



Appeal Decision

Site visit made on 13 December 2022

by G Sylvester BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 6 March 2023

Appeal Ref: APP/L5240/W/21/3288437

24 Helder Street, South Croydon CR2 6HT

- 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 P Adams against the decision of the Council of the London Borough of Croydon.
 - The application Ref 21/02251, dated 30 April 2021, was refused by notice dated 5 August 2021.
 - The development proposed is a new attached dwelling.
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Decision

1. The appeal is allowed and planning permission is granted for a new attached dwelling at 24 Helder Street, South Croydon CR2 6HT, in accordance with the terms of the application, Ref 21/02251, dated 30 April 2021, and the plans submitted with it, subject to the conditions in the attached schedule.

Procedural Matters

2. The description of development in the banner heading above is different to that stated in Part E of the appeal form and the Council's decision notice. As neither of the main parties has provided written confirmation that a revised description of development has been agreed, I have used the one given on the original application form.
3. The proposed rear elevation and block plan drawings show a dormer roof enlargement on the rear of the host property, which is not shown on the corresponding floor and roof plans. This dormer was not present at the time of my site visit. The parties have drawn my attention to a lawful development certificate for a substantially similar dormer on the host property. For the avoidance of doubt, it is clear from the application form that planning permission was sought for a new attached dwelling. Therefore, I have determined this appeal based on the proposed drawings in so far as they show the proposed attached dwelling.
4. A drawing showing the west facing (side) elevation of the proposed dwelling was not before the Council when it determined the planning application and is not before me in this appeal. I am satisfied, having sought the views of the main parties, that assessing the appeal on this basis would not prejudice any party.
5. The Council has confirmed that the Croydon Suburban Design Guide Supplementary Planning Document 2019, cited in the reason for refusing planning permission has been revoked and should not be treated as a material consideration. I have determined this appeal accordingly.

Main Issue

6. The main issue is the effect of the proposed development on the character and appearance of the host terrace and area.

Reasons

7. The appeal property is a two storey end of terrace dwelling. The appeal proposal is to subdivide the garden of the appeal property and erect a two storey dwelling, projecting from its side wall and lengthening the host terrace.
8. The terrace of which the host property forms part, is one of 3 rows of terraces set on a common building line fronting Helder Street, each with matching hipped roofs and a consistent pattern of window and door openings in their front elevations. The 3 rows of terraces are tightly spaced giving the impression of the terraces forming a single long continuous terrace with a long roof line. The tight spacings largely obscure, in all but the closest of views, the hipped roofs facing those spaces in the roofscape.
9. Although the hipped roof of the host property is clearly visible from Helder Street and across the car park serving the adjacent flat block, the visibility of the hipped roof at the opposite end of the host terrace, which is separated from it by a considerable distance, is restricted by the tight spaces between the terraces. As such, the symmetry of the hipped roof of the host terrace is not markedly appreciable in the roofscape. Furthermore, in the context of the adjacent flat block, and the mix of terraces, semi-detached and detached houses with differing roof styles on the opposite side of the Street, I find that the symmetry of the host terrace's hipped roof is not experienced as an important characteristic feature in the street scene.
10. In this context, the gabled roof form of the proposed dwelling would not be incongruous and the visual effect of elongating the terrace, particularly at roof level, would not add significant bulk to the terrace or harmfully unbalance the terrace's composition. The scale of the proposed dwelling would be relatively modest and proportionate to the host terrace, and its massing would be broken up by the stepped flank walls. As such, I find that it would not be a dominant feature in the street scene.
11. Some 3 rear dormers are visible with the appeal property on the rear roof slopes of buildings fronting Selsdon Road in the vicinity of the junction with Helder Street. Although not a characteristic of the host terrace, the proposed rear dormer would not be prominent in public views given that it would be positioned on the rear roof slope and largely obscured in views from the Street by the main roof of the proposed dwelling. The flank wall of the dormer would be visible in the street scene, but I find that its scale and appearance would not be dominant or incongruous in the context of the dormer windows and mixed roof forms in the locality.
12. The pattern and proportions of window and door openings in the front elevation of the proposed dwelling would largely replicate the host terrace and it would be built from matching materials with similar design detailing. As such, the design details of the proposed dwelling would harmonise with the character and detailing of the host terrace's front elevation.
13. For these reasons, I conclude that the proposed attached dwelling would be sympathetic to the character and appearance of the host terrace and area. As

such it complies with Policy D3 of The London Plan (2021), and Policies SP4 and DM10 of the Croydon Local Plan (2018), which require high quality development that respects the locally distinctive character and appearance of the locality, with design detailing that relates to existing buildings, amongst other objectives.

Other Matters

14. I note the Council's concerns over the presentation of the street scene drawings. However, I have determined the appeal based on the proposed drawings and my experiences of the site during my site visit.
15. I note the concerns raised by an interested party about the additional demand for on street parking and the loss of the host property's off-street parking facility. However, I have no substantive evidence that on-street parking pressure arising from the proposed development would lead to unacceptable harm to highway safety or adverse living conditions for the occupiers of nearby properties. It is notable that the Council raised no concern in this regard, and I note the appeal site has a good level of accessibility to public transport. As such, I give limited weight to the concerns raised.

Conditions

16. The Council has suggested a number of conditions which I have considered in accordance with the tests for imposing conditions set out in the National Planning Policy Guidance (the PPG) and the National Planning Policy Framework (2021), (the Framework).
17. In the interests of certainty it is necessary to define the plans with which the approved attached dwelling shall accord. For the same reason and because such a drawing was not before the Council when it determined the planning application, it is necessary to require the submission and approval of a drawing showing the west facing (side) elevation of the proposed dwelling.
18. To ensure that the development respects the character and appearance of the host property and surrounding area, it is necessary for it to be constructed from matching materials. The application form makes it clear that the external materials of the development will match the existing terrace.
19. In accordance with Policy D12 of the London Plan (2021), the requested fire safety strategy would be necessary in the interests of safety to make the development acceptable. I have altered the wording of the suggested condition to ensure the development is implemented and occupied in accordance with the approved strategy.
20. The Council has requested that a condition be imposed to require obscure glazing to be fitted to the proposed windows in the east facing elevation of the proposed dwelling at first and second floors. However, the property to the east is a large flat block separated a considerable distance from the appeal property by a surface car park. The privacy of the occupiers of the flats would not be adversely affected by overlooking from the narrow first floor bedroom window and second floor landing window in the appeal property. As such, I find that the suggested condition would not be necessary.
21. The same suggested condition seeks to remove permitted development rights to construct windows and doors in the side facing elevations of the dwelling.

Paragraph 54 of the Framework requires clear justification for restricting national permitted development rights. I have no substantive evidence from the Council justifying the harm that would be caused to the occupiers of the nearby properties through exercising such permitted development rights. As such, I find that the suggested condition would not be necessary.

22. Wheeled bins for the terraced properties are stored in front gardens and are not enclosed by a storage facility. The approved drawings show a similar arrangement. Therefore, I am not persuaded that an enclosed refuse store would be necessary to make the development acceptable.
23. The approved drawings show an enclosed cycle store with doors located in the rear garden of the proposed dwelling. The evidence does not substantiate that the details of this store are unacceptable. As the development will be required to be carried out in accordance with the approved drawings, details of the cycle store are not necessary. I have amended the wording of the condition to require the cycle store to be provided.
24. There is no substantive evidence before me to justify the necessity for the development to reduce carbon dioxide emissions compared to Building Regulations standards and achieve water usage targets. As such, I find that the suggested condition would not be necessary.
25. Notwithstanding the location of the site within an area at risk of surface water flooding, I have insufficient evidence that the proposed dwelling would lead to a significant increase in surface water runoff. As such, I find that the suggested condition would not be necessary.

Conclusion

26. For the reasons given I conclude that the proposal complies with the development plan as a whole. There are no material considerations which outweigh this finding. The appeal should be allowed.

G Sylvester

INSPECTOR

Schedule of conditions

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans in so far as they relate to the approved attached dwelling: 1710/A/00, H-1710-A-11/10, H-1710-A-11/2, H-1710-A-11/5, H-1710-A-11/1, H-1710-A-11/3, H-1710-A-11/6, H-1710-A-11/4 and H-1710-A-11/7.
- 3) No development shall be carried out above ground floor slab level until a drawing showing the west facing (side) elevation of the dwelling hereby permitted has been submitted to and approved in writing by the local planning authority. The west facing (side) elevation shall be carried out in accordance with the approved drawing.
- 4) No development shall be carried out above ground floor slab level until a fire safety strategy has been submitted to and approved in writing by the local planning authority. The development shall not be implemented or occupied other than in accordance with the approved fire safety strategy.
- 4) The external surfaces of the development hereby permitted shall be constructed from materials that match those used on the existing building.
- 5) The development hereby permitted shall not be occupied until the cycle storage facility shown on the approved drawings has been provided and thereafter retained.

End of schedule