
Appeal Decision

Site visit made on 22 September 2021

by C Coyne BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 08/11/2021

Appeal Ref: APP/L5240/W/21/3270932

314 Whitehorse Road, Croydon CR0 2LE

- 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 Fida Chaudhary against the decision of the Council of the London Borough of Croydon.
 - The application Ref 20/03158/FUL, dated 19 July 2020, was refused by notice dated 20 October 2020.
 - The development proposed is described on the application form as 'Planning application for amendments of previously approved application by adding extra storage'.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. On 20 July 2021 a revised version of the National Planning Policy Framework (the Framework) was published. However, as the main parties have had an opportunity to comment on this matter and I am satisfied that neither party has been prejudiced in this regard.
3. Since the determination of the original application the London Plan 2021 (a Replacement Plan) has been published by the Mayor. This London Plan replaces all previous versions. The new London Plan is clearly referred to within the Council's submissions. A copy of the relevant new London Plan policy was also submitted with the Council's statement which the appellant had an opportunity to comment on. Therefore, I am satisfied that no party has been prejudiced in this regard either.
4. The Council have described the development as 'Erection of single storey rear extension to incorporate a storage building at rear'. I note that the appellant has also utilised this description on their appeal form. I consider that this revision provides a succinct and accurate description of the proposal and I have therefore determined the appeal on this basis.

Main Issue

5. The main issue is the effect of the proposed development on the character and appearance of the area.

Reasons

6. The appeal property is a two-storey semi-detached building with a mixture of residential on the first floor and a café/restaurant on the ground floor. It has an

existing part two storey and part single storey rear extension and a detached outbuilding to its rear and is part of a row of similar properties that front onto Whitehorse Road. Some of these properties also have rear offshoot extensions and outbuildings at the back. There is also a gap between these rear offshoots and their respective outbuildings where present.

7. The proposal would extend the existing building to the rear at ground floor level until it joined the existing outbuilding. As a result, almost the entirety of the appeal site would be developed with there being no gap between the appeal property and the existing outbuilding along the shared boundary. Consequently, the proposal would represent a cramped form of development at odds with the prevailing established development pattern on this part of Whitehorse Road thereby having a significant adverse visual impact.
8. I note that a scheme like the proposal was previously granted planning permission at the appeal site (Ref. 19/04172/FUL). However, this scheme has yet to be implemented. Furthermore, based on the evidence, this scheme would maintain a gap between the existing outbuilding and the extension to the rear of the appeal property. As a result, that scheme is not the same as the one before me which I have determined on its own merits. For similar reasons I also consider it likely that the approved scheme would be less visually harmful than the proposal would be.
9. I also note that given its height and location that the proposal would not be readily visible from public vantage points such as Whitehorse Road, Saxon Road or Broadway Avenue. However, this is not the same as it not being visible at all as it would still likely be visible from other vantage points such as the habitable rooms of neighbouring properties.
10. I therefore conclude that the proposed development would materially harm the character and appearance of the area. As a result, it would fail to meet the requirements of policies SP4.1 and DM10.1 of the adopted Croydon Local Plan and Policy D3 of the published London Plan.

Other Matters

11. I acknowledge the appellant's point that a commercial property on the opposite side of the road appears to have been developed in a similar way to the proposal. However, no substantive evidence has been submitted to support this. Moreover, even if this was the case, given that it is on the opposite side of the road it would not outweigh the harm I have identified above.

Conclusion

12. The proposal would not accord with the development plan when read as a whole and the adverse impacts of granting planning permission would significantly and demonstrably outweigh the benefits when assessed against the policies contained within it. Furthermore, there are no material considerations which indicate a decision otherwise than in accordance with the development plan. Therefore, for the reasons set out above, I conclude that the appeal should be dismissed.

C Coyne

INSPECTOR