



Appeal Decision

Site visit made on 27 September 2022

by M Russell BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 17 October 2022

Appeal Ref: APP/L5240/D/22/3303815

57 Gascoigne Road, Croydon CR0 0NG

- 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 Sandra Oteng against the decision of London Borough of Croydon.
 - The application Ref 21/02618/HSE, dated 10 May 2021, was refused by notice dated 31 May 2022.
 - The development proposed is described as 'double storey side extension, porch design and internal alterations'.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The Council's decision notice refers amongst other things to the Croydon Council Suburban Design Guide Supplementary Planning Document (2019) (SPD). The SPD has been revoked since the Council's decision and therefore has not been material to my assessment of the appeal.
3. The fourth reason for refusal on the Council's decision notice, which relates to flood risk, refers to Policy SP6 of the Croydon Local Plan: Strategic Policies (2013) and policies of the old London Plan. However, I have assessed the scheme against the relevant policies of the current development plan which have been provided by the Council as part of this appeal.

Main Issues

4. The main issues are:
 - (i) the effect of the proposal on the character and appearance of the area;
 - (ii) the effect of the proposal on the living conditions of occupiers of No 55 Gascoigne Road with particular regard to outlook and light; and
 - (iii) whether the proposal would be acceptable in terms of flood risk.

Reasons

Character and appearance

5. The appeal site is located in a residential area predominantly characterised by semi-detached and terraced two-storey dwellings, set back from their front

boundaries. Dwellings on corner plots in the area, are more often occupied by semi-detached dwellings which are angled to address their respective corners. No 57 Gascoigne Road is one such corner dwelling. Its principal elevation is angled so that it both addresses the corner, alongside the attached semi at No 102 Aldrich Crescent, whilst also having a section which sits parallel to the front boundary with Gascoigne Road. As a result, the latter part of the principal elevation has a similar presence in the street scene to the front elevations of the neighbouring semi-detached pair at Nos 53 and 55 Gascoigne Road. Consequently, there is a comfortable transition between these buildings and this positively contributes to the appearance of the street.

6. The forwardmost part of the extensions would align closely with the part of the principal elevation which faces the corner. However, they would create an angular projection forward of the elevation which currently sits parallel to the front boundary on Gascoigne Road. The part of the extension that would sit closest to the side boundary with No 55 would also project forward of this neighbouring dwelling. Taken together, the combined mass, form and layout of the extensions would be unduly prominent and would be harmful to the visual transition between these dwellings.
7. In addition, a variety of roof forms would be incorporated including a gable to the porch, a ground floor mono pitched roof just to the side of this and a series of hips at first floor level. As a result, and even accounting for the matching materials proposed, the design of the extended dwelling would lack cohesion further adding to the incongruity of the proposal within the street scene.
8. My attention has been drawn to several examples of developments in the area. From the evidence before me, and from what I saw on site, only the example of the extension at No 51 Gascoigne Road relates to a dwelling which is similarly angled to address a corner. That particular dwelling sits to the other side of the semi-detached pair at Nos 53 and 55 Gascoigne Road. However, the angle of its side elevation affords more generous spacing to the side boundary with No 53 than is the case between the proposal and No 55. The extension in that case also incorporates more simple hipped roof forms both at first and ground floor level. Consequently, it better responds to the host dwelling and the wider context of the street scene than the appeal proposal.
9. Due to their differing form and layout, the other examples provided are also not comparable to the appeal proposal. In any case, the examples provided do not persuade me that the site-specific harm resulting from the appeal would be justified.
10. The appellant has also drawn my attention to the requirements in the development plan and national guidance to optimise the capacity of sites and to make efficient use of land. However, both are clear that development must also respond to a site's context.
11. I conclude, the development would result in significant harm to the character and appearance of the area. In that regard it would conflict with the design, character and context requirements of Policy D4 (Delivering good design) of the London Plan (2021) (LP 2021) and Policies SP4 (Urban Design and Local Character) and DM10 (Design and character) of the CLP.

Living conditions for occupiers of No 55 Gascoigne Road

12. The dwelling at No 55 Gascoigne Road is set away from the boundary with the appeal site. The windows to the side elevation of No 55 that would directly face the side elevation of the extension are obscure glazed and in that regard its occupiers do not rely on them for their main means of outlook. The ground floor clear glazed window which sits further towards the rear of this neighbouring side elevation currently faces the side elevation of the garage on the appeal site. The garage would be removed as part of the development and the extensions would not extend as far as this window. Taking the above factors into account, I am satisfied that levels of outlook from the side windows serving No 55 would not be materially harmed.
13. The principal windows to the front elevation of No 55 are set well away from the boundary with the appeal site. Furthermore, the extensions would not project past the rear elevation of this neighbouring dwelling. Therefore, the principal windows serving No 55 would retain a suitably open aspect.
14. Having regard to the layout and mass of the proposal as well as its relative orientation and proximity to the principal windows and rear garden serving No 55, I am also satisfied that suitable levels of light would be retained for occupiers of No 55. The Council has not produced any detailed analysis of daylight or sunlight levels to persuade me otherwise.
15. I conclude, the development would have an acceptable relationship with the living conditions of occupiers of No 55 Gascoigne Road with particular regard to outlook and light. In those particular respects, the proposal would accord with the context, amenity and well-being requirements of Policy D3 (Optimising site capacity through the design-led approach) of the LP 2021 and Policies SP4 (Urban Design and Local Character) and DM10 (Design and character) of the CLP.

Flood Risk

16. Paragraph 159 of the Framework states that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future). Where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere.
17. The evidence before me indicates that the appeal site is located in Flood Zone 1 in terms of fluvial flood risk. Table 1: Flood Zones in the Planning Practice Guidance (PPG) confirms that Flood Zone 1 is regarded as being at 'Low Probability' of flooding with land having a less than 1 in 1,000 annual probability of river or sea flooding.
18. Notwithstanding the above, the Council suggests that the site is located within an area which is at high risk of surface water flooding (pluvial flooding). Policies DM25 (Sustainable Drainage Systems and Reducing Flood Risk) and SP6 (Environment and Climate Change) of the CLP are both clear that developments should minimise the impact of all forms of flooding. The appellant suggests that this matter could be addressed by condition. However, without more detailed information as to the susceptibility of the proposal to flooding and the measures that could be incorporated, I cannot be satisfied

that the issue of surface water flooding would be capable of being satisfactorily mitigated.

19. I conclude, it has not been demonstrated that there would not be harm from an increased risk of surface water flooding. In that regard, the development would conflict with the requirements to minimise the impact of all forms of flooding in Policies DM25 and SP6 of the CLP.

Conclusion

20. The proposal would be harmful to the character and appearance of the area. Furthermore, it has not been demonstrated that there would not be harm from an increased risk of surface water flooding. In those respects, the development would conflict with the development plan taken as a whole. There are no material considerations that indicate the decision should be made other than in accordance with the development plan.

21. The appeal is therefore dismissed.

M Russell

INSPECTOR