



Appeal Decision

Site visit made on 8 October 2024

by Nick Bowden BA(Hons) Dip TP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 31 October 2024

Appeal Ref: APP/L5240/W/24/3342198

65 Sangley Road, Croydon, London SE25 6QX

- 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 Ms Shaneka Thompson against the decision of the Council of the London Borough of Croydon.
 - The application Ref is 23/04146/FUL.
 - The development proposed is a first-floor rear extension and division into two one-bedroom flats and one studio flat on second-floor level within the loft area.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The description of development given on the application form included reference to the development being retrospective. Whilst I recognise that the development has already occurred, I have removed this from the banner heading above as this is not an act of development.

Main Issues

3. The main issues are:
 - a) the effect of the proposed development upon the availability of family housing,
 - b) whether the development would provide adequate living conditions for the occupants having regard to the internal floor area of the dwellings and provision of outdoor amenity space,
 - c) the effect of the proposed development on existing on-street parking provision and consequent impacts on the highway network,
 - d) whether the development would provide adequate cycle parking and refuse storage facilities for the occupants, and
 - e) the effect of the proposed development on the character and appearance of the area.

Reasons

Supply of family housing

4. Policy DM1.2 of the Croydon Local Plan 2018 (CLP) sets out a need for the provision of housing choice in order to achieve sustainable communities. It

accepts the redevelopment of dwellings subject to such schemes not resulting in the net loss of three-bedroom homes (as originally built) or the loss of homes smaller than 130 square metres. This policy is reiterated by policy SP2.7 of the CLP which highlights the need to provide a choice of homes in order to address the need within the borough for homes of different sizes. It sets a strategic target of 30% of all new homes to have three or more bedrooms.

5. The proposal has increased the level of flat-based accommodation within the area by providing three flats. Both family dwellings and smaller properties contribute towards meeting the housing needs of the area. However, the Council has identified a necessity for family units of accommodation which are under-represented in the housing stock. Whilst there may not have been a large number of planning applications for flats in the SE25 area permitted recently, this does not take into account existing ones. The appellants evidence on the time-frame on such applications is not given. Moreover, it is apparent that many properties along Sangley Road and nearby streets have been converted to flats or HMOs due to the number of doorbells to the front doors and prevalence of bins stored in front gardens. In any case, policy DM1.2 is a borough wide policy and does not distinguish between areas of high or low numbers of flats and houses in multiple-occupation concentration in its applicability.
6. The proposal has increased the number of flats within the area. I acknowledge that such accommodation contributes towards meeting a type of housing needed in the area. However, I have been presented with no substantive evidence to demonstrate that there is currently an undersupply of such housing such that would outweigh the loss of a family-sized dwelling.
7. The development has led to the loss of a unit of family housing in the area. It is therefore contrary to CLP policies DM1.2 and SP2.7 which promote such forms of accommodation to meet an identified need.

Living conditions

8. Policy D6 and Table 3.1 of the London Plan 2021 (LonP) sets out minimum floor areas for new dwellings and this equates with the Nationally Described Space Standard (NDSS). The Council nominates the ground floor flat as a one bedroom two person flat with a floor area of 39.27 square metres, the first floor as a one bedroom two person flat with a floor area of 37 square metres and the top floor studio as a one bedroom one person flat with a floor area of 26.8 square metres. I have no reason to disagree with the Council's assessment. The appellant does not provide any floor area figures to counter this but suggests that the accommodation meets the standards in policy D6 and Table 3.1.
9. However, table 3.1 and the NDSS set out that the minimum floor areas for one bedroom two person accommodation is 50 square metres and 37 or 39 square metres for a one bedroom one person flat (with the lower figure being applicable for dwellings with a shower rather than a bath and this is indeterminate on the submitted plans). On this basis, the proposed development does not achieve the minimum floor area standards for any of the dwellings.

10. Policy DM10.4 of the CLP nominates a minimum of 5 square metres of outdoor space for each 1-2 person flat. No outdoor space is provided for the first floor or top floor flats and no access to the rear outdoor amenity space is available for these dwellings. The size of the outdoor amenity area, to which the floor plans indicate the ground floor flat has access to, is not clarified. However, the site plan suggests this exceeds 5 square metres and this does accord with policy DM10.4.
11. Overall, the proposed development therefore falls well short of the minimum floor area standards for all three flats and provides no outdoor space for the first and top floor flats. The development therefore fails to comply with policy DM10 of the CLP, policy D6 of the LonP and the NDSS and as a result provides inadequate living conditions for the occupants.

Vehicle parking provision

12. The Council notes that the conversion of the dwelling into three flats will require a net increase of two parking spaces. This is not disputed by the appellant. No parking space is available at present and therefore this will result in a shortfall of parking provision. No parking stress survey or analysis was provided with the appeal however it is apparent from the Council's evidence and my site visit that the area suffers from a high parking demand.
13. The proximity of the site to public transport infrastructure is reflected in its PTAL of 4. Accordingly, the parking standards factor this level into the policy requirement for parking. The site is not within a Controlled Parking Zone and therefore there is no opportunity to restrict on street parking for the development which, in any case, has not been proposed by the appellant.
14. The development would result in a shortfall of parking provision in the area and consequent effects on the safe and convenient operation of the highway network. The proposal therefore conflicts with policies SP8, DM29 and DM30 of the CLP and policies T4, T5, T6 and T6.1 of the LonP. These policies, read together, promote sustainable growth and aim to reduce the impact of car parking on new development.

Cycle parking and refuse storage provision

15. The proposal does not include any details of cycle parking or refuse storage and collection. The Council nominates that a total of 4 cycle parking spaces and 12 waste collection bins in varying sizes and configurations would be required to cater for the development. The only available space for the provision of these is the small front garden area to the property.
16. The appellant notes that conditions could be imposed to require details of this area's use for such purposes. However, I am not satisfied that sufficient space is available to accommodate this level of cycle and waste storage provision. Accordingly, a condition to require details of this would not be reasonable or enforceable as there is no guarantee that such space is available. It would therefore not comply with Planning Practice Guidance on the use of planning conditions.
17. The development therefore conflicts with policies DM13, DM29 and DM30 of the CLP. These policies require sufficient provision for cycle parking and waste storage to be made available for residents.

Character and appearance

18. The property comprises a mid-terrace period home in a similar vernacular to the remainder of Sangley Road and the surrounding area. The appeal site, along with many neighbouring homes, have had various alterations and additions constructed to the rear. These are of a differing size and quality and vary between subordinate extensions with pitched roofs to large box dormer windows in main roof slopes.
19. The extension that has been constructed to the rear of the first floor is a flat roofed structure although the adverse effects of this are limited due to its relatively small size. It is set to the rear of the property and, aside from brief views that are available from Park Road, it is not visible in the street scene. It is set adjacent to other flat roofed extensions to 65 Sangley Road itself in addition to similar structures at neighbouring homes. In this context, it is difficult to highlight this extension as creating any greater degree of harm to the character and appearance of the area. The slightly discordant window and fenestration is also not readily prominent.
20. Accordingly, I find that the extension is of an acceptable appearance in this particular context and due to its general seclusion from public view. This would be subject to a condition to ensure its fenestration matches the rendered appearance of the existing house and neighbouring homes were permission to be granted. It therefore complies with policies DM10.1 and DM10.7 of the CLP and policies D3 and D4 of the LonP. These policies, when read together, require high quality development that respects the areas local character.

Planning Balance and Conclusion

21. The Council claims a supply of housing land in excess of five years and this is not disputed by the appellant. Whilst I have found that the extension would not be detrimental to the character and appearance of the area and there would be some social and economic benefits associated with the provision of two new dwellings, this is not sufficient to outweigh the harms I have identified. 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.

Nick Bowden

INSPECTOR