is a design led policy, rather than dealing with living conditions. As such this policy is not relevant to this matter on living conditions.

Conclusion

17. Whilst I have sided with the applicant with regards to the impact upon living conditions, this would not be sufficient to outweigh harm caused to the character and appearance of the host building and the impact caused to the character and appearance of the area including the significance of locally listed buildings. As such, I conclude that the appeal be dismissed.

J Somers

INSPECTOR