



Appeal Decision

Site visit made on 31 October 2023

by J Moore BA (Hons) BPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 7 December 2023

Appeal Ref: APP/L5240/W/23/3322189

91 Beverstone Road, Thornton Heath, Croydon CR7 7LX

- 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 Miss Saveena Sisodia against the decision of the Council of the London Borough of Croydon.
 - The application Ref 22/02166/FUL, dated 23 May 2022, was refused by notice dated 26 January 2023.
 - The development proposed is new two bedroom dwelling house adjoining 91 Beverstone Road.
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Decision

1. The appeal is dismissed.

Main Issues

2. The Council's reasons for refusal do not explicitly refer to the effect of the proposed development upon highway safety. Having regard to all of the evidence before me, I consider that this is a main issue. Therefore, having regard to all of the evidence before me, the main issues are:
 - the effect of the proposed development upon the character and appearance of the area;
 - the effect of the proposed development upon the living conditions of neighbouring occupiers, with particular regard to private amenity space and outlook;
 - whether the proposed development would provide acceptable living conditions for future occupiers, with particular regard to internal storage space, private amenity space, waste and recycling facilities;
 - whether the proposed development would provide adequate provision for car parking and cycle parking; and the effect of the proposal upon highway safety.

Reasons

Character and appearance

3. The appeal site is within an established residential area characterised by back-to-back terraced rows of two storey properties in long and narrow plots. The appeal site comprises an end terrace property at No.91 Beverstone Road with private amenity space to the side and rear.

4. The appeal site abuts a wide footpath (Chaldon Path) which leads to Nuffield Road. On the opposite side of the path is an area of private amenity space serving No.93 Beverstone Road, which forms the end terrace of another terraced row. Thus, the side spaces of the end terraces of Nos.91 and 93, together with Chaldon Path combine to create a significant gap between the two terraces, providing relief in an otherwise dense development pattern. Consequently, this gap makes an important and positive contribution to the character and appearance of the area.
5. The adjacent terraced rows are different in character and appearance. The terrace extending from No.93 includes two storey square angled gabled bays, fine architectural detailing and predominantly tall and narrow windows. In contrast, the host terrace has much simpler detailing and window openings are much wider. The principal elevations include a shallow setback to the first floor, above a mono pitch roof with recessed entrance porch, often enclosed.
6. Despite these differences, plot widths are uniform, and each terraced row has a regular rhythm. The palette of external facing materials in the area does vary, but the predominant materials are painted render and red roof tile.
7. The principal elevation and roofline of the proposed dwelling would align with its host, and it would include a matching setback to the first floor and mono pitch roof below. The proposed external materials would match those of its host, which accords with the predominant character. In such terms, the proposal would sympathetically extend the built form of the host terrace.
8. However, the width of the proposed dwelling would be about 4.2m, significantly less than its host and the wider plot character of the area. The entrance door would align with the principal elevation, with access directly into the dwelling, without a recessed entrance porch. Due to its siting, height, width and depth, the proposed dwelling would reduce the gap between the adjacent terraced rows. Due to their proposed width and positioning, the proposed windows to the principal elevation would be narrower and introduce a vertical emphasis to a terrace with a strong horizontal glazing pattern.
9. I acknowledge that the adjacent terrace, from No.93, has a similar vertical emphasis to that as proposed. However, that terrace is a different architectural style, as set out above, and does not provide precedent for the approach to fenestration on the host terrace. Therefore, the proposal would result in a high degree of discordance to the uniformity and rhythm of the street scene.
10. A proposed rear dormer would occupy almost the full width of the proposed dwelling to serve a second bedroom. Having regard to other examples of rear dormers within the area, including an existing rear dormer to No.91 that is almost full width, I do not consider that the proposed rear dormer would be unduly discordant. Nor do I consider that the proposed materials would be harmful because they would match those on the host terrace.
11. However, due to a combination of its scale and massing, proposed to be directly sited along the edge of Chaldon Path, the proposed dwelling would result in a significant volume of built form that would appear prominently in views from the otherwise open path and in views along Beverstone Road. It would dominate an otherwise open gap which makes an important and positive contribution to the character and appearance of the area.

12. In reaching this view, I have considered the example referred to by the appellant at 2 Aurelia Road which is about one mile from the appeal site. Although the address was not quite the same as the appellant suggested, I was able to identify the site from the photographs provided. The example is similar in that it results in a property of a relatively narrower width than its adjoining terraced neighbour. However, the context is markedly different. The area includes mixed uses, with a wide variety of residential built forms and plot sizes which is far less consistent than that before me.
13. I therefore conclude that the proposed development would unacceptably harm the character and appearance of the area. It conflicts with Policies D4 of the London Plan 2021 (LP) and Policies SP4 and DM10 of the Croydon Local Plan 2018 (CLP). Taken together, these policies seek (among other things) to ensure that development is of high-quality design which respects and enhances local character and townscape.

Living conditions – neighbouring occupiers

14. In circumstances where properties are sub-divided, Policy DM10.4 of the CLP seeks to ensure that a minimum length of 10m and no less than half or 200sq.m (whichever is the smaller) of the existing garden area is retained for the host property. The proposal does not set out how this policy requirement can be met, and no retained area is indicated on the submitted plan. I therefore cannot be certain that the proposed development would result in sufficient private amenity space to serve neighbouring occupiers at No.91.
15. Views of the proposal from Nos.89 and 93 would be limited to those from within their rear gardens. Such views would not be unreasonable within the context of a dense pattern of terraced development. Consequently, I do not find that the proposal would result in an unacceptable impact upon the outlook of neighbouring occupiers.
16. It has therefore not been demonstrated that the proposal would not unacceptably harm the living conditions of neighbouring occupiers at No.91, with particular regard to private amenity space. The proposal conflicts with Policy DM10.4 (e) of the CLP, which seeks to ensure that sufficient garden space remains after sub-division in the interests of local distinctiveness and residential amenity.

Living conditions – future occupiers

17. The submitted plan does not detail any internal storage space for the proposed dwelling. Nor does it detail the proposed site layout, and therefore it is not clear that the proposed dwelling would be served by any private amenity space.
18. The submitted plan shows a proposed bin store to accommodate two bins within the property frontage. Given my observations within the area, where I saw other bin stores within property frontages, I am satisfied that the appearance of the proposed bin store could be controlled by a suitable condition. In this regard, the proposal would satisfy the requirements of Policy DM13 of the CLP, which seeks to ensure that facilities for waste and recycling are sensitively, safely and conveniently sited; and visually screened.
19. I therefore conclude that it has not been demonstrated that the proposed development would provide acceptable living conditions for future occupiers,

with particular regard to internal storage space, and private amenity space. It conflicts with Policy DM10 of the CLP and Policy D6 of the LP. Taken together, these policies seek (among other things) to ensure that new dwellings meet relevant standards for internal storage and private amenity space to ensure that homes are fit for purpose and comfortable for future occupiers.

Car parking, cycle parking and highway safety

20. During my visit, I saw that the side space to No.91 includes an area of hardstanding, albeit in poor condition, with tall timber panels set back from the pavement which appear to be openable or easily removed. There is an existing crossover in front of the side space. A barrier railing is in place across the full width of Chaldon Path at the kerb edge, and there is a further crossover in front of No.93, which allows vehicular access to the side of No.93.
21. In my judgement, the arrangement for both No.91 and No.93 reads as each property being served by an existing crossover to allow access to an off-street parking space. The proposal would result in a dwelling occupying the land that provides an existing car parking space.
22. Furthermore, the appeal site is located in an area which has a Public Transport Accessibility Level of 2, meaning it has a low accessibility to public transport. No car parking space is proposed. In such circumstances, existing and future residents could be forced to park on the street.
23. In this regard, the road and nearby area has high levels of on-street car parking. It has not been demonstrated, for example by a parking survey, if there is capacity to accommodate this additional on-street parking demand. The existing and future occupants of the two dwellings could therefore be likely to find it difficult to find a parking space.
24. Given the narrow nature of the road, with parking along each side of the carriage way, this could result in reversing manoeuvres for a considerable length, increasing the risk of collision between highway users.
25. The submitted plan shows one cycle parking space within the proposed dwelling, located on the ground floor adjacent to the kitchen area. One space would be less than that required under Policy T5 of the LP. Therefore, the proposal would not maximise the opportunity for future occupiers to adopt more sustainable forms of transport and reduce reliance upon private vehicles.
26. I therefore conclude that the proposed development fails to demonstrate adequate car parking and cycling parking. It conflicts with Policies T4, T5 and T6 of the LP and Policies SP8, DM29 and DM30 of the CLP.
27. Taken together these policies seek (among other things) to ensure that the transport impacts of development are assessed and appropriately mitigated; that development provides adequate parking provision for cars and cycles in accordance with prescribed standards; to reduce the impact of car parking in any development located within areas of existing parking stress; and to remove barriers to cycling and promote sustainable forms of transport in order to reduce reliance on private vehicles.

Conclusion

28. For the reasons given, I conclude that the development conflicts with the development plan, read as a whole. No material considerations have been shown to carry sufficient weight to warrant a decision otherwise than in accordance with the development plan, and the appeal is dismissed.

J Moore

INSPECTOR