



Appeal Decision

Site visit made on 6 September 2023

by C Billings BA (Hons), DipTP, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 26th October 2023

Appeal Ref: APP/L5240/W/23/3320604

25 Wickham Road, Croydon CR0 8TA

- 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 N Mardushaj against the decision of London Borough of Croydon.
 - The application Ref 22/05021/FUL, dated 2 December 2022, was refused by notice dated 14 February 2023.
 - The development proposed is a single storey rear extension and separation of the extended parts to create a self contained 1 bedroom dwellinghouse.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The description of development has been taken from the application form. This appropriately describes the development proposed.

Main Issues

3. The main issues are:
 - The effect of the proposed single storey extension on the living conditions of occupiers of 25 Wickham Road in respect of outlook and,
 - Whether there would be adequate provision for cycle and refuse storage for 25 Wickham Road.

Reasons

Living Conditions

4. The proposed single storey rear extension would extend 3.8 metres to the rear of the appeal property and would be 3 metres high with a flat roof. The side elevation of the proposed extension would be directly opposite the only opening (glazed patio style doors) serving the kitchen of No 25 Wickham Road (No 25) with only a small separation between.
5. Due to the length and height of the proposed single storey extension creating a high wall in such close proximity to the kitchen opening, the proposal would appear dominant and overbearing to the occupiers of No 25. The relationship of the proposed side wall of the extension to the kitchen opening of No 25 would create an oppressive sense of enclosure and outlook from the kitchen of No 25.

6. The kitchen of No 25 is capable of being a habitable room, as this is not a small kitchen and so, whilst there is a separate dining room, the kitchen could be used as a kitchen-diner area. Notwithstanding this, the kitchen opening of No 25 is a large, clear glazed door, which provides the only outlook from the kitchen for the occupiers of the property, accordingly it is appropriate to consider any harm caused thereto.
7. The proposal would create a small outdoor area between the proposed extension and No 25 that would feel very enclosed and oppressive. This would likely diminish the enjoyment of this outdoor area by the occupiers of No 25, which is immediately adjacent to the dwelling and is used as an outdoor seating/patio area by the current occupiers, albeit I acknowledge that there would be further garden space beyond.
8. Having regard to the above, the proposed single storey extension would have a harmful effect on the living conditions of the occupiers of No 25 in respect of loss of outlook, in conflict with Policy D3 of the London Plan (LP) and Policy DM10 of the Croydon Local Plan (CLP) which require development, amongst other things, to protect the outlook and amenity of neighbours.
9. The Council has referred to Policy D6 of the LP and Policy SP4 of the CLP in their reason for refusal, yet these policies do not specifically refer to amenity and living conditions and therefore are not directly relevant to this issue.

Cycle and refuse storage provision

10. The cycle and refuse provision for No 25 would be situated either side of the front porch. This is a narrow space between the front elevation of No 25 and the boundary wall and hedge of No 25. The hedge provides a positive green feature within this part of the street scene, as there are limited areas of planting along this stretch of the road, due to buildings being set close to the back of footpath. The hedge furthermore provides a pleasing aspect to the front of the host dwelling.
11. To accommodate the refuse store, it would be necessary to significantly cut back the front boundary hedge and create a new gap in the front boundary wall and hedge to allow access thereto. As a result, the bins would appear prominent from the street scene, and by virtue of the removal of hedge it would likely have a negative impact on the visual amenity of the street scene.
12. Having regard to the size of wheelie bins, as set out in the Council's Waste and Recycling in Planning Policy Document, it is unclear how a three in a row arrangement, as shown on the proposed plans, could be achieved in the space available. No substantive evidence has been provided that an alternative refuse bin arrangement could be achieved to make adequate refuse provision within the site. A condition to require the submission of details of potential alternative refuse provision would not therefore be acceptable. Furthermore, this would require the redesign of the scheme and all relevant parties would not have been given the opportunity to consider such proposals.
13. The proposed cycle parking would be where there is already a gap and pedestrian gate access from the highway into the appeal site, although the proposals show that the width of the gap would need to be increased and hedge cut back to accommodate the cycle store. It is unclear from the submitted plans as to how the store would function, including where the door

to the cycle store would be. Due to the small gap between the porch of the host dwelling and the front boundary wall and hedge, it would not be easy to gain access to the proposed cycle store via the gap.

14. The area where the proposed cycle store would be located is also of narrow depth. The submitted plans do not clearly demonstrate how the requisite number of cycles to meet the standards set out in Policy T5 of the LP would fit the store within such a space. Furthermore, it would not be reasonable to impose a condition to secure any alternative cycle provision without sufficient certainty that it could be satisfactorily designed and located.
15. Having regard to the above, there would be inadequate refuse and cycle store provision for the occupiers of No 25. As such, in respect of the refuse provision the proposals would conflict with Policy D6 of the LP, Policy DM13 of the CLP, and the Council's Waste and Recycling in Planning Document, which require, amongst other things, that proposals make adequate provision for suitable refuse storage that is appropriately integrated into development proposals and is screened and not visually intrusive. Furthermore, in respect of cycle provision there would be conflict with Policy T5 of the LP, which requires development proposals to have adequate cycle parking provision that meets the standards set out therein.

Other Matters

16. There is an extant planning permission for an extension to the rear of No 25, which would extend out from the side wall of the existing kitchen in the area roughly between the kitchen and proposed single storey extension. This development has not commenced and the prospect of this being undertaken has not been evidenced. The proposals do not include a kitchen extension to No 25 and, it is not clear whether the previous consent could or would be able to be implemented in conjunction with the proposed development without material alterations thereto. Thereby, I have considered the proposal based on the existing site context and relationship to No 25 as in situ. Accordingly, the existence of the extant permission does not deflect from or outweigh the harm I have found in respect of the first main issue.
17. Loss of sunlight/daylight are not matters of concern raised by the Council and I have no substantive evidence to consider there would be harm in this regard. However, this is a separate consideration to that of outlook and would not outweigh or deflect from the harm I have identified in respect of loss of outlook.
18. The delivery of a further dwelling unit to support local housing supply would be of public benefit. However, as the proposal would only add one dwelling to that supply, the benefit would be limited and insufficient to outweigh the harm I have found would be caused in respect of the main issues.

Conclusion

19. For the reasons given above I conclude that the appeal should be dismissed.

C Billings
INSPECTOR