



Appeal Decision

Site visit made on 18 June 2024

by Thomas Courtney BA(Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 21 August 2024

Appeal Ref: APP/L5240/W/24/3338462

Flat 3, 47 Morland Road, Croydon, CR0 6HA

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Hitesh Patel against the decision of the Council of the London Borough of Croydon.
 - The application Ref is 20/01049/FUL.
 - The development proposed is a rear extension, hip to gable extension and internal reconfiguration of extended top floor flat to create 1x2 bedroom flat.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - The effect of the proposed development on the character and appearance of the surrounding area;
 - The effect of the proposed development on the living conditions of the neighbouring occupiers of 45 Morland Road with particular regard to light and outlook; and
 - Whether the proposed development would provide adequate fire safety standards.

Reasons

Character and Appearance

3. No 47 Morland Road is a three-storey semi-detached Victorian dwelling that is subdivided into three self-contained flats. It features a pitched main roof with a front gable and a distinctive part hipped roof at the rear. The roof form is similar to the neighbouring properties to the north-east. The surrounding area is predominately residential and characterised by a mix of semi-detached and terraced housing, as well as blocks of flats. The property maintains a good degree of symmetry, front and back, with its neighbour, 49 Morland Road.
4. The proposed roof extension would considerably increase the depth of the main roof to the rear and introduce a large amount of crown roof. This would appear bulky and awkward. Whilst the appellant states that the rear roof slope would be retained, the proposal would significantly alter the form and appearance of the roof and the building as a whole. It would appear top-heavy and erode the symmetry between No 47 and No 49.

5. The appellant opines that the proposed dormer would be subordinate. However, the dormer would have an odd and obtrusive appearance given its positioning close to the party wall rather than being centrally located within the roof slope. Furthermore, the terrace would be excessively sized, the windows would not respond to the existing first floor windows and the glass balustrade would only be erected across part of the length of the dormer. Consequently, the proposal would be read as an incongruous addition.
6. The extensions would unbalance the architectural form of the building and fail to harmonise with its original historic character. Whilst the development would not readily affect the street scene, it would nonetheless be visible to a number of surrounding occupiers to the rear, in addition to the public using the nearby leisure/community centre.
7. In support of the appeal, my attention was drawn to other dormer extensions on Morland Road, such as those at Nos 43 and 45. However, I do not know the circumstances of those cases, or, if they were granted planning permission, the policies that applied at the time of their consideration. In any case, they are smaller in scale and differ from the proposal in terms of their design given they do not feature roof terraces. Therefore, these particular references do not lend any significant weight in favour of the appeal.
8. Given the above, the proposal would harm the character and appearance of 47 Morland Road and the surrounding area. It would conflict with Policies SP5 and DP11 of Bexley's Local Plan (2023), as well as Policies D3 and D4 of the London Plan (2021) which, together, seek to ensure proposals are well-designed, have a form and layout that enhance local context and contribute positively to the street scene. The proposal would also conflict with the National Planning Policy Framework (2023) (the Framework) insofar as it requires good design, and for development to respect the character of the area.

Living Conditions

9. 45 Morland Road has first and second floor side windows serving habitable rooms. The development would be located in close proximity and directly opposite these windows. The proposed increase in depth and height of the roof gable wall would therefore unacceptably dominate the outlook from these side facing windows. It would be overbearing, triggering an undue sense of enclosure for the neighbouring occupiers.
10. The side elevation of the appeal property is located immediately to the north-east of No 45. Therefore, the proposed development would likely unacceptably reduce the amount of light received by the neighbouring windows at No 45 during the morning hours.
11. The appellant states that the neighbours' side windows already face the side wall and roof of the appeal dwelling. However, this does not justify the further erosion of amenity that would result. Moreover, whilst the site is located in a dense area, I am not convinced this suggests there is less expectation that occupiers should have adequate access to light and outlook. Rather, I understand that No 45 now comprises flats, that are logically more sensitive to further reductions in outlook and access to light.
12. Given the above, the development would harm the living conditions of the occupiers of 45 Morland Road with regard to light and outlook. It would conflict

with Policies SP4 and DM10 of The Croydon Local Plan 2018 and Policies D3, D4 and D5 of the London Plan (2021) which, together, seek to ensure that proposals do not unacceptably affect the amenity of neighbouring residents.

Fire Safety

13. Whilst there would not be an increase in the number of flats at the site, the enlargement of Flat 3 would likely change the number of occupiers and therefore the level of fire risk. The appellant has provided some information with regards to fire safety. This includes measures relating to assembly points, escape routes, building regulations, alarm systems and fire doors. However, in the absence of a detailed Fire Safety Statement, I am unable to effectively assess whether the proposed enlarged dwelling would ensure the safety of the future occupiers with regards to fire risk.
14. The proposal has therefore failed to demonstrate that adequate fire safety standards would be met. It conflicts with Policy D12 of the London Plan which seeks to ensure that development proposals achieve the highest standards of fire safety.

Planning Balance

15. I acknowledge that the scheme would increase the size of accommodation at the site. However, given that the proposed development would not be of an acceptable design, and may not be safe with regard to fire, it would not make an efficient use of the land. The benefits to living conditions therefore attract little weight in my assessment and do not justify the harm that would arise.

Conclusion

16. The proposal conflicts with the development plan as a whole and the material considerations do not indicate that the appeal should be decided other than in accordance with it.
17. For the reasons given above the appeal should be dismissed.

Thomas Courtney

INSPECTOR