



Appeal Decision

Site visit made on 22 December 2021

by Elizabeth Lawrence BTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 6 January 2022

Appeal Ref: APP/L5240/D/21/3286782

140 Handcroft Road, Croydon, CR0 3LE

- 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 S Raja against the decision of the Council to the London Borough of Croydon.
 - The application Ref 21/03137/HSE, dated 11 June 2021, was refused by notice dated 23 August 2021.
 - The development proposed is described as proposed single storey rear-side extension with flat roof.
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Decision

1. The appeal is dismissed.

Main Issue

2. The first main issue is the effect of the proposal on the appearance of the host property and the street scene. The second main issue is whether the proposal would provide satisfactory living conditions for the future occupiers of the property, with regard to private garden area.

Reasons

Character and appearance

3. The Appeal site is located in a mixed area that is characterised by modest sized Victorian and modern terraced houses and flats developments along with a number of business premises. The appeal site comprises an end of terrace two storey Victorian house, which occupies a prominent position adjacent to the junction of Handcroft Road and Cavendish Road.
4. The site is intensively developed with a large roof extension, adjoining single storey rear extensions and an attached garage. This garage projects up to the rear boundary of the appeal site and to the back edge of the pavement in Cavendish Road. Whilst the Council has stated that the garage has permission for conversion to habitable accommodation, with the appeal scheme it is retained as a garage/store.
5. The two flat roofed rear extensions are set in from the side flank wall of the original dwelling by approximately 1.5 metres. As a consequence, the original form, depth and appearance of the side elevation and part of the rear elevation is retained. It is also consistent with the recessed siting of the rear projection

to the rear of 10 Cavendish Road, located on the opposite side of the road junction.

6. To the front of the rear extensions is a yard area, which is some three metres deep and in excess of eight metres wide. This area has a favourable south easterly aspect and provides the house with its only private garden area. The yard breaks up the mass of the host building and provides a strong sense of separation between the original dwelling and the large modern garage structure. At the same time small courtyard gardens are a characteristic of the Victorian dwellings in the area.
7. Together and amongst other things Policy D3 of the London Plan 2021 (The London Plan) and Policies SP4.1, DM10.1 & DM10.7 of the Croydon Local Plan 2018 (LP) seek to ensure that new development is designed to a high standard, respects and enhances local character and contributes positively to the public realm.
8. Section 4.21 of the Croydon Suburban Design Guide (SPD), similarly advises that residential extensions should respond to the character of the host building and maintain the rhythm of the street scene. Spaces to the side of buildings and the symmetrical elements of the front elevation should be retained. It recommends that the proposed ridge lines are lower than the host building and that front building lines are recessed.
9. Paragraphs 126 & 134 of the National Planning Policy Framework 2021 (The Framework) are consistent with this. Together they state that good design is a key aspect of sustainable development and that development that is not well designed should be refused.
10. With the proposal the rear extensions would project out to the flank wall of the original dwelling and a small flat roofed side extension would be added to the existing two storey outrigger. A new continuous flat roof would be formed to create a large single storey extension to the rear of the dwelling. The definition between the existing flank wall of the original dwelling and the rear extensions would be lost and the resultant deep flank wall would be prominent within the street scene.
11. The proposed extension would be visually utilitarian and would fail to respect or reflect the identity of the house. Together with the large flat roofed dormer extension, the resultant single storey rear extension would dominate and materially detract from the character and appearance of this small terraced Victorian house and the street scene. This harm would be exacerbated by the loss of the existing courtyard garden area, which would be reduced to a 1.5 metre wide side entrance.
12. Overall, the rear of the dwelling would appear over-developed and totally out of keeping with the host dwelling. This harm would outweigh the benefits for the appellant that would result from the proposed additional living accommodation.
13. I conclude on the first main issue that the proposal would materially and unacceptably harm the appearance of the host property and the street scene. Accordingly, it would conflict with Policy D3 of The London Plan, LP Policies SP4.1, DM10.1 & DM10.7 and section 4.21 of the SPD.

Living conditions

14. Currently the property benefits from a courtyard garden that is some three metres deep and in excess of eight metres long. In accordance with the '*Technical housing standards-nationally described space standards 2015*', the existing dwelling has one double and one single bedroom on the first floor. In addition, the property has a roof extension for which no details have been provided. Having regard to the size and shape of this roof extension it likely has the capacity to accommodate one double and one single bedroom. Hence the property could be considered as suitable for up to six people.
15. Due to its combined depth, width and orientation the existing yard provides ample room with a sunny aspect for sitting and eating outside, as well as an area in which young children could play. There would still remain ample space for access to the dining room and garage.
16. Collectively LP Policies SP4 & DM10.4, Policies D3 and D6 of The London Plan and The London Plan Housing Supplementary Planning Guidance (LPSPG) Standards 26 & 27 seek to enhance social-cohesion and well-being. A minimum of 5sqm of private outdoor space should be provided for 1-2 person dwellings and an extra 1sqm should be provided for each additional occupant. The minimum width and depth of private open spaces/balconies is 1.5 metres.
17. The supporting text to The London Plan Policy D6 and LPSPG Standards 26 & 27 explain that private open space is highly valued and should be provided in all new housing developments. Spaces should be of practical shape and utility and care should be taken to ensure space offers good amenity. All dwellings should have access to one or more of the following forms of outside space: a garden, terrace, roof garden, courtyard garden or balcony. Outdoor environments should be comfortable and inviting for people to use.
18. The proposed extension would provide a further bedroom, increasing the capacity of the house to seven persons. Whilst the former yard area provided a reasonable standard of private amenity space for the occupiers of the host dwelling, the proposed plans clearly refer to the reduced space to the side of the house as a side access. The side access would provide pedestrian access to the dining room and the garage and would be sandwiched between the wall of the extension and the boundary wall and fence running along the side boundary of the property. As a consequence, the side access would be narrow and enclosed and would have the characteristics of a side access rather than private garden area. It would not provide a reasonable environment for sitting and eating outside, or as a child's play area.
19. Accordingly, whilst the side access would meet minimum space standards in terms of size, it would not be comfortable or inviting and would fail to be of practical shape or utility.
20. The appeal property also has a front garden, which is open and occupies a prominent position adjacent to the junction of Handcroft Road and Cavendish Road. It is not private and would not meet the requirements of a private open space.
21. Finally, the council has referred to LP Policies DM10.5 and DM10.6. However, as they relate to new flatted developments, major schemes, the living conditions of the occupiers of neighbouring properties and the provision of

adequate daylight and sunlight in new developments, they are not relevant to the proposal.

22. For these reasons, I conclude on the second main issue that the proposal would fail to provide satisfactory living conditions for the occupiers of the resultant dwelling, due to the lack of private amenity space. Accordingly, the proposal conflicts LP Policies SP4 & DM10.4, The London Plan Policies D3 & D6 and the LPSPG.

Conclusion

23. The conclusions on both main issues amount to compelling reasons to dismiss this appeal, which the imposition of conditions would not satisfactorily address.

Elizabeth Lawrence

INSPECTOR