



## Appeal Decision

Site visit made on 30 July 2015

**by Martin Andrews MA(Planning) BSc(Econ) DipTP & DipTP(Dist) MRTPI**

**an Inspector appointed by the Secretary of State for Communities and Local Government**

**Decision date: 20 August 2015**

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### **Appeal Ref: APP/L5240/W/15/3011378**

### **Mead Court, 66 Outram Road, Croydon CR0 6XE**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
  - The appeal is made by Buckford Estates Ltd against the decision of the Council of the London Borough of Croydon.
  - The application, Ref. 14/04980/P, dated 27 November 2014, was refused by notice dated 6 February 2015.
  - The development proposed is the erection of a roof extension to form an additional 3 x 1 bedroom flats and the provision of an additional 3 parking spaces.
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### **Decision**

1. The appeal is dismissed.

### **Main Issue**

2. The main issue is the effect of the proposed roof extension on the character and appearance of the Outram Road street scene and the East India Estate Conservation Area.

### **Reasons**

3. The grounds of appeal argue that with no impact on the building's footprint and with a matching design and materials, the additional storey proposed would not materially harm the character and appearance of Outram Road and the wider conservation area.
  4. In this context I saw on my visit that although itself part of the character and appearance of the conservation area, the existing building is one of several that, as the Inspector in the March 2011 appeal observed, were built at a time when the approach to development was less sensitive than it is now.
  5. However, I also agree with that Inspector's comment that despite the difference to the more traditional buildings which led to the designation of the conservation area, the building's greater height than its neighbours is not unduly apparent in long views in the street scene and this to some extent limits its harmful effect.
  6. Although the additional floor now proposed would be preferable to the mansard previously suggested, the increased height would completely change this. The appeal scheme would increase the height differential with the nearby houses,
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including some of the 19<sup>th</sup> century buildings on the opposite side of the road. Crucially, the extension would significantly increase Mead Court's prominence in the street scene. The building would clearly stand out in longer views along the road, and in my view would draw the eye for negative rather than positive reasons. Even allowing for the group of more modern buildings of which Mead Court forms part, the increased massing at the height proposed would be both noticeable and discordant in the Outram Road street scene.

7. I acknowledge that the East India Estate Conservation Area covers a very large area and, as indicated in paragraph 4 above, that there are other developments within it that are also out of keeping. However, Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that special attention shall be paid to the desirability of 'preserving or enhancing the character or appearance' of a Conservation Area. In this case the simple point is that through the proposed increase in its height the extension to the building's roof would not constitute either enhancement or preservation.
8. In its decision to refuse permission the Council has referred to a harmful conflict with Policies UD3 and UC3 of the 'Croydon Replacement Unitary Development Plan (the Croydon Plan 2006 Saved Policies 2013'; Policies SP4.1 and SP4.12 of the Croydon Local Plan (Strategic Policies) 2013, and Policies 7.4, 7.6 & 7.8 of the London Plan 2011.
9. However, whilst agreeing with this conflict with adopted policy I must also have regard to Section 12: 'Conserving and enhancing the historic environment' of the National Planning Policy Framework 2012 ('the Framework'). The conservation area is a designated heritage asset within the terms of the Framework and although Mead Court is only one building within a large area, the effect of the additional storey would, for the reasons I have explained, amount to 'substantial harm'.
10. Having regard to paragraph 133 of the Framework I have taken account of the fact that an additional three dwellings created as a result of the additional floor would be a public benefit. However, in my judgement this would not outweigh the harm caused by the development to both the character and appearance of the street scene and the conservation area.
11. I have taken account of all the other matters raised on behalf of the appellant but have found nothing to alter my conclusions as set out above.
12. The appeal is therefore dismissed.

*Martin Andrews*

INSPECTOR