
Appeal Decision

Site visit made on 19 July 2022

by Jane Smith MA MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 4 August 2022

Appeal Ref: APP/L5240/W/21/3289083

14 Dovercourt Avenue, Thornton Heath CR7 7LG

- 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 Ms Patricia Giraldo against the decision of the Council of the London Borough of Croydon.
 - The application Ref 21/03001/FUL, dated 4 June 2021, was refused by notice dated 9 August 2021.
 - The development proposed is described as 'Demolition and erection of two storey side extension, construction of a single storey rear extension, and conversion of single dwelling into 3 flats (1 x 3 bed flat, 1 x 2 bed flat and 1 studio flat)'.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. During my site visit construction work was underway and alterations had been undertaken to extend the roof and add a single storey rear extension.
3. Although the Council's evidence confirms the existence of a Certificate of Lawful Development for alterations to the existing dwellinghouse (CLD), I cannot be certain to what extent the alterations I saw on site are permissible. In any event, it is not the function of this appeal to determine whether works undertaken comply with what is permissible and I have nonetheless considered the appeal on the basis of the submitted plans.

Main Issues

4. The main issues are:
 - the effect of the proposed development on the character and appearance of the existing building and surrounding area,
 - whether the proposed development would provide satisfactory living accommodation for future occupiers, with particular reference to bedroom size in Flat C,
 - whether the proposed development would provide satisfactory private amenity space for future occupiers, with particular reference to Flat B.

Reasons

Character and Appearance

5. The appeal site is a corner plot in a street of terraced housing. Most of the surrounding streets contain similar terraced housing with small front gardens. The streets are relatively narrow and feel enclosed.
6. The dwellings on Dovercourt Avenue are all of a similar design, incorporating fully hipped roofs to each short terrace. The tiled roof slopes are largely uninterrupted, particularly where they face the street. Roof terraces and balconies are not currently a feature of the street scene. There are a few existing dormer extensions, generally to rear roof slopes, but these are relatively uncommon and not particularly conspicuous.
7. The proposed extensions would be prominently located and would be clearly visible in the street scene. When viewed from the rear, the side extension would project forward of the building line formed by the adjoining dwellings, such that it would be visible along the length of the street. In this context, the extent of the proposed roof additions would be both unusual and discordant. The proposed roof terrace would be particularly conspicuous, being on the most prominent part of the extended roof, closest to the side boundary.
8. The floor plans indicate that the terrace would extend beyond the ridge line, such that it would occupy a larger proportion of the rear roof slope than is implied by the proposed rear elevation drawing. The drawings also omit any indication of safety rails or similar, but the appellant's statement confirms an intention to install an opaque/frosted glass balcony system for privacy. Therefore, although the terrace is described as being recessed, it would incorporate vertical structures projecting above the roof slope, further increasing its visual impact.
9. The dormer and roof terrace would be located close together and, in combination, would be visually dominant features on the rear roof slope. This part of the extended dwelling would appear cluttered and top-heavy. The extent of proposed alterations, and their visual impact, would significantly exceed and differ from that which may be undertaken in respect of the CLD.
10. I have noted that the proposed two storey extension would be set back from the front elevation of the existing dwelling and that its ridge line would be below that of the main roof. These features give the extension a degree of subservience in views from both front and rear, and there are other examples nearby of angled flank walls adjoining the pavement, such that this is not unusual here. However, these design features which reference their surroundings do not alter my view that, overall, the proposal would be conspicuous and visually intrusive.
11. I conclude that the proposed development would detract from the character and appearance of both the existing building and the surrounding area. By virtue of the roof additions in particular, it fails to demonstrate the high quality of design advocated in Policy D3 of the London Plan (adopted March 2021). It would also conflict with Policies SP4 and DM10 of the Croydon Local Plan (adopted 2018) (CLP), particularly DM10.7 which requires that the design of roof form is sympathetic with its local context.

12. The development also conflicts with guidance in the Croydon Suburban Design Guide SPD 2019, which highlights amongst other things that roof forms should be proportionate to the mass of the associated building.

Living accommodation

13. The appellant describes Flat C as a studio flat. However, the plans show that it would have two main rooms, the larger including the kitchen and access to the shower room, while the smaller is labelled 'open plan area'.
14. A future occupier may wish to use the smaller room as a bedroom, so as to separate their sleeping space from the living and cooking area, and there would be nothing to stop them from so doing. If considered in this context, this room would have a floor area of 6.2sqm which is around 17% below the 7.5sqm specified in the Nationally Described Space Standards. While disagreeing with the definition of the room as a bedroom, the appellant has not suggested that the figure of 6.2sqm is incorrect.
15. I also note that this room is located in the part of the roofspace with a reduced ridge height. Based on the measurements given on the plans, it appears that headroom would be limited across a significant proportion of the room, to an extent that is likely to restrict its use and options for furnishing. Thus, as well as being objectively below the required floorspace, this room is likely to feel cramped and rather inflexible.
16. I conclude that the inadequate size of this room means that Flat C would not provide satisfactory living accommodation for future occupiers. The proposed development would conflict with Policies SP4 and DM10 of the CLP 2018 and Policy D3 of the London Plan 2021. These policies require amongst other things that development should be of high quality and provide an indoor environment which is comfortable and inviting to use.

Private Amenity Space

17. The drawings indicate that the garden to Flat B would extend to 33sqm. This comfortably exceeds the minimum area required by CLP Policy DM10.4 and advocated via the London Housing Supplementary Planning Guidance 2016 (Housing SPG).
18. Since Flat B is on the first floor, access to a garden at ground level will inevitably be indirect. However, the route from the front door to the garden gate does not appear unduly inconvenient. It would require future occupiers to use only a short stretch of level pavement, which lies immediately alongside the appeal site and would be easily accessed from the front door. The proposed garden itself appears to be of a practical shape and utility. It would include space for cycle parking and screening to maintain privacy within the garden and Flat A.
19. I recognize that the Housing SPG favours level access to an outdoor terrace or similar from upper floor flats. However, the proposed arrangements for Flat B allow for a larger outdoor area, in a location which I have concluded is reasonable. As such, I consider that the proposed arrangements are an acceptable approach in this case.

20. I conclude that the proposed development would provide satisfactory private amenity space for future occupiers. Its extent and layout would not conflict with relevant aspects of CLP Policies SP4 and DM10 or London Plan Policy D3.

Other Matters

21. I accept that the proposal would contribute towards housing supply in an accessible location, that future occupiers would bring trade to nearby services and facilities, and that the scheme would make use of previously developed land. I have also noted the appellant's intention to use the proposed accommodation for individuals with mental health challenges.
22. However the benefit of two new units would inherently be limited. Neither the support in the development plan, nor in the National Planning Policy Framework, for new housing or the use of brownfield land, is at the expense of ensuring all development is well designed. Whilst the appellant's intended use of the proposed units is laudable, there is very limited information before me as to how such a use would be ensured in practice (and no mechanism before me to that effect, nor one I can legitimately impose).
23. Consequently no other matters outweigh the clear harm that would result from the proposal, as set out in the foregoing main issues.

Conclusion

24. For the reasons given above, having had regard to the development plan as a whole, along with all other relevant material considerations, I conclude that the appeal should be dismissed.

Jane Smith

INSPECTOR