
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: 06/12/2021

Appeal Ref: APP/L5240/W/21/3272529

64 Northwood Road, Thornton Heath, Croydon CR7 8HQ

- 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 Evolver Estates Limited against the decision of the Council of the London Borough of Croydon.
 - The application Ref 20/02995/FUL, dated 8 July 2020, was refused by notice dated 22 January 2021.
 - The development proposed is described on the application form as 'It is proposed to construct a 2 bed dwelling as infill between nos. 64 & 66 Northwood Road. Croydon. CR7 8HQ'.
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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 (LP) replaces all previous versions. The new LP is clearly referred to within the Council's submissions. A copy of the relevant new LP policy was also submitted with the Council's statement which the appellant had an opportunity to comment on. Therefore, I am also satisfied that no party has been prejudiced in this regard either.

Main Issues

4. The main issues are:
 - The effect of the proposed development on the living conditions of the occupiers of no. 64 Northwood Road having regard to daylight and sunlight;
 - The effect of the proposed development on the living conditions of its future occupiers having regard to internal floorspace; and
 - The effect of the proposed parking and storage arrangements on highway safety and the living conditions of its future occupiers.

Reasons

Living Conditions – Daylight/Sunlight

5. There are several ground-floor windows on the side elevation of no. 64 which face the side of no. 66. At the time of my visit (approximately 11:55), I observed that these windows received a degree of direct sunlight in addition to daylight. According to the Council's officer report these windows serve a kitchen, which is classed as a habitable room. The proposal would remove these windows and as a result, it would block the sunlight and daylight that the ground floor kitchen of no. 64 currently receives through them thereby having a significant adverse impact in this regard.
6. I therefore conclude that the proposed development would materially harm the living conditions of the occupiers of no. 64 Northwood Road having regard to daylight and sunlight. Accordingly, it would fail to meet the design requirements of Policy DM10 of the adopted Croydon Local Plan (CLP) as supported by the adopted Suburban Design Guide Supplementary Planning Document (SPD).

Living Conditions – Internal Floorspace

7. According to the Council, the proposed two bedroomed dwelling would be capable of accommodating three persons and have just over two storeys due to the second bedroom being in the roof space. In addition, as the Nationally Described Space Standard (NDSS) do not include a figure for a two bedroomed dwelling with three storeys capable of accommodating three people, they have used the minimum figure requirement for a four-person, two bedroomed dwelling with two storeys instead i.e., 79 square metres (sqm).
8. The Council have also estimated that the proposal would have a gross internal floor area of approximately 64 square metres (sqm) which the appellant has not challenged. The appellant has however stated that they have complied with the technical standards as set out in local and national policy and guidance but has not provided figures of their own to demonstrate this. Consequently, and based on the figures provided by the Council, the proposal would fail to meet the prescribed standards. Furthermore, even if I were to take the lower requirement of 70 sqm for a two bedroomed three person dwelling the proposal would still not meet it.
9. I therefore conclude that the proposed development would materially harm the living conditions of its future occupiers having regard to internal floorspace. As a result, it would fail to meet the requirements of Policy SP2.8 of the CLP, the National Housing Space Standards and Policy D6 of the LP.

Highway Safety

10. The appeal site is in a location with a Public Transport Accessibility Level (PTAL) rating of 2 which means that the area has poor accessibility to public transport. The submitted plans show that two cycle parking bays would be provided to the front of the proposal. However, these plans do not show any off-street carparking spaces or where any refuse or recycling storage would be located.
11. Consequently, while the proposal would meet the required standards for the provision of cycle parking spaces, I am not satisfied that the limited remaining space to the front of it would be sufficient to provide much else. Moreover, the

appellant has not submitted any substantive evidence such as a parking stress survey to demonstrate that the lack of off-street carparking provision would be acceptable in this location where public transport accessibility is poor or that there is sufficient on-street carparking nearby that could potentially accommodate any overspill demand resulting from the proposal.

12. As a result, I find that the proposal would not provide adequate off-street carparking spaces or enough refuse and recycling storage facilities for its future occupiers thereby having a significant adverse impact in these regards.
13. I therefore conclude that the parking and storage arrangements would materially harm highway safety and the living conditions of its future occupiers. Accordingly, it would conflict with the highway safety and amenity requirements of policies SP8, DM13, DM16, DM29 and DM30 of the CLP as supported by the SPD. It would also conflict with the highway safety and amenity requirements of policies D6, T4, T6 and T6.1 of the LP.

Other Matters

14. I note that the proposed development would provide a dwelling that would contribute to meeting housing need in the area and that it would also provide some economic and social benefits resulting from its construction and subsequent occupation. However, due to its scale these benefits would be limited. Consequently, this matter is not of sufficient weight to outweigh the harm I have identified above.

Conclusion

15. 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.
16. 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