



Appeal Decision

Site visit made on 6 March 2025

by N Duff BSc (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18 July 2025

Appeal Ref: APP/L5240/W/24/3352779

20A Coombe Road, Croydon CR0 1BP

- 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 Karam Enterprise Ltd against the decision of the Council of the London Borough of Croydon.
 - The application Ref is 24/02335/FUL.
 - The development proposed is partial full and retrospective planning permission for the demolition of the existing garage; conversion of the existing dwelling house into 2 flats, erection of a two-storey rear extension [lower ground and ground floor] and external storage area; associated refuse and cycle storage and private amenity spaces.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The description of development is taken from the appeal form and decision notice as this description accurately describes the proposed development.
3. I have consulted the main parties on the revised National Planning Policy Framework 2024 (The Framework). The main parties have been given the opportunity to comment on the revisions and I have taken the responses into account.

Main Issues

4. The main issues are;
 - The effect of the dual fronted entrance of the proposed development on the character and appearance of the area having particular regard to the location within the Chatsworth Road Conservation Area (CA);
 - The effect of the proposed development on the living conditions of neighbouring occupiers with particular regard to outlook and natural light;
 - Whether the quality of the proposed accommodation would be acceptable for future occupiers with particular regard to the provision of outdoor space and children's play space;
 - Whether adequate cycle storage and/or refuse storage facilities would be provided to serve occupants of the proposed development; and
 - Whether the proposal would create a need for mitigation in relation to sustainable transport.

Reasons

Character and appearance

5. The appeal site is a semi-detached property off Coombe Road and is within the CA. The property has a single garage and the site slopes down relatively steeply to the garden behind the property and neighbouring properties beyond. The property has a front garden and driveway to the side.
6. The significance of the CA is described in the Chatsworth Road Conservation Area Appraisal and Management Plan (2008) (CAAMP) as being derived from the area containing a substantial grouping of late Victorian and Edwardian houses, many of which are of high architectural quality adorned with delicate and detailed decorative architectural features. The appeal site is located on the south side of Coombe Road which according to the CAAMP makes a neutral contribution to the character overall, and forms part of a group of buildings, the scale and rhythm of which contribute to the important southern boundary of the CA and based on my site visit I agree with this conclusion.
7. The proposed development includes the subdivision of the property into two flats. The submissions indicate that the building is already in use as two flats and I saw this at my site visit. The proposal also includes the erection of a two-storey rear extension which would extend the lower ground and ground floors and would create a more open plan living space for the ground floor flat. Additionally, the scheme includes the demolition of the existing garage and erection of a replacement storage building located further into the garden. The plans show the subdivision of the garden with one garden per flat, and cycle and bin storage at the front of the property.
8. In reaching my decision I have had regard to the statutory duty set out in 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) which states that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.
9. The proposal would see two front doors inserted side by side on the front elevation of the property to provide each flat with a separate entrance from the front garden. In my view, due to the traditional residential design of the building, the additional front door would clutter the façade of the building and the additional door would harm the character of it as a result. Furthermore, although the properties are not of a symmetrical design, due to them being semi-detached, the proposal would unbalance the pair. As a result, the additional door would reduce legibility of the property by complicating the front elevation, which would be incongruous in the street scene and disrupt the rhythm of the buildings of which the appeal site forms part. I consider that this would dilute contribution that the building makes within the CA as part of the CA's southern boundary. The proposal would therefore fail to preserve the character and appearance of the CA when considered as a whole.
10. Having regard to the proposed extension located on the rear of the property, although it would be deep, due to the land levels which slope down, I am satisfied that the proposed design would utilise the levels effectively. Due to the position of the proposed extension on the rear of the property, together with boundary treatments to the sides and rear of the existing garden, I am satisfied that the extension and would preserve the character and appearance of CA when considered as a whole.

11. Turning to the demolition of the garage and rebuild of a storage building, the replacement storage building would be located further into the curtilage of the property away from the front elevation and therefore would not adversely affect the street scene. Therefore, I am satisfied that this element of the proposals would preserve the character or appearance of the area of the CA when considered as a whole.
12. The proposed cycle storage and bin storage to the front of the property would be located behind the low boundary wall at the front of the property, which is not shown to be demolished on the plans. I observed on my site visit that storage, particularly for bins is located to the front of many properties in the area, and this together with it being behind the front boundary wall, I consider to be acceptable and not at odds with surrounding development. Therefore, storage in this location would preserve the character or appearance of the area of the CA when considered as a whole.
13. Paragraph 212 of the Framework states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to an asset's conservation. In this case I find that the proposal would lead to less than substantial harm to the significance of a designated heritage asset. I consider that the level of harm would be at the lower end within the less than substantial harm category.
14. For the reasons explained above, the proposal would cause harm to the character and appearance of the area and not preserve or enhance the character or appearance of the CA, when considered as a whole. It would therefore fail to accord with Policies SP4.1, SP4.12, SP4.13, DM10.1 and DM18.4 of the Croydon Local Plan 2018 (CLP) insofar as they relate to character and appearance, which between them require development to be of a high quality that respects local character, protects heritage assets and preserves and enhances the character and appearance of Conservation Areas.
15. The proposal would also be contrary to Policies D4 and HC1 of the London Plan 2021 (TLP) insofar as they relate to character and appearance which seek to ensure that design is scrutinised to ensure delivery of good design and that development proposals affecting heritage assets should conserve their significance by being sympathetic to it.
16. Furthermore, for the above reasons the proposal would be contrary to paragraphs 135 and 210 of the Framework which between them seek to ensure that developments are sympathetic to local character, including the surrounding built environment, and the desirability of new development making a positive contribution to local character and distinctiveness.
17. In accordance with paragraph 215 of the Framework this harm should be weighed against the public benefits of the proposal, which I will consider later in the overall planning and heritage balance.
18. Reference has been made to paragraphs 219, 220 and 221 of the Framework, in the appellant's evidence. These relate to opportunities for new development within CAs to enhance or better reveal their significance, to the loss of a building which makes a positive contribution to the significance of the CA and to enabling development. These do not directly link to the harm identified in this issue and

therefore I find no specific conflict with these paragraphs when reaching my conclusion on this main issue.

Living conditions

19. The site slopes down from the rear of the property to the end of the garden and the property has dwellings to the rear and both sides. The proposed rear extension would be added to the south side of No. 20. A party wall separates No.20 and No.22 the adjoining neighbour.
20. The Council has stated that the proposed extension would be likely to breach the 45 degree angle to the rear ground floor windows and patio doors of the adjoining property and based on the plans before me I have no reason to disagree. Therefore, due to this, together with the height and depth of the proposed extension I agree that some loss of daylight may occur as a result of the extension.
21. However, due to the juxtaposition of the dwellings, their orientation to the south, and the depth and height of the extension my main concern lies with the loss of sunlight as a result of the proposed extension. In my view, due to the proposal clearly contravening the 45 degree angle the proposed extension would cause overshadowing to the rear of the adjoining property No 22 and would particularly reduce sunlight to the ground floor openings closest to the party wall on the rear of the property. This would, in my view, be more exaggerated as the sun moves around the property during the day and as a result would cause harm to the living conditions of occupiers of the neighbouring property by way of a loss of sunlight to the windows/patio doors on the rear elevation.
22. Due to the changes in levels the proposed rear extension would be high when viewed from the bottom of the garden. However, as the adjoining neighbouring property also experiences similar level changes, I do not find that the height of the extension would adversely affect neighbouring properties in terms of outlook. Furthermore, at the rear of the property, boundary treatments exist between the properties which already restrict outlook to the side towards the appeal property's garden from the rear of No 22. This taken together with the step in from the boundary and the extension being at ground floor level only, I do not consider that the proposal would affect the outlook of the adjoining neighbouring property.
23. Based on the plans before me, and my observations on site I am satisfied that the proposed storage building would not cause harm to the living conditions of neighbouring occupiers, due to the changes in land levels which slope down and the orientation of the properties.
24. Nevertheless, I find that, due to the depth of the proposed rear extension in combination with height, and the juxtaposition of the appeal property, the proposal would have a detrimental effect the sunlight to the ground floor windows/patio doors on the rear of adjoining property No 22. Therefore, I conclude that the proposal would have an unacceptable effect on the living conditions of neighbouring occupiers by way of a loss of sunlight to their property and would be contrary to Policies SP4.2 and DM10.6 of the CLP, which between them seek to ensure that new development enhances social wellbeing, that the amenity of the occupiers of adjoining buildings are protected, and that developments do not result in significant loss of sunlight or daylight levels of adjoining occupiers.

25. For the above reasons, the proposal would also be contrary to policy D6 of TLP which seeks to ensure that the design of new development provides sufficient daylight and sunlight to surrounding housing.

Quality of accommodation

26. The proposal would result in two flats, one with three bedrooms and one with two bedrooms, and therefore, would be a flatted development. Policy DM10.4 of the CLP requires that all proposals for new residential development will need to provide private amenity space.
27. The policy requirement includes 5sq.m per 1–2 person unit and 1sq.m thereafter of private amenity space. The proposal includes a reasonably sized private rear garden for both the two bedroom and three-bedroom flat. In addition to this, Policy DM10.4 of the CLP also requires that all flatted developments *must* provide a minimum of 10sq.m per child of new play space.
28. Using the Mayor of London's population yield calculator as set out in Table 6.2 contained within the supporting text of policy DM10.4 of the CLP, I find that this development would require a minimum of 5.8sq.m of children's play space in total across the two private gardens.
29. The required areas of children's play space have not been shown on the plan. However, the quantum of private garden area for each flat, from the evidence before me, satisfies the requirements of the policy when adding policy requirements for both DM10.4 c) and d) together. Whilst it has not been shown to be subdivided further on the plan, I am satisfied that there is sufficient space to provide the minimum private garden area and play space within the development.
30. The Council's reason for refusal and evidence refers to the inclusion of communal space, which is a requirement of policy DM10.5 of the CLP. However, in this specific instance I do not consider the requirement of a communal garden to be reasonable in a development of this small scale providing only two flats given that each flat has its own private garden of a reasonable size.
31. Therefore, for the above reasons, I am satisfied that the quality of the proposed development would be acceptable for future occupiers with particular regard to the provision of outdoor space and children's play space, and would therefore accord with policies DM10 of the CLP and D3 of TLP only insofar as they relate to garden space which between them seek to ensure that new developments provide and deliver amenity space and to provide outdoor environments that are comfortable and inviting to use, including open space for play.

Refuse and cycle storage

32. The refuse storage would be provided to the front of the site adjacent to the highway, behind the front boundary wall.
33. The storage area would provide for each flat, space for 3 wheelie bins, a total of space for 6 wheelie bins. The Council has stated that this is not sufficient for the current number of different waste receptacles. However, it has not been sufficiently demonstrated to me which receptacles have not been provided for in the proposal.
34. The front garden of the appeal site is of a reasonable size and is contained behind the front boundary wall. Based on the evidence provided and my observations on

site, should additional refuse storage be required which is indicated by the Council as being the case, I am satisfied that there is sufficient space on the site for refuse storage for both flats, even in the event that the number of bins increases in the future.

35. Having regard to cycle storage, a secure cycle storage solution has been shown on the plans, to be located in the front garden of the appeal site. The Council has concerns over the design of the storage as it would involve lifting bikes to access them if they were not at the front of the store, together with the amount of storage proposed and that it would be shared and not independent. Independent storage for bikes would be preferable, and given the size of the outdoor area, including to the side and rear of the property, I am satisfied that independent bicycle storage of sufficient size could be achieved.
36. Therefore, I am satisfied that for the reasons mentioned above, the details for refuse and cycle storage could be secured by planning condition in any approval and details submitted for the approval by the Council. The proposal would therefore satisfy the requirements of Policies DM13 of the CLP and T5 of TLP which between them require new development to provide adequate space for temporary storage of waste materials generated by the development, and to secure the provision of appropriate levels of cycle parking.
37. The proposal would, subject to appropriate details agreed by planning condition in any approval, also accord with the London Cycle Design Standards which requires private flats to be served by cycle parking that can accommodate residents and visitors.

Sustainable transport

38. The Council has stated that a planning obligation is required to secure a financial contribution towards car clubs with electric vehicle charging points, traffic orders and enhancements to walking and cycling routes. I have been provided with details relating to the amount required which is £1500 per unit. This is required through policies SP8.3, SP8.12 and SP8.13 of the CLP which require developments reduce the need to make the fullest use of public transport, to provide electric vehicle infrastructure, car clubs, car sharing schemes. Further policy T6.1 of TLP states that car club spaces may be considered appropriate in lieu of private parking, and any car club spaces should have active charging facilities.
39. No planning obligation or mechanism to secure the contribution towards sustainable transport has been provided, however the appellant has not disputed the need for the obligation in the evidence.
40. Therefore, in the absence of a planning obligation or secure mechanism to provide the required payment to provide for a contribution to sustainable transport, I conclude that the proposal would be contrary to Policies SP8.3, SP8.12 and DM30 of the CLP. These policies between them seek to ensure that developments make the fullest use of public transport, that the Council and partners enable the delivery of electric vehicle charging infrastructure, car clubs and car sharing schemes and for developments to promote sustainable growth.
41. The proposal would also not accord with Policy T6.1 of TLP which considers car clubs to be an appropriate alternative to private parking.

Planning and Heritage Balance

42. A public benefit of the proposal would be the additional unit on an existing site, demonstrating an efficient use of land. The proposal would contribute to the Council's housing land supply. Whilst this would be a public benefit, due to the small scale of the proposal by contributing one net dwelling, it should only attract limited weight.
43. A further benefit argued by the appellant is that open plan living spaces are more suitable for modern living and allow families to create a more versatile living space, however, this would be a private benefit of the proposal rather than a wider public benefit.
44. An additional benefit is that sustainable water usage would be applied to the development, including water efficient appliances, dual or low flush toilets and the use of water butts to collect rainwater. Together with FSC certified timber for partitions and general carpentry work. Whilst these are public benefits of the scheme, due to the small scale of the development, this would attract only limited weight.
45. Taken together the public benefits would be limited and would not outweigh the harm identified to the lower end of less than substantial harm to the CA, which should be attributed great weight. The proposed development would fail to preserve the special historic interest of the CA, when considered as a whole, by causing less than substantial harm to its significance and the public benefits would not outweigh this harm. This is a matter to which I attach considerable weight and importance in the overall planning balance.
46. The proposal does not accord with CLP policies SP4.1, SP4.2, SP4.12, SP4.13, SP8.3, SP8.12, DM10.1, DM10.6, DM18.4, DM30 and TLP policies D4, D6, T6.1 and HC1. There would be harm to the character and appearance of the area with specific regard to the significance of the CA and the proposal would harm the living conditions of neighbouring occupiers by way of loss of light. I consider that the harm and policy conflicts would be such that the scheme would conflict with the development plan when considered as a whole. It follows that, the benefits of granting planning permission would not outweigh the harm identified.

Conclusion

47. The proposal conflicts with the development plan when considered as a whole and material considerations do not indicate that the appeal should be decided other than in accordance with the development plan. Accordingly, for the reasons given above the appeal should be dismissed.

N Duff
INSPECTOR