



Appeal Decision

Site visit made on 2 July 2025

by **L Gardner MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 17 July 2025

Appeal Ref: APP/L5240/W/25/3363787

89 Clyde Road, Croydon CR0 6SZ

- 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 Bimal Puri of Future It Services Limited against the decision of the Council of the London Borough of Croydon.
 - The application Ref is 23/03697/FUL.
 - The development proposed is erection of two-storey rear/side infill and wraparound extension.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The appeal site is situated within the East India Estate Conservation Area (CA) wherein I have a statutory duty under Section 72(1) of the Planning (Listed Building and Conservation Areas) Act 1990 (the Act) to pay special attention to the desirability of preserving or enhancing the character or appearance of the CA.
3. The description of the proposal differs from the application form to the decision notice. I note that the appellant has referred to the description from the decision notice in their statement and in the appeal form. The description of development in the banner above has therefore been taken from the decision notice, which is a more concise and accurate description of the proposal and removes superfluous text from that set out in the application form.
4. The second reason for refusal in the Council's decision notice relates to insufficient evidence and information to confirm the existing lawful use of the building, and subsequent concerns relating to substandard residential accommodation. However, the development before me relates solely to operational development for an extension to the building. The proposal does not relate to a material change of use. It is beyond the remit of this appeal to establish the lawful use of the building, and it is therefore not appropriate or necessary for me to consider the internal configuration of the building.

Main Issue

5. The main issue is the effect of the proposal on the character and appearance of the host building and the wider area, and whether the proposal would preserve or enhance the character or appearance of the East India Estate CA.

Reasons

6. The appeal site is situated within the East India Estate CA, the special character of which is largely defined by a concentration of historic buildings of high architectural quality. The CA has strong historical associations with the East India Military Academy. It is made up of a formal estate layout with a strong urban ladder structure formed of six parallel roads.
7. The area is primarily residential with depths of plots and set back of buildings remaining consistent with the original pattern of development. The appeal site forms a detached property which positively contributes to the character of the CA forming one of a group of two storey detached houses with similar characteristics. The Council's CA Appraisal and Management Plan specifically identifies the appeal property, its adjacent neighbours and properties on the opposite side of Clyde Road as being distinctly smaller in scale than other detached properties in the area, with square floor plans and pyramid hip roofs.
8. As with the adjacent properties, the appeal property has an existing two storey rear projection, but the original square floor plan is still an evident and characteristic feature of the building, experienced through the pyramid hip of the main roof. The proposal would introduce an infill to the existing rear projection as well as introducing further projection, all at two storey height. Whilst I do not find the squaring off of the property harmful in its own right, the overall significant bulk and massing of the extension would represent a disproportionate enlargement of the building, contrary to the established scale of the building and its adjacent and opposite neighbours.
9. Rather than reducing the overall bulk of the roof, the two hipped roofs against the original hip on the main building would create confusion to the roof form and interrupt the appreciation of the original square floor plan. Consequently, the design of the extension would be disruptive to the consistency of the original form of the similarly designed nearby buildings as well as their established evolution of footprints.
10. The appellant states that the building cannot be extended in the same manner as the existing projection due to structural defects and subsidence. I also note that the proposal has received support from interested parties, partially on the basis that it would bring the property out of its current inhabitable state. However, I have not been presented with substantive evidence to demonstrate that the proposal is the only viable, and least harmful means of extending the property.
11. The appellant has provided a floor plan of an approved extension at 91 Clyde Road (No 91) to demonstrate that the appeal proposal would have a lesser footprint. However, I have no context of the existing floor plans for No 91, so I cannot be certain which elements would be additional footprint. In any case, it appears that the bulk of the footprint at No 91 would be at ground floor, the construction of which I observed during my site visit. I therefore cannot find any direct comparisons which would justify the appeal scheme before me.
12. The Council have raised concern that the proposal would lead to the loss of an existing chimney through the construction of the proposed hip roof. However, the proposed plans show the retention of the chimney, and I have little before me to suggest that this would not be capable of being achieved in construction terms.

13. A lack of visibility of the proposal from the street scene, or the retention of a large amount of rear garden does not undermine the importance of preserving the architectural form and scale of the building and its associated positive contribution to the character and appearance of the CA. Based on the above, I conclude that the proposal would have a harmful impact on the character and appearance of the host building and the wider area, and would fail to preserve or enhance the character and appearance of the East India Estate CA.
14. It would therefore be contrary to Policy SP4 of the Croydon Local Plan (2018) (CLP) which in part states that the Council will strengthen the protection of their CA's. Policy DM18 of the CLP also relates to heritage assets and conservation and states that proposals will only be permitted if significance is preserved or enhanced. This stance is mirrored by Policy HC1 of the London Plan (2021) (LP) to which the proposal would also be contrary.
15. Policy D3 of the LP relates more generally to design seeking, amongst other matters for proposals to enhance local context by delivering buildings that positively respond to local distinctiveness through their layout, scale and appearance. Policy D4 of the LP refers to delivering good design including outlining the value of assessments to analyse potential design options for a site. Policy DM10 of the CLP requires in part for proposals to create a high quality built environment which includes ensuring that the design of roof form positively contributes to the character of the local and wider area. Based on the above, the proposal would be contrary to Policies D3, D4, and HC1 of the LP as well as Policies SP4, DM10 and DM18 of the CLP.

Other Matters

16. Letters of representation have been submitted outlining support for the proposal. This includes stating that the proposal will benefit the community given the local shortage of affordable housing in Croydon for working professionals. However, it has not been presented in the evidence before me that the appeal scheme relates to affordable housing. It is also stated that the proposal will not have a detrimental impact on neighbouring light or privacy. Whilst this may be the case, a lack of harm in these respects does not overcome the harm that I have otherwise identified to the character and appearance of the host building, wider area and the CA.

Planning Balance

17. The National Planning Policy Framework (the Framework) describes heritage assets as an irreplaceable resource, that should be conserved in a manner appropriate to their significance. Paragraph 212 of the Framework is clear that, when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation.
18. Given my findings above, I find the harm to the CA to be less than substantial, but nevertheless of considerable importance. Under such circumstances, paragraph 215 of the Framework advises that this harm should be weighed against the public benefits of the proposal.
19. I acknowledge that the proposal would repair and make good a building which is currently in a state of disrepair. It would also have economic benefits in terms of

job creation through construction and associated increase in local expenditure. These are minor public benefits. Nevertheless, they do not outweigh the harm to the significance of the CA, the conservation of which the Framework requires that great weight be given.

Conclusion

20. I conclude that the proposal would fail to satisfy the requirements of the Act, the Framework, and it would not be in accordance with the development plan, when read as a whole. For the reasons given above, and having considered all matters raised, the appeal is dismissed.

L Gardner

INSPECTOR