
Appeal Decision

Site visit made on 19 January 2016

by Mr Kim Bennett BSc Dip TP MRTPI

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

Decision date: 01 February 2016

Appeal Ref: APP/L5240/D/15/3136229

28 Elgin Road, Croydon, CR0 6XA

- 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 Croydon Developments Limited against the decision of the Council of the London Borough of Croydon.
 - The application Ref 15/02664/P, dated 11 June 2015, was refused by notice dated 10 August 2015.
 - The development proposed is an extension on outshot of building to provide a bathroom on second floor. Alterations to ground floor entrance to improve access.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposal on the character and appearance of the host building and whether it would preserve the character and appearance of the East India Estate Conservation Area.

Reasons

3. No 28 Elgin Road comprises one half of an imposing pair of semi-detached villas located on the eastern side of the road. Their design has been influenced by late Georgian style detailing including vertically proportioned sash windows, horizontal string courses and overhanging eaves with decorative brackets below. There is an existing two storey projection on the southern side which is well detailed with a flat roof and decorative cornice details.
4. There are a number of other attractively detailed late Victorian and Edwardian buildings along the road and the whole of the road forms part of the East India Estate Conservation Area. However, the overall character is mixed, with a number of modern interventions of different architectural styles and forms which have not been sympathetic to the original character of the area.
5. A similar proposal was submitted for an extension to No 30 Elgin Road at the same time which was also refused permission for the same reasons. Because it raises the same issues, it was lodged as a conjoined appeal with the current

appeal. Whilst I acknowledge the similarity of the issues, I have dealt with each proposal on its individual merits and it is the subject of a separate decision¹.

6. The appellant considers that the design is well conceived which would integrate well with the design and character of the building. Reference is also made to the variety of character and building styles within the Conservation Area.
7. Because of its inclusion within the Conservation Area, I have had regard to the statutory duty to pay special attention to the desirability of preserving or enhancing the character or appearance of the area. In that context, the appellant makes the point that the buildings are not listed or on a local list but acknowledges that in the Council's Conservation Area General Guidance Supplementary Planning Document 2013 (SPD) they are noted as making a positive contribution to the special character of the area. I agree with that assessment and whilst their significance may not carry the weight of a statutory listing, they are nonetheless important buildings in my view and the impact of any proposal will still need to be assessed against the statutory test in the primary legislation as referred to above.
8. In design terms, I see no objection in principle to the proposed extension which would maintain the overall character of the building, bearing in mind it would largely maintain the form, proportions and architectural detailing of the projections below. I also do not consider the loss of the side window or decorative brackets would be critical, particularly as in the case of the latter, the brackets would remain forward of the extension. However, in projecting the parapet roof above the eaves line of the main roof, it would appear as a most awkward and uncomfortable junction which would detract from the dominance and currently unbroken overhanging eaves of the roof at present. In that respect the issue is not whether it should be pitched or parapet, but the design detailing itself. Whilst the appellant suggests that the impact on the main street view would not be significant, I do not agree. The main roof is clearly visible when approaching from the south, as well as directly opposite the site, despite the presence of a frontage tree, and the extension would be very apparent because of that. The adverse impact would also be compounded should the extension at No 30 Elgin Road be constructed in the same form.
9. The Council is also concerned about the potential loss of space between buildings. However, given that the extension would sit directly above an existing two storey side projection and would be set well back from the front elevation, I do not consider that would be the case. As the appellant notes, the SPD points out that part of the character of the Area is tight spacing between buildings and for the above reasons I do not consider there would be a loss of character in that respect as a result.
10. With regard to the possibility of the extension at the appeal site being constructed independently to that at No 30 Elgin Road, and thereby resulting in a loss of symmetry to the pair of buildings, the appellant comments that because they are in the same ownership, a phasing condition would be acceptable to ensure that both were built together. Whilst such a condition might have been reasonable, I note that the ownership Certificates for each application are different and there would need to be clarification that ownership

¹ Appeal Reference APP/L5240/D/15/3136231

was indeed the same to consider whether such a condition would satisfy the various tests set out in the National Planning Policy Framework. However, given my findings above, it has not been necessary to consider that matter further.

11. I note that the Council raises no objections from an amenity point of view and having considered that issue at my site visit, I see no reason to reach a different view. I also note representations made expressing concern about the use of the property as a House in Multiple Occupation. However, the plans clearly indicate that the layout is for a single family dwelling and I have determined the appeal on that basis.
12. Whilst I have found that some elements of the proposal would be acceptable, the detailed design in terms of its projection above the main roof eaves line would detract from the character and appearance of the host building. Although it would have little impact on the character of the Conservation Area as a whole, given that the pair of buildings make a positive contribution to the character of the Conservation Area, it follows that the proposal would fail to preserve the character and appearance of this particular part of that Area.
13. For the above reasons, the proposal would therefore fail to comply with Saved Policies UD2 and UC3 of the Croydon Replacement Unitary Development Plan 2006, Policies SP4.1 and 4.12 of the Croydon Local Plan: Strategic Policies (2013), Policies 7.4, 7.6 and 7.8 of the London Plan (Further Alterations 2015) and the Conservation Area General Guidance Supplementary Planning Document 2013. Accordingly the appeal should be dismissed.

Kim Bennett

INSPECTOR