



Appeal Decision

Site visit made on 19 September 2023

by P Terceiro BSc MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12 October 2023

Appeal Ref: APP/L5240/W/23/3318635

51 Salcot Crescent, Croydon CR0 0JN

- 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 Duyile Adegbuyi (Dunamis Construction Ltd.) against the decision of the Council of the London Borough of Croydon.
 - The application Ref 22/04372/FUL, dated 18 October 2022, was refused by notice dated 7 December 2022.
 - The development proposed is the erection of a pair of two-storey semi-detached 2-bedroom houses and provision of associated parking.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. It has been brought to my attention that the Suburban Design Guide 2019 has been revoked in September 2022. In accordance, I have disregarded any references to the Design Guide in my assessment.

Main Issues

3. The main issues are:
 - the effect of the proposed development on the character and appearance of the area;
 - the effect of the proposed development on the living conditions of the occupants of No 51, No 51a and No 51b Salcot Crescent with particular reference to outlook; and
 - whether the proposal would provide sufficient family accommodation.

Reasons

Character and Appearance

4. The appeal site, which has been separated from Nos 51-51b Salcot Crescent (Nos 51-51b), is currently vacant and is accessed off Queen Elizabeth's Drive. This road comprises pairs of two-storey semi-detached dwellings of a similar design, set within good-sized rectangular plots with deep back gardens. The gaps to the side of the pairs of semis provide a visual break in the built form and, together with the rear garden of No 51b, make a positive contribution to the sense of space in the street scene.
5. Due to the modest size of the appeal plot the proposed pair of semis would retain very limited distance to its side boundaries. Although these gaps would

provide access and some visual break between the built form, they would be much narrower than the separation distances to the side boundaries observed elsewhere in the street scene. As such, the proposal would appear at odds with the surrounding pattern of built form.

6. Furthermore, the side gaps would not be sufficiently wide to allow the bins to be transported to the front for collection. Consequently, the bin and cycle storage are proposed to be provided within the forecourts. This would not be characteristic of the frontages in Queen Elizabeth's Drive and would therefore appear at odds with the street scene.
7. The proposed properties would have very limited space to the rear. The layout of the plots would be markedly different, with the dwellings being located close to their rear boundaries which would not be typical of the area. Although I accept that plot depth would not be immediately perceived in the street scene, due to the limited gap to the side boundaries and location of storage facilities, the proposal would not sit comfortably within its receiving environment and would appear cramped.
8. I understand that the plot at No 51 has been subject to sub-division in the past and my attention is drawn to the recent planning permission¹ which granted No 51b. However, the nature of this permission is different, as it comprises an end of terrace dwelling which maintained a generous rear garden. As such, this permission does not justify the proposed development.
9. My attention is drawn to Brabiner Gardens, a cul-de-sac located opposite the appeal site. During my site visit I observed that this cul-de-sac has its own identity and character, with the dwellings being well spaced to their side boundaries and their frontages do not contain any storage facilities. As such, this housing development is not directly comparable to the appeal site.
10. The external appearance of the proposed dwellings would relate well with neighbouring buildings. However, this would not overcome the harm to the character and appearance of the area that I have identified.
11. In light of the above, I conclude that the proposal would be harmful to the character and appearance of the area. The proposal would be contrary to Policy D3 of The London Plan 2021 (TLP) and with Policies SP4 and DM10 of the Croydon Local Plan 2018 (LP). These policies seek to optimise site capacity whilst providing high quality design which respects and enhances Croydon's local character, amongst other matters.

Living conditions

12. The rear windows of the donor properties No 51 and No 51a would directly face the proposed development. They would also be close due to the limited depth of their plots. I note the appellants comments that the area of garden that is used more intensively on these properties would be located further away from the proposed development. Whereas this may be the case, the distance between these windows and most used garden spaces and the proposal would still be limited. In addition, the two-storey side elevation of house 1 would run most the full width of the garden of No 51a and over half the width of No 51. The land levels fall on the road and that the proposal would be placed on lower ground than these neighbours. Even so, given the height, bulk and closeness,

¹ Ref 18/03349/FUL, for the erection of an attached two storey terraced house.

house 1 would be dominant and overbearing upon the outlook from these neighbouring gardens and their rear windows.

13. The rear windows and rear garden of No 51b would face towards the front of the proposed dwellings. Due to the relationship between this dwelling and the proposal, any views from No 51b towards the proposed dwellings would be at an angle. For these reasons, the proposal would not appear unduly overbearing when seen from the rear garden or rear facing windows at No 51b.
14. It may be the case that in urban areas residential layouts are more tight knit. However, there remains an expectation that new development protects current living conditions and having enough space within residential plots assists in ensuring this. In this instance, there is an established outlook and the proposal would appear conspicuous when seen from No 51 and No 51a.
15. While I am satisfied that the development would not detract from the living conditions of No 51b, for the reasons set out above, I conclude that the proposed development would be harmful to the living conditions of the occupants of the adjoining properties at No 51 and No 51a with particular reference to outlook. As such, the proposal would be contrary to Policy D6 of the TLP and to Policies SP4 and DM10 of the LP, where these policies seek to protect living conditions of adjoining neighbours.

Family Accommodation

16. The proposal would provide two 2-bed dwellings. Policy SP2.7 of the LP, seeks to achieve the delivery of 30% of all new homes up to 2036 to have three or more bedrooms. The evidence provided by the Council shows that the delivery of these homes is falling well below this strategic target. The appeal site is located near local amenities and facilities and, as such, it is in an appropriate location to accommodate family housing.
17. The quality of the proposed accommodation would be acceptable. However, this not overcome the fact that the proposal would fail to provide accommodation with three bedrooms.
18. In conclusion, the proposal would fail to provide sufficient family accommodation, contrary to Policy SP2.7 of the LP, which sets a strategic target for 30% of all new homes up to 2036 to have three or more bedrooms.
19. The Council's reason for refusal refers to Policy DM1.1 of the LP. However, this policy refers to sites of 10 or more dwellings and net loss of 3 bedroom homes. As such, this policy would not be relevant in the context of this appeal.

Conclusion

20. Overall, I conclude that the proposal would conflict with the development plan as a whole and there are no material considerations that indicate a decision otherwise than in accordance with it. Therefore, the appeal is dismissed.

P Terceiro

INSPECTOR