
Appeal Decision

Site visit made on 5 September 2016

by G J Fort BA PGDip LLM MCD MRTPI

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

Decision date: 23 September 2016

Appeal Ref: APP/L5240/W/16/3151768

5 Smitham Downs Road, Purley, Croydon CR8 4NH

- 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 Mr Daniel Burgess against the decision of the Council of the London Borough of Croydon.
 - The application Ref 16/00846/P, dated 17 February 2016, was refused by notice dated 15 April 2016.
 - The development proposed is the erection of a detached five bedroom dwelling house together with new vehicular/pedestrian access off Smitham Downs Road. Associated demolition of single-storey side addition to existing dwelling and detached 2-storey garage.
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Decision

1. The appeal is dismissed.

Main Issue

2. I consider the main issue in this appeal to be the effect of the proposed development on the character and appearance of the area.

Reasons

3. The appeal site occupies a prominent corner position in a leafy and largely residential area, comprising in the main of detached dwellings set back from the highway behind low boundaries of brick walling and hedges. Bounded by low brick walls topped with railings with mature trees and shrubs within that boundary, the appeal site is split level due to the underlying topography of the area. The upper part of the site is occupied by a detached house, 5 Smitham Downs Road, which to the front and rear is surrounded in the main by hardstanding; and the lower part of the site, roughly triangular in shape and close to the intersection with Downlands Road is the property's garden. In its current form the appeal site contributes to the verdant residential character of the area.
4. The appeal scheme would introduce substantial built development on the part of the site that currently comprises the garden of No 5. This would be in the form of a two-storey detached house with integral garage. The proposed development would have a complicated roof form varying in height, and including gable projections at the front, side and rear, hipped roof elements and side and rear elevations with castellated parapets. Barge boards would be employed on the proposed gable ends. The proposal would feature a

- prominent bay window on its front elevation and include timber detailing at the top of some of its gable ends. The appeal scheme would also see the demolition of an existing element to the side of No 5, and its garage.
5. The footprint of the proposed development would be complex and large, and combined with its scale, would result in a building that would appear cramped and shoehorned within its irregularly shaped corner plot. Whilst it would be developed on a lower level than that of No 5 due to the topography of the site, the proposal would be in a tight relationship with this existing property, which would exacerbate the impression of cramped congestion on the plot. Whilst the garden space for the proposed dwelling may be acceptable in terms of its provision of amenity space, and I have been supplied with no evidence to suggest that it would conflict with the advice in the *London Housing Supplementary Planning Guidance* ("the SPG") in this regard, its irregular shape, and the plot ratio achieved would both be at variance with the development grain of Smitham Downs Road, and would serve to highlight the intensity of development that the appeal scheme would create. The proposal would thus cause substantial harm to the character and appearance of its surroundings.
 6. I saw that architectural styles vary in the area, however, the complexity of the proposed roof form, and the eclectic range of architectural styles involved in its facades would appear as a strong and discordant contrast to the more simple roofs and elevational detailing employed in immediately adjacent dwellings. Taken together, these matters would serve to exacerbate the overall incongruity of the appeal scheme, and thus cause further harm to the character and appearance of the area.
 7. Whilst I note that development along the Vale has altered the density of the area to some degree, this does not set a precedent for proposals that would have demonstrably harmful effects. Moreover, I noted that in general the development grain along Smitham Downs Road, and particularly adjacent to the appeal site was one of larger houses in substantial more regularly shaped plots, and though spacing between these varied, usually lower rise and more subservient structures such as garages were present close to the boundaries with neighbouring properties.
 8. I acknowledge that existing mature shrubs and trees would provide some screening of the proposal in views from the street. However, I consider that this would do little to counter the harmful effects arising from the proposal's variance to the wider development grain. I also note that the proposal would respect the building line of Smitham Downs Road, however, this would not weigh heavily in its favour in the overall planning balance.
 9. The proposed development would appear cramped, and the complex detailing of its roof, and the eclecticism of the architectural styles and details employed would be at variance with the character of its surroundings. The appeal scheme would therefore be of significant harm to the character and appearance of the area, and would conflict with Policies UD2, UD3 and H2 of the *Croydon Replacement Unitary Development Plan* ("The UDP"); Policies SP1.1, SP4.1 and SP4.2 of the *Croydon Local Plan Strategic Policies* ("the Local Plan"); and Policies 3.5, 7.1, 7.4, and 7.6 of *The London Plan: The Spatial Development Strategy for London Consolidated with alterations since 2011* ("the London

Plan”). Taken together, and amongst other things, these policies seek to ensure that developments respect and enhance local character.

10. Whilst mindful that paragraphs 59 and 60 of the National Planning Policy Framework (“the Framework”) advise that design policies should avoid excessive prescription or detail, and that planning decisions should not attempt to impose architectural styles or particular tastes, I am also conscious that paragraph 58 states that developments should respond to local character and history, and reflect the identity of local surroundings. The harm caused by the proposal to the character and appearance of the area would thus place it at odds with the Framework in this regard.
11. I have been supplied with no substantive evidence to suggest that the proposal would be at variance with the guidance of the SPG or that of the Government’s *Technical housing standards-nationally described space standards* in respect of its provision of external or internal space. Furthermore, I have found that no harmful effects would flow from the proposal to the quality of the public realm and thus descry no conflict with Policy 7.5 of the London Plan in this regard. However, the compliance of the scheme with these aspects of local and national policy would not outweigh its conflicts with other aspects of the development plan.

Other Matters

12. I have considered the proposed development in terms of the presumption in favour of sustainable development as set out in the Framework. For the purposes of the Framework sustainable development has three dimensions: the economic, the social and the environmental.
13. In terms of the economic dimension, the proposed development would have some benefits arising from construction jobs and from the potential for residents of the scheme to support local services. However, due to the modest amount of additional residents and building involved these benefits would be of a modest scale and thus attract only limited weight in the overall planning balance.
14. Turning to the social dimension, the proposal would contribute an additional unit of housing close to public transport and services. However, once again, due to the modest amount of development proposed this would be a matter that only carries limited weight in my assessment of the scheme
15. I have considered the environmental aspect of the proposal. The appeal site is in a reasonably accessible location. The proposal could avoid harm to retained trees, cause no harm to trees protected by TPOs or flora and fauna more generally and would be constructed to current building regulations in terms of energy efficiency, and mitigation and adaptation to the effects of climate change. However, this latter matter would be a regulatory requirement which would not weigh heavily in favour of the proposal, and the former considerations are merely demonstrative of a lack of harm rather than a positive benefit of the scheme, and would thus carry only limited weight. In any event the significant harm caused by the proposed development to the character and appearance of the area would be an environmental one which would outweigh the somewhat modest benefits that the scheme would deliver, and endure long after the economic benefits of employment in construction of the scheme had faded away.

16. Whilst I note the appellant's comment about a national housing shortage, one additional unit would make a very limited contribution to this shortfall and thus would not weigh heavily in favour of the proposal.
17. Similarly whilst the principle of development at the site may be acceptable, its proposals for parking and bin storage uncontroversial, and its effects on the amenities of adjacent occupiers likely to be acceptable, these considerations, either individually or cumulatively would not weigh heavily in the proposal's favour. Neither, for that matter, would its avoidance of harmful effects on heritage assets or land covered by specific designations.

Conclusion

18. The appeal scheme would conflict with the relevant policies of the development plan, insofar as they have been brought to my attention. No material considerations have been demonstrated that would outweigh this conflict. Consequently, for the reasons given above, and having regard to all other matters raised, I conclude that the appeal should be dismissed.

G J Fort

INSPECTOR