



# Appeal Decision

Site visit made on 20 August 2024

by **A Wright BSc (Hons) MRTPI**

an Inspector appointed by the Secretary of State

**Decision date: 28 August 2024**

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**Appeal Ref: APP/L5240/W/24/3339296**

**838 Wickham Road, Croydon CR0 8ED**

- 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 C Munir against the decision of the Council of the London Borough of Croydon.
  - The application Ref is 23/03402/FUL.
  - The development proposed was originally described as "Erection of extensions to outbuilding and use of extended outbuilding as a three bedroom dwellinghouse with access from Oak Avenue."
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## Decision

1. The appeal is dismissed.

## Preliminary Matter

2. The description of development set out in the banner heading above is taken from the application form. However, it is clear from the plans and accompanying details, including the appeal form, that the development comprises the demolition of a detached outbuilding and erection of a two storey with additional loft level three bedroom detached house, including boundary treatments, car parking, cycle storage and refuse bin storage and associated site works. I have determined the appeal on this basis.

## Main Issues

3. The main issues in this appeal are:
  - the effect of the proposed development on the character and appearance of the area;
  - the effect of the proposal on the living conditions of the occupiers of 840 Wickham Road, with particular regard to outlook and light; and
  - whether the proposal would make appropriate provision for car and cycle parking.

## Reasons

### *Character and appearance*

4. The appeal site comprises a business and residential premises fronting Wickham Road with access onto Oak Avenue. It is within a mixed commercial and residential area where the style and sizes of buildings vary. There are single storey outbuildings within the rear part of the site and adjacent at 836

Wickham Road (No 836) and one storey commercial outbuildings characterise the backland area behind business premises on this part of Wickham Road. Other buildings are primarily two storeys with pitched and hipped tiled roofs. Dwellings along this part of Oak Avenue mainly have white render and pebbledash walls, with some front brickwork at ground floor level.

5. The proposed dwelling would provide accommodation over three levels, with additional rooms compared to the previously approved scheme to extend and convert the building<sup>1</sup>. Due to its steeply pitched slate sides and large flat top, the proposed roof would be at odds with the domestic scale hipped and pitched tiled roof forms which characterise the area.
6. The house would have a similar footprint to the previous scheme and a comparable height to some other properties in the vicinity. Nevertheless, the large extent of wall on the same plane facing Oak Avenue together with the sizeable roof would create a building of considerable mass and scale which would tower above the adjacent outbuilding at No 836.
7. I acknowledge that the proposed dwelling would include soldier courses and masonry block quoins. However, the large expanse of yellow brick walls would fail to reflect the render and pebbledash wall finishes prevalent in the locality. Due to its size, form, materials and location in a backland area comprising low level buildings, the proposed house would appear discordant and dominant in views from Oak Avenue.
8. The National Planning Policy Framework (the Framework) supports the use of airspace above existing premises for new homes. However, this needs to be consistent with the prevailing height and form of neighbouring properties and I have found that the proposal would be at odds with the predominant size and style of buildings nearby. As the scheme would include a large flat roof, it would not meet the definition of a mansard roof set out in the Framework.
9. Consequently, I conclude that the proposed development would harm the character and appearance of the area. This would be contrary to Policy D3 of the London Plan 2021 (London Plan) and Policies SP4 and DM10 of the Croydon Local Plan 2018 (CLP). Together, these require proposals to be high quality, respect local character and respond to local distinctiveness including through their scale, appearance and shape, amongst other things.
10. Policies D1 and D4 of the London Plan relate to Boroughs being required to undertake and use area assessments in planning for growth and to processes and actions required to deliver good design. As they do not directly link to the harm identified, I find no specific conflict with Policies D1 and D4 in reaching my conclusion.

#### *Living conditions*

11. The site lies adjacent to residential properties at 840 Wickham Road (No 840). No 840 comprises flats with upper and ground floor rear facing windows and a rear garden which is divided into two to serve each flat.
12. The proposed house would be around 8.4m high with a steeply pitched roof and long, two storey side walls creating a sizeable building. It would be located to

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<sup>1</sup> Planning application ref 22/01697/FUL 'the previous scheme'

the south west of No 840, alongside part of the adjacent garden, with around 7m separating the proposed dwelling from the neighbouring building.

13. The narrow rear elevation of the proposed building would face the neighbouring dwellings but because of its size and siting near the boundary, its side elevation would also be evident from the flats and garden at No 840. Due to the proximity of the proposed dwelling to the neighbouring properties, and its significant scale and height, the structure would dominate the outlook from the rear windows and garden at No 840 and have an overbearing effect. Further, having regard to the location and size of the proposed building and the orientation of the appeal site relative to No 840, the scheme would cause a harmful loss of sunlight to the neighbouring garden in the afternoons and evenings.
14. The appellant refers to the BRE's Site layout planning for daylight and sunlight which outlines that at least half of a garden should receive at least two hours of sunlight on 21 March. It states that if as a result of new development the area that can receive this is less than 0.8 times its former value, the loss of sunlight is likely to be noticeable. However, there is no evidence which assesses the proposal against the BRE's good practice guidance.
15. Therefore, I conclude that the proposal would harm the living conditions of the occupiers of 840 Wickham Road, with particular regard to outlook and light. This would be contrary to Policy D3 of the London Plan and Policies SP4 and DM10 of the CLP. Together, these require development to protect the amenity of adjoining occupiers, including by delivering appropriate outlook and ensuring no significant loss of existing sunlight levels, amongst other things.

#### *Car and cycle parking*

16. There is a vehicular access onto Oak Avenue with space for two parked cars on the driveway and a pedestrian access alongside the existing outbuilding. The appeal site has a PTAL of 2 which means it has poor access to public transport. There are restrictions on stopping and parking during the daytimes from Monday to Saturday at the northernmost end of Oak Avenue close to the commercial premises, but no parking controls on most of this road.
17. The overall thrust of policies in the London Plan and the CLP is to minimise parking provision and encourage the use of other forms of transport, whilst acknowledging that parking levels need to be higher in areas with a low PTAL. Located in outer London, the maximum number of parking spaces for a 3+ bed house in PTAL 2 areas allowed by London Plan and CLP policies is one.
18. The proposal would retain two parking spaces on the driveway which exceeds the maximum amount set out in the policies. Although only a snapshot in time, at my daytime site visit I observed that there was limited space available for on-street parking in the unrestricted parts of Oak Avenue close to the site. Therefore, given the scheme would not alter the amount of driveway parking spaces, the site's poor access to public transport and evidence of some parking stress nearby, I consider that the amount of parking would be acceptable in this instance.
19. The London Cycling Design Standards require cycle parking to be well located and to avoid narrow doorways (less than 1.2m wide). The proposed scheme would include a bicycle shed within the rear garden, accessible via a 0.8m wide

path alongside the building and via the driveway. The narrow pathway and vehicles parked on the driveway would hinder the ability for future occupiers to manoeuvre bicycles into and out of the site. Thus, the proposed cycle parking would not be easily accessible, and this would discourage future residents and visitors from using cycles as a mode of transport.

20. Whilst the proposal would make appropriate provision for car parking, I conclude that it would fail to make appropriate provision for cycle parking. As such, it would conflict with Policies T1 and T5 of the London Plan and Policies DM29 and DM30 of the CLP where they seek to encourage cycling, including by ensuring this is not impeded by car parking and that cycle parking is fit for purpose and well located.

### **Other Matters**

21. The proposal would make more efficient use of land and contribute towards the supply of housing. However, there is little evidence that the Council is not meeting the needs for housing in its area. This tempers the weight I have attached to housing delivery, albeit that the provision of one additional dwelling is still a limited benefit to be factored into the planning balance.
22. The Council does not find harm or development plan conflict in relation to several other matters, including the principle of residential development, internal and external space provision, and refuse storage. However, even if I were to agree with the Council on these points, the absence of harm would be a neutral matter which would not carry weight in favour of the proposal.

### **Planning Balance and Conclusion**

23. I have found that the proposal would harm the character and appearance of the area, provide unacceptable living conditions for existing occupiers and not make appropriate provision for cycle parking. These are planning harms which attract considerable weight. The delivery of housing attracts limited weight and the remaining matters only neutral weight, which accordingly do not outweigh the harm I have found.
24. For the reasons given above, the proposal conflicts with the development plan and the material considerations do not indicate that the appeal should be decided other than in accordance with it. Therefore, the appeal is dismissed.

*A Wright*

INSPECTOR