



Appeal Decision

Site visit made on 26 June 2023

by A Wright BSc (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 4 August 2023

Appeal Ref: APP/L5240/W/23/3314598

212 London Road, Croydon CR0 2TE

- 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 Sivapathasundaram Premananthan against the decision of the Council of the London Borough of Croydon.
 - The application Ref 22/03389/FUL, dated 11 August 2022, was refused by notice dated 6 December 2022.
 - The development proposed is erection of a dormer roof extension to facilitate an additional floor for use as a 1 bed 1 person flat.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. The appellant indicates that the kitchen layout could be amended so that the kitchen is at the front of the existing outrigger if required. However, I must determine the proposal on its merits on the basis of the plans before me.

Main Issues

3. The main issues are the effect of the development on:
 - the character and appearance of the host property and the surrounding area, including the Local Heritage Area; and
 - the living conditions of the future occupiers of the dwelling, with particular regard to internal space and private amenity space.

Reasons

Character and appearance

4. Located in a mixed commercial and residential area, the site comprises a three-storey building with a restaurant on the ground floor and flats above. It lies at the end of a terrace of similar buildings on a prominent site on the corner of London Road and Nova Road. The terrace has rear outriggers with external metal staircases providing rear access to some of the flats.
5. The appeal site is within a Local Heritage Area (LHA) identified in the Croydon Local Plan 2018 (the Local Plan) which extends along this part of London Road. The character of the area derives from the buildings representing a unique example of a shopping parade from the early 20th Century of the Arts and Crafts style. The appeal building makes a positive contribution to the LHA as its

street elevations are white rendered and it includes a prominent gable end, corner windows, a brick arch and ornate plaster mouldings.

6. Although the proposed flat roof dormer would be located to the rear, set in from the front and sides of the building and set down from the roof ridge at a lower height than some other buildings on London Road, it would extend along much of the length of the outrigger and project above it. Due to its length, height and flat roof design, the dormer would be a bulky and discordant addition to the appeal property. Its position on a corner site, alongside the existing pitched roof gable feature and projecting closer to Nova Road than it, means that the dormer would be particularly conspicuous in views from Nova Road and the junction with London Road, causing harm to the street scene, including the LHA.
7. The external metal staircase and balustrade would provide access to the flat without affecting the layout of the other flats in the building. Whilst it would have a similar projection and design to the other staircases, the significant amount of additional metalwork extending to a higher level than the existing staircases would create excessive clutter. As a result, the proposed staircase would be an incongruous addition to the rear of the building, prominent in views from Nova Road.
8. I note that 222 London Road, on the opposite side of Nova Road, has been extended to the rear but, although this has increased the depth of the building, it has not affected the original roof and therefore is not comparable to the appeal proposal.
9. Consequently, I conclude that the development would harm the character and appearance of the host property and the surrounding area, including the Local Heritage Area. This would be contrary to Policies D3 and HC1 of the London Plan 2021 (the London Plan) and Policies DM10 and DM18 of the Local Plan. Together, these require proposals to respond to local distinctiveness, respect the appearance of built features of the surrounding area and preserve and enhance the character and appearance of LHAs. It would also conflict with the National Planning Policy Framework (the Framework) which requires development to be sympathetic to local character.

Living conditions

10. With a gross internal floor area of approximately 44sqm, the proposed flat would exceed the minimum of 37sqm required by Policy D6 of the London Plan. However, the proposed kitchen/dining room would only be around 1.9m wide in a long corridor type room with sloping ceilings at each side, creating a poor-quality space. The distance between the end of the kitchen worktop to the wall, combined with the narrow width of the room and the sloping ceilings, would be insufficient to provide a functional, comfortably sized space for future occupiers of the dwelling.
11. Policy DM10.4 of the Local Plan requires a minimum of 5sqm of private amenity space to be provided for the proposed flat. With a size of around 2.44sqm, the proposed rear balcony would fall short of this minimum requirement. Although the gross internal floor area of the flat would exceed the minimum amount required, this would not off-set the insufficient private amenity space given that the kitchen/dining room would not be fit for purpose and that internal and external spaces have different functions.

12. Overall, I conclude that the proposal would provide harmful living conditions for the future occupiers of the dwelling, with particular regard to internal space and private amenity space. This would be contrary to Policy D6 of the London Plan and Policies SP4.2 and DM10.4 of the Local Plan. Together, these require development to enhance well-being, and to provide adequately sized rooms with comfortable and functional layouts, and sufficient private amenity space. It would also conflict with the Framework which requires decisions to provide a high standard of amenity for future users.

Other Matters

13. Whilst the proposed development would make more efficient use of land in accordance with national planning policy, this would not outweigh the harm that I have found above. The proposal would contribute towards the supply of housing. However, there is no substantive evidence to demonstrate that the Council is failing to meet the needs for housing in its area. This tempers the weight I have attached to housing delivery, notwithstanding that it is still a benefit to be factored into the planning balance.

Conclusion

14. For the reasons given above, the proposal would conflict with the development plan as a whole and there are no material considerations, including the Framework, that would outweigh that conflict. Therefore, the appeal is dismissed.

A Wright

INSPECTOR