
Appeal Decision

Site visit made on 7 September 2022

by Richard McCoy BSc MSc DipTP MRTPI IHBC

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 03 OCTOBER 2022

Appeal Ref: APP/L5240/W/22/3290705

101 North Downs Road, Croydon CR0 0LF

- 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 M Kuprescenka against the decision of the Council of the London Borough of Croydon.
 - The application Ref 21/04224/FUL, dated 9 August 2021, was refused by notice dated 12 October 2021.
 - The development proposed is erection of front, side, rear and roof extensions and conversion to 5 flats.
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Decision

1. I dismiss the appeal.

Procedural matter

2. The Council advised that the Suburban Design Guide, Supplementary Planning Document, was revoked at a meeting of the full cabinet on 25 July 2022. I have dealt with the appeal on that basis.

Main Issues

3. The main issues are the effect of the proposal on:
 - a) the character and appearance of the area,
 - b) the living conditions of the occupiers of no. 101a, 103 and 105 in respect of any loss of outlook and overlooking,
 - c) the living conditions of future occupiers of the proposed development in respect of daylighting, room size and private amenity space provision, and
 - d) highway safety.

Reasons

Character and appearance

4. The appeal site is a two-storey dwelling that forms part of a short housing terrace. It is located on a busy road in a predominantly residential area. The host dwelling is a modest 2 storey dwelling with a flat roofed garage to the side.

5. Proposed is the demolition and erection of a two-storey side extension, a single storey front extension, a part single/part two storey rear extension with juliette balconies at first floor, an increase in ridge height, the erection of a dormer in the rear roof slope, installation of roof lights in the front roof slope and creation of refuse and cycle storage to facilitate the conversion of the dwelling to form 5 no. flats.
6. In my judgement, the scale of the proposal would result in an overly dominant extension to the front elevation which would greatly increase the width of the house, particularly at first floor level, thereby closing the gap with its neighbour at no. 101a. This would have a jarring, incongruous appearance when seen from North Downs Road as it would be at odds with the prevailing character of the area.
7. Accordingly, the proposal would cause significant harm to the character and appearance of the area in conflict with Policy D3 of the London Plan (2021) and Policies SP4 and DM10 of the Croydon Local Plan (2018).

Living conditions of the occupiers of nos. 101a, 103 and 105

8. While I agree with the Council that the proposal would not harm the living conditions of the occupiers of no. 101a in respect of any effect on outlook, I consider there would be a harmful impact, with regard to No. 103. This dwelling stands to the south of the appeal site. The proposed rear extension would project by around 4.4 metres beyond the rear elevation of no. 103 at ground floor level and by around 1.5 metres at first floor level. In my judgement, this would make the proposed extension appear oppressive when viewed from the rooms on the rear of no. 103.
9. Furthermore, the proposed balconies at first floor level to the rear, whether "juliette" as shown on the submitted drawings or full balconies as shown on the amended plans would result in the rear gardens of nos. 101a, 103 and 105 being harmfully overlooked by the proposed development. I note the appellant's argument that a degree of overlooking already exists and some frosted glass could be added in mitigation, but the effect for the neighbours would still be an increased feeling of being oppressively overlooked by the proposed development.
10. Accordingly, the proposal would be harmful to the living conditions of the occupiers of adjacent dwellings in conflict with Policy D3 of the London Plan (2021) and Policy DM10 of the Croydon Local Plan (2018).

Living conditions of future occupiers of the development

11. Given the single aspect and proposed depths of the kitchen/lounge rooms at ground floor level of flats 1 and 2, I consider that the lounge areas would receive low levels of daylighting giving them a gloomy interior. Added to which of the 5 flats, only the 2 ground floor units would have any external amenity space. These factors would result in the proposal having poor living conditions for any future occupiers of the proposal. As such, they would not be a suitable addition to the housing stock, contrary to Policies SP2.8 and DM10 of the Croydon Local Plan and Policies D6 and D12 of the London Plan.
12. I note the amended plans submitted with the appeal that seek to overcome these problems, but as set out above, the provision of balconies to the rear would harmfully increase the overlooking of neighbouring dwellings.

Furthermore, the addition of balconies and increased window sizes of flats 1 and 2, to the front elevation, would increase the proposal's incongruity to the detriment of the area's character and appearance.

Highway safety

13. The appeal site has a Public Transport Accessibility Level of 3 which is considered to be moderate given the proximity of the New Addington Tram Stop. The proposal would result in the loss of the existing garage and could increase the occupancy of the appeal site, with the front area of the site allocated for 2 no. parking spaces.
14. While I note the Council's concern regarding cars safely accessing and exiting the site, I observed that similar parking arrangements exist along North Downs Road. In addition, at the time of my visit, I noted that there was a good level of available on-street parking and I see no reason as to why that would not remain the case at other times of the day.
15. Accordingly, in this regard, the proposal would not conflict with Policy T6 of the London Plan (2021) and Policies DM29 and DM30 of the Croydon Local Plan (2018).

Other matters

16. The Council raised concerns regarding the submitted details failing to demonstrate the highest standards of fire safety. However, I consider this to be a matter that could be dealt with by way of a suitably worded condition, along the lines of that suggested by the Council, were planning permission to be granted.
17. With regard to facilities for refuse and bulky waste storage, I note the correspondence from the appellant dated 23 May 2022 detailing the proposed provision of refuse storage and I consider that this is a matter that could be overcome by means of a suitably worded condition attached to any grant of planning permission, as suggested by the appellant. In addition, the Council considers that details in respect of cycle storage could be secured via a suitably worded condition were planning permission to be granted and from my assessment, I have no reason to disagree.
18. My attention was drawn to developments claimed to be similar in the vicinity. However, given the site-specific circumstances of this appeal, I do not find any of these to be directly comparable. In any event, their presence would not be justification for a further development that I consider would be harmful to the character and appearance of the area and the living conditions of the occupiers of adjacent dwellings and future occupiers of the development.

Conclusion

19. While the proposal would add to the local housing supply of flatted units, this would be tempered by the loss of a 3-bedroom unit for which there is demand in the Borough. This limits the weight I give to this benefit. In addition, while it would not be harmful in terms of highway safety and the effect on the rear outlook from no. 101a, these matters are neutral in the balance as they do not add further harm. The same is true of those matters, set out above, that could be made the subject of conditions were planning permission to be granted.

20. Therefore, the limited benefits of the proposal would not outweigh the significant harm arising from the adverse effect on the character and appearance of the area, and the harm to the living conditions of the occupiers of adjacent dwellings and future occupiers of the development, contrary to Policies D3, D6 and D12 of the London Plan (2021) and Policies SP2.8, SP4 and DM10 of the Croydon Local Plan (2018).
21. Against this background, I consider there are no material considerations that would warrant taking a decision otherwise than in accordance with the development plan, taken as a whole. In which case the appeal is dismissed.

Richard McCoy

INSPECTOR