



Appeal Decision

Site visit made on 25 July 2023

by Stewart Glassar BSc (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 26th October 2023

Appeal Ref: APP/L5240/W/22/3310243

192 Whitehorse Road, Croydon CR0 2LA

- 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 Prasanthan Vasanthakumar against the decision of the Council of the London Borough of Croydon.
 - The application Ref 21/05650/FUL, dated 9 November 2021, was refused by notice dated 12 August 2022.
 - The development proposed is described as the 'Demolition of garage and erection of a two storey dwelling accessed from Beaconsfield Road.'
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposed development on a) the character and appearance of the area; b) the living conditions of neighbours; c) the living conditions of future occupiers; d) parking provision; and e) fire safety.

Reasons

Character and Appearance

3. The proposed building would front onto Beaconsfield Road. The road is characterised by two storey dwellings with hipped roofs and side gables. Houses generally present as semi-detached pairs or short terraces although gaps between buildings are not wide or prominent within the street scene. Some houses have been subject to extension or alteration but there is a degree of consistency and similarity in how the buildings appear, for example in the form and style of the bay windows. Cumulatively this all positively contributes to the character of the area.
4. In contrast, the proposed dwelling would be detached, with a front hipped roof and dormer like projection. The ground floor would extend slightly in front of the upper floor and this would be housed below a side-hipped roof, extending across the full width of the dwelling. The fenestration pattern would not reflect the traditional arrangement that exists on many of the neighbouring properties.
5. Whilst variety and difference does not necessarily lead to harm, in this particular instance the proposed building would appear manifestly at odds with the form and appearance of the properties that contribute to its immediate and prevailing context. The result would be an awkward juxtaposition within the

street scene. This unsympathetic visual relationship would harm the character and appearance of the wider area.

6. As a consequence, the proposal would be contrary to Policy D3 of the London Plan 2021 (LP) and Policies SP4.1 and DM10 of the Croydon Local Plan 2018 (CLP) which, amongst other things, require proposals to be of a high quality design which respect and enhance the character of an area.

Living Conditions of Neighbours

7. Given the position and size of the plot relative to the neighbouring dwellings, at Nos. 190, 192 and 194 Whitehorse Road, the proposed building would represent a somewhat imposing structure at the end of these neighbours' gardens. The proposed dwelling would dominate much of the outlook from the garden areas and certainly the ground floor windows of Nos. 192 and 194.
8. The house has been designed so that there would not be overlooking from windows. Nonetheless, the relationship between the proposed building and existing neighbours would be unrepresentative of the area and result in a diminution in the outlook these neighbours currently experience, to the detriment of their living conditions.
9. Accordingly, the proposal is contrary to Policy DM10 of the CLP which, amongst other things, seeks to ensure the amenity of adjoining occupiers is protected.

Living Conditions of Future Residents

10. The dwelling would exceed the minimum space requirements for a one bedroom, two storey dwelling. Although on the ground floor it would nominally have dual aspect, the outlook from the kitchen would be very limited, being some 0.7m from the rear boundary. On the upper floor the bedroom would not have a rear outlook, so as to avoid harming neighbours' privacy. Aside from one small bathroom window, the upper floor would be entirely lit by one, north facing window. It seems to me that significant parts of this area would be very dull, requiring the use of electric lighting for much of the time.
11. Access to the garden area would be difficult and unappealing given the narrowness of the route along the back of the house. The cycle parking would be in the side garden but would only be accessible via the narrow passage along the rear of the dwelling and then passing through the house itself. This would be a barrier and discouragement to future occupiers choosing to cycle.
12. Overall, the constraints of the site and the layout of the dwelling would mean that the proposal would not function well and so would not create a high standard of accommodation for future occupiers. As a result, it would not add to the overall quality of the area over the lifetime of the development.
13. I therefore find harm to the living conditions of future occupiers. This would be contrary to Policies D6 and T5 of the LP and Policies SP2.8 and DM10 of the CLP. These policies seek to ensure that new residential developments, amongst other things, are of a high quality and meet the needs of residents, such as through well designed private amenity space and appropriate cycle storage.

Parking Provision

14. The site is within a controlled parking zone. That on-street parking within the area needs to be managed in this way indicates to me that there are particular

pressures on current provision. Whilst there were parking spaces available when I undertook my site visit, this was only a snapshot of a weekday afternoon. Without a parking stress survey to indicate whether or not the area could accommodate the additional demand created through the proposal, I cannot rule out the possibility of the proposal leading to a detrimental impact on the highway network.

15. In this respect I am therefore unable to conclude that the development would be acceptable. The proposal would therefore not accord with Policy T4 of the LP or Policies DM29 and DM30 of the CLP which, amongst other things, seek to ensure that parking and other transport impacts are appropriately assessed and if required, mitigated.

Fire Safety

16. Criterion A of Policy D12 of the LP requires consideration of fire safety for all development proposals. I observed on my site visit that the road is wide enough to accommodate a fire appliance and an evacuation assembly point could be identified. However, further details as to the requirements within Criterion A have not been provided, demonstrating that the proposal has taken into account issues of fire safety or that suitable fire safety measures can be incorporated into the proposal as designed.
17. In such circumstances, I do not consider it appropriate to secure such information through a condition. Accordingly, I find that the proposal would conflict with the objectives and requirements of Policy D12 of the LP.

Other Matters

18. The appellant raises concerns regarding the objections from interested parties to the proposal. However, I have considered the scheme on its planning merits and whilst the proposal may be modest in scale, I have found the reasons for refusal which form the main issues of this appeal to be well founded.
19. The appellant indicates that there is a shortage of accommodation in Croydon. The Council acknowledges that in the longer term identifying new sites for housing will become more challenging. However, there is no substantive evidence before me to indicate that the Council is underdelivering against its current five year housing land supply requirements.

Conclusion

20. A new dwelling with adequate access to services would attract weight. There may also be some associated economic benefits although these would be limited given the scale of the proposal. However, these benefits would not cumulatively outweigh the significant harms that I have identified. The proposal would conflict with the development plan when taken as a whole. There are no material considerations, including the National Planning Policy Framework, which indicate my decision should be made other than in accordance with the development plan.
21. Therefore, for the reasons given, I conclude that the appeal should not succeed.

Stewart Glassar
INSPECTOR