



Appeal Decision

Site visit made on 27 August 2024

by Thomas Courtney BA(Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 5 November 2024

Appeal Ref: APP/L5240/W/24/3341611

29 Alexandra Road, Croydon CR0 6EY

- 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 Yun Ye against the decision of the Council of the London Borough of Croydon.
 - The application Ref is 23/04742/FUL.
 - The development proposed is the erection of a single storey extension to the rear and side of the outrigger, and the conversion of the resultant building to provide a 3-bed flat, a 2-bed flat and a 1-bed flat, together with associated amenity space, bike store and refuse store.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The name of the applicant is not specified on the application form. However, the agent has confirmed that Mr Yun Ye is the person who instructed them to make the application, and that he is the sole owner of the property. This is the name on the appeal form and therefore the appeal can proceed in this name.

Main Issues

3. The main issues are:
 - the effect of the proposal on the character and appearance of 29 Alexandra Road and the surrounding area;
 - the effect of the proposal on the living conditions of the neighbouring occupiers at 31 Alexandra Road with particular regards to outlook and daylight; and
 - the effect of the proposal on parking and highway safety.

Reasons

Character and Appearance

4. The appeal property is a detached two-storey dwelling which features a two-storey rear outrigger, which is a common characteristic on Alexandra Road. It lies within an established residential area typified by detached and semi-detached dwellings arranged in a tightly knit pattern of development. Many houses have rear outriggers with some featuring flat-roofed extensions and rear roof dormers.

5. The proposed rear balconies would have limited depths but would be enclosed with glazed balustrades and large obscure glazed side screens reaching a height of 1.8 metres. Whilst the balustrades would be frameless, the amount of glazing proposed together with the scale of the side screens would appear obtrusive and give the rear elevation of the house a cluttered appearance. The balconies and glazed balustrades would jar with the simple form and profile of the building.
6. The appellant contends that the first-floor terrace would be partly subsumed by the roof form and that there would be limited views of the development. However, the proposed balconies would lie at elevated positions at first and second floor levels. They would be easily visible to passers-by on Alexandra Place as well as to neighbouring occupiers on Davidson Road. The balconies and balustrades would therefore appear unduly prominent in the street scene.
7. Balconies and loft terraces with glazed balustrades and screens are not common features in the area and are unusual within rear elevations of two-storey houses. They would be read as incongruous additions in this context. The appellant opines that the proposed balconies would have the same impact as a Juliet balcony. Notwithstanding the fact that Juliet balconies are also uncommon in the area, they are not comparable given they are smaller in scale and do not include any outside floor area.
8. The proposed balconies and therefore the appearance of the rear elevation of the appeal building would be at odds with the surrounding built form which, for the most part, features unaltered rear outriggers devoid of glazing and balconies. The development would therefore visually erode the appearance of the area.
9. I note that the loft level terrace would be set-in more when compared to the previous scheme (ref 23/02304/FUL). However, given its elevated position, I do not find that its visibility and impact would be reduced. The appellant also states that the Council had previously not found that the first-floor terrace would have a harmful impact. The Council contests this and states that the first-floor terrace was included in their assessment of the development as a whole. This dispute between the parties does not alter my view that the first-floor balcony would be visually harmful.
10. Given the above, I conclude that the proposal would negatively affect the character and appearance of the host dwelling and surrounding area. It would conflict with Policies SP4 and DM10 of the Croydon Local Plan 2018 (CLP) and Policy D3 of the London Plan 2021 which together seek to ensure developments respect local character and are well-designed.

Living Conditions

11. The neighbouring property at No 31 contains three flats. There are several ground floor and first-floor windows within the rear elevation and side elevation of its rear outrigger that serve habitable rooms and that would be oriented towards the proposed development. These windows already appear to have limited outlook and access to daylight.
12. Whilst the proposed terraces would have limited depths, their elevated positions and proximity to the neighbouring windows would mean that they would appear as dominant and intrusive features. In particular, the large

privacy screens would look obtrusive and erode the outlook of the neighbouring occupiers.

13. Furthermore, the screens would reduce the amount of light reaching through to the neighbouring windows. Although the screens would allow some light to permeate through, they would still unacceptably diminish light levels within an area with already low light access. Terrace furniture, plant pots and additional screening placed on the terraces could also potentially aggravate light levels. I am not satisfied a condition regulating the obscurity of the screens can overcome these concerns.
14. Although local planning policies encourage the provision of amenity spaces in flat conversions, it should not come at the expense of the living conditions of neighbouring occupants.
15. The proposal would therefore have an adverse effect on the living conditions of the neighbouring occupiers at 31 Alexandra Road with particular regard to outlook and daylight. It would conflict with Policy DM10 of the CLP and Policy D6 of the London Plan which together seek to ensure that proposals are well-designed and protect the amenity of neighbouring occupiers.

Parking & Highway Safety

16. The Council states that a legal agreement is required to be submitted to ensure the future occupiers would not be entitled to obtain parking permits. The agreement would also require membership of a car club and contributions towards sustainable transport initiatives. These measures would mitigate the impacts of the development regarding on-street parking and traffic generation.
17. The appellant has submitted a draft Unilateral Undertaking (the 'UU') with the appeal. The Council has raised concerns over the drafting of the deed. Further negotiations could have resolved this matter. However, the absence of a signed UU means the proposal would not satisfactorily mitigate the impacts of the development with regards to parking.
18. The appellant states that on-street parking pressures are created by commuters rather than local residents. On my site visit, Alexandra Road and the surrounding streets were somewhat congested and had limited on-street parking capacity. Whilst this is just a snapshot in time, it would appear that there are parking pressures in the area. Without a UU restricting parking permits, the proposal could lead to increased parking stress. Increased parking pressures could lead to hazardous parking, congestion and negative impacts on highway safety.
19. Given the above, without measures demonstrating the site can be car-free, the proposal would have an adverse impact on parking and highway safety. It would conflict with Policies SP8, DM29 and DM30 of the CLP and Policies T4 and T6 of the London Plan insofar as they seek to ensure car-free developments are deliverable in places that are well-connected by public transport.

Other Matters

20. The proposal would create three residential units within a sustainable location close to amenities and transport links. This would be an efficient use of land which would also allow for a retrofitting of the building, improving insulation

and heating standards. Furthermore, the scheme would deliver economic benefits relating to the provision of employment for local tradesmen and potential benefits to local businesses as a result of new residents in the area. These factors lend some limited weight in favour of the appeal. However, it would not outweigh the significant harm I have identified relating to the impact of the proposal on the character and appearance of the area, the living conditions of neighbouring occupiers, and on parking and highway safety.

Conclusion

21. 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.
22. For the reasons given above, I conclude that the appeal should be dismissed.

Thomas Courtney

INSPECTOR