



Appeal Decision

Site visit made on 22 October 2024

by Nick Bowden BA(Hons) Dip TP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15 November 2024

Appeal Ref: APP/L5240/W/24/3343430

6 Cobden Road, South Norwood, Croydon, London SE25 5NY

- 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 Avinash Advani (Double A Estates Ltd) against the decision of the Council of the London Borough of Croydon.
 - The application Ref is 23/03338/FUL.
 - The development proposed is a full planning application for the proposed conversion and extensions to an existing building to the rear of 6 Cobden Road to create two residential units.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. Revised plans were submitted with the appeal indicating the inclusion of additional roof lights and the enlargement of the lightwells to bedrooms. Their acceptance would not prejudice any party in accordance with the Wheatcroft principle and I therefore take account of them in this decision.

Main Issues

3. The main issues are:
 - 1) the effect of the proposed development on the character and appearance of the area,
 - 2) whether the proposed development would provide satisfactory living conditions for the future occupants of the dwellings,
 - 3) whether the design and layout of the proposed access arrangements would be detrimental to the safety and efficiency of the highway network, and
 - 4) whether the development would provide adequate cycle parking and refuse storage facilities for the occupants.

Reasons

Character and appearance

4. The existing property comprises a detached two storey home which addresses an outside bend of Cobden Road near the junction with Denmark Road. The area is predominantly made up of two and three storey houses under pitched roofs, of which the majority are terraces. These all address the street with bay windows and front porches providing variety and interest. Denmark Road does

feature a series of more recently constructed flat blocks however these also have doors, windows and balconies that address the street.

5. 6 Cobden Road is relatively unusual as a detached home. It features a wide driveway to the side leading to a series of interlinked garage structures to the rear. These are single storey with flat roofs and form a broad L shape. It is proposed that these garage structures would be altered and converted to form two dwellings.
6. The proposed dwellings would be set into the area behind the existing dwelling. They would be under a flat roof with no, or negligible, aspect towards the street. Whilst Flat 2 is proposed to have patio windows facing the direction of the road, these are hidden behind a fence and refuse store such that the contribution here is negligible. The style of the dwellings would not reflect the form of development in the locality and would be harmful to it due to its cramped and incongruous nature being squeezed in behind the existing house.
7. Although I accept that there are existing structures on the land already, these are clearly service structures and present a different character to two new dwellings. Whilst the area does feature a diversity of homes, these all directly address the street and contribute to it in a positive manner despite differences in building lines, styles and proximity to the street.
8. As such, I conclude that the proposal would be a cramped and incongruous form of development that would fail to respect the existing pattern of built form and the character and appearance of the locality. The proposed development therefore fails to comply with policies SP4 and DM10 of the Croydon Local Plan 2018 (CLP) and policies D3 and D4 of the London Plan 2021 (LonP). These policies, when read together, require development to respect the areas local character.

Living conditions

9. The proposed dwellings have outdoor amenity areas which are accessed from the living rooms to each unit. Whilst the areas for these gardens would meet the minimum size standards set out in policy DM10.4 of the CLP, the size of these is not the only matter to consider as this policy further requires a high quality design. Both outdoor amenity areas would be in a courtyard format and surrounded by walls and fences on all sides and would thus lead to a restricted space with only very constrained views from the living areas. This would therefore fail to comply with the policy's requirement for a high quality design.
10. The number of windows to the flats is limited. These are confined to patio windows to living rooms and bedrooms. In the original configuration that the Council considered, these would have had very limited outlook and would inevitably have substandard levels of light reaching their interiors. I recognise that revised plans include additional rooflights to most rooms within the development and the increase in size of the lightwells that serve bedrooms.
11. Whilst the roof lights in the scheme would improve levels of daylight for future occupants; I have no evidence before me in the form of a lighting assessment to form a definitive conclusion on this matter. In any case, even if there were satisfactory levels of light provided to the dwellings, they would still suffer from an extremely limited outlook. Due to the surrounding walls and fences,

none of the windows in any of the rooms would have anything more than very restricted views. None would have any aspect to the outside world or have any natural surveillance.

12. This would result in unsatisfactory living conditions for the future occupants and therefore the development fails to comply with policies SP4 and DM10 of the CLP which require high quality design. That the dwellings would have a satisfactory internal floor area is a neutral consideration here and weighs neither for, nor against, the proposal.

Highway effects

13. The proposed development would provide three vehicle parking spaces. One would be for the existing dwelling and one for each flat. This layout largely re-uses the current parking arrangement. However, this current arrangement is for a single dwelling and the intensification of use proposed is significant in this context. Vehicles would have to reverse on to or off the driveways at an angle, where the highway curves round the corner and in close proximity to the junction with Denmark Road. No indication of visibility splays has been provided in evidence that would allow for an assessment of the suitability of the access under this more intensive use.
14. Whilst I accept the tracking arrangements do show that the spaces can be accessed without encumbrance, this does not consider potential conflicts with other vehicles seeking to use the development. As the site would be used for three dwellings, as opposed to one, this is more likely to occur.
15. Furthermore, the layout results in the pedestrian and cycle access to the proposed dwellings being via the front parking area, with no dedicated pedestrian or cycle route. This could lead to conflict between users within the development. The proposal therefore fails to comply with policies SP8, DM29 and DM30 of the CLP and policies T3, T4 and T6 of the LonP. These policies require that development should not have a detrimental effect on highway safety.

Cycle parking and refuse storage

16. The development proposes sufficient cycle parking and space for dedicated refuse storage. However, the cycle parking is provided adjacent to the entrance to flat 2 and would have to be shared by both dwellings. The refuse store sits forward of flat 2 and beyond the front elevation of this flat's outdoor amenity area and 8 Cobden Road next door. Both arrangements would be quite constrained due to the site layout and proximity of parked vehicles. The refuse storage would be clearly visible in the street scene with additional refuse storage being proposed further forward adjacent to the existing dwelling.
17. Furthermore, the cycle and refuse access is via the vehicle parking area. Whilst I note that there may be 1.38 metres between parked vehicles in an optimal arrangement, this seems unlikely to occur in practice and in any case, does not resolve the access conflict between users which I have highlighted above. The arrangement of the cycle parking and refuse storage is therefore not in an optimal location. Policy DM13.1 requires that the location and design of refuse and recycling facilities are treated as an integral element of the

overall design. In this regard the development therefore fails to comply with this policy and also with policies SP4, SP8, DM29 and DM30 of the CLP.

Planning Balance and Conclusion

18. The proposal would provide two new dwellings, adding to the mix of housing stock that is in demand, in a sustainable urban area with public transport accessibility and I recognise these benefits. However, for the reasons I have set out 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.
19. The appeal is dismissed.

Nick Bowden

INSPECTOR