



Appeal Decision

Site visit made on 2 July 2025

by **L Gardner MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 14 July 2025

Appeal Ref: APP/L5240/W/25/3363220

207A Church Road, London SE19 2QQ

- 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 Reda El Sayed Abdel-Aal Abo Ouf against the decision of the Council of the London Borough of Croydon.
 - The application Ref is 24/03579/FUL.
 - The development proposed was originally described as “retrospective application for demolition of single storey existing garage and replaced by another single storey structure to be used as gym and store.”
-

Decision

1. The appeal is allowed and planning permission is granted for demolition of single storey existing garage and replacement by another single storey structure to be used as gym and store at 207A Church Road, London SE19 2QQ in accordance with the terms of the application, ref 24/03579/FUL, subject to the following conditions:
 - 1) The development hereby permitted shall be carried out in accordance with the Location Plan produced 18th October 2024 and drawing nos AP.002 Rev. B and AP.003 Rev. B.
 - 2) The external materials of the outbuilding hereby permitted shall match those used in the existing building.
 - 3) The development hereby permitted shall be carried out in accordance with the provisions of the Reasonable Exemption Statement prepared by ATEC Planners PVT Ltd.
 - 4) The building hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of 207A Church Road, London SE19 2QQ.
 - 5) The roof area of the building hereby permitted shall not be used as a balcony, roof garden or similar amenity area.

Preliminary Matters

2. The description of development in the header above is taken from the application form. I have revised the wording slightly in my decision in the interests of clarity. I have removed reference to the proposal being retrospective given that this is not a form of development. I am satisfied that the main parties have not been prejudiced by this approach.

3. I observed during my site visit that the proposed development has already commenced. Whilst I noted that the proposed rear elevation appears to be different as built when compared to the submitted plans in terms of window and door placement, the development is not yet completed. I have assessed the proposal based on the submitted plans.

Main Issues

4. The main issues are:
 - the effect of the development on the character and appearance of the host building and the wider area, and
 - whether the development provides its occupants with acceptable living conditions, with regard to outdoor private amenity space.

Reasons

Character and appearance

5. The appeal site relates to a previously extended ground floor flat at the corner of Church Road and Stambourne Way. There is a wide grassed verge between the site and Stambourne Way which features a number of large tree specimens. The site is within a primarily residential area with considerable variations to the form, scale, plot size and overall size of dwellings within the immediate surroundings. Mature landscaping, both within residential plots and along the highway, forms a dominant feature within the street scene which gives the area a sub-urban character.
6. Whilst the appeal property is within a two storey, semi-detached building, development form within the immediate surroundings is up to four stories in height and includes both modern and more historic buildings. There are also frequent ancillary single storey buildings including garage blocks such as the one to the rear of the appeal site. The predominant material finish in the area is red brick.
7. The Council have raised concern that the outbuilding represents an enlargement to the previously demolished outbuilding which results in a cramped development, which is highly visible to the detriment of the openness of the area. However, the previously demolished outbuilding and the other existing outbuilding within the site had already established the presence of built form occupying a notable proportion of the rear garden. There remains separation between the rear extension of the flat and the outbuilding which prevents the development appearing cramped.
8. Noting the details of the size and scale of the now demolished outbuilding, I do not consider that the site would have displayed an openness which specifically added value to the character of the area. The grass verge in front of the site, and the corresponding verge on the opposite side of Stambourne Way do create a spacious and open character, but the outbuilding does not have a material impact on these areas.
9. Given the corner positioning of the site, the outbuilding in the rear garden is visible within the street scene from Stambourne Way. Nevertheless, the outbuilding is single storey in height with a modest flat roof design. At the time of my site visit, trees adjacent to the site were in leaf to a degree that the outbuilding was mostly screened within the street scene. I appreciate that this level of screening would not

exist year-round, but even in the winter, the set back afforded by the grass verge would reduce the overall prominence of the outbuilding.

10. In the context of nearby single storey garage blocks, I do not consider that the scale and massing of the outbuilding would be out of character to the wider area or disrupt an established area of openness.
11. The outbuilding reads as a subservient addition to the site through its modest height. The plans show that the proposal will be finished in brick to match the rest of the building which, rather than challenging the primacy of the main building, will ensure that the outbuilding assimilates well with the development form within the site.
12. I conclude that the proposal does not materially harm the character and appearance of the host building or the wider area. Policy D3 of the London Plan (LP) (2021) relates to developments delivering a design-led approach, including by delivering buildings that respond to local distinctiveness having due regard to building types, forms and proportions. Policy DM10 of the Croydon Local Plan (CLP) (2018) refers to design and character and amongst other matters, requires for development in the grounds of an existing building which is retained, for said development to be subservient to that building. Policy SP4 of the CLP requires development to be of a high quality which respects and enhances Croydon's varied local character. Based on the above, the proposal complies with Policies SP4 and DM10 of the CLP as well as Policy D3 of the LP.

Living conditions

13. Both Policy D6 of the LP and Policy DM10 of the CLP refer to minimum standards for private amenity space. Based on these standards, the minimum private amenity space for the dwelling should be 7m². The garden area not covered by outbuildings (existing and the outbuilding to which this appeal proposal relates) would exceed this measurement.
14. The Council are of the view that the area warrants garden areas which exceed the minimum requirements based on the local development context being a relatively spacious suburban setting. However, no higher local standards are set within Policy DM10 of the CLP. As above, plot sizes in the wider area vary considerably to a degree that there are inconsistencies to the spaciousness which plots currently enjoy. Whilst the resultant garden area for the appeal site would be modest in extent, it would still be sufficient and commensurate to the dwelling which it would serve.
15. The development provides its occupants with acceptable living conditions, with regard to outdoor private amenity space. It accords with the required minimum standards set through Policy D6 of the LP and Policy DM10 of the CLP.

Other Matters

16. Neighbouring representations have been received which have raised concern in relation to the use of the outbuilding. The submitted floor plans show that the outbuilding would not be capable of being used independently from the host building. It is also possible to condition that the outbuilding remains ancillary to the host building.

17. The appellant has stated that the need for the development has arisen partially due to health conditions which affect the family. However, these are not determinative to my decision and therefore I have not considered them further.

Conditions

18. I have considered the conditions put forward by the Council, having regard to the six tests set out in paragraph 57 of the National Planning Policy Framework. Where necessary I have amended the wording in the interests of precision and enforceability.
19. I have imposed a condition specifying the relevant drawings to provide certainty for all parties. A condition is necessary for materials to match the existing building to maintain the character and appearance of the area. A condition requiring the outbuilding to remain ancillary to the main building is necessary to prevent the independent use of the building and to accord with its intended use. Given that the outbuilding has a flat roof, I consider it reasonable to also impose a condition preventing the roof being used for amenity purposes in the interests of protecting neighbouring living conditions.
20. A condition is suggested requiring the development to be in accordance with a "Reasonable Exemption Statement" in relation to fire safety. I consider this condition to be necessary in the interests of the safety of the occupants.
21. The Council have suggested a condition seeking further details of external energy generation measures. However, given the scale of the development, I do not find that this would be necessary to make the development acceptable and therefore its imposition is not reasonable.

Conclusion

22. For the reasons set out above, and having regard to all other matters raised, the proposal is considered to accord with the development plan, when read as a whole. Material considerations do not indicate a decision should be taken other than in accordance with the development plan. I therefore conclude the appeal should be allowed.

L Gardner

INSPECTOR