
Appeal Decision

Site visit made on 29 March 2017

by Elaine Gray MA(Hons) MSc IHBC

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

Decision date: 21 April 2017

Appeal Ref: APP/L5240/W/16/3159636

76 & land r/o 76-80 Keston Avenue, Coulsdon CR5 1HN

- 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 Barnfield Homes Ltd against the decision of the Council of the London Borough of Croydon.
 - The application Ref 16/02742/P, dated 27 May 2016, was refused by notice dated 30 August 2016.
 - The development proposed is the erection of four houses to the rear of 76-80 Keston Avenue; complete with formation of new access drive, and the rebuilding of the house at 76 Keston Avenue.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. The address of the appeal site is given as 'r/o 76-80 Keston Avenue' on the application form. However, as the proposal also includes the dwelling at 76 Keston Avenue, I have used the address given on the appeal form as it clarifies the extent of the appeal site.

Main Issues

3. The main issues are the effect of the proposal on the character and appearance of the surrounding area, and the effect of the proposal on the free flow of traffic and highway safety.

Reasons

Character and appearance

4. The appeal site is located within a predominantly residential area. The proposal would create four new dwellings, and would replace the existing house at 76 Keston Avenue with a new dwelling. The Council has accepted the principle of backland development in this location, and I note that other examples of backland housing have been permitted in the area. I therefore agree that the residential development of garden plots has become a characteristic feature of the area. With regard to the proposed replacement dwelling on the site of No 76, the Council raises no issue with that element of the scheme, and I am satisfied with that position.
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5. Planning permission¹ was previously sought for four dwellings on the appeal site. These would have been arranged as two semi-detached dwellings with a single detached dwelling on either side. In response to the Council's concerns, the proposal has been amended to reduce the footprints of the individual units and combine them into two pairs of semi-detached dwellings. However, whilst this configuration, in conjunction with the proposed hipped roofs, would allow for a somewhat more spacious layout, the structures would be of a significant size.
6. Although proposed Houses A and C would be of two storeys, their roofs would be of a substantial height. The gables of Houses B and D would clearly incorporate three floors of accommodation, as denoted by the proposed fenestration. Therefore, whilst the semi-detached pairs would not rise to three full storeys, they would be large buildings which would be visually dominant when viewed along the access road between 76 and 78 Keston Avenue, and from the properties in the surrounding area.
7. In terms of plot size, there is some variation within the wider area. However, the properties at 74-86 Keston Avenue are characterised by dwellings with small front gardens and long, narrow plots to the rear. I accept that Nos 76, 78 and 80 would be left with rear plots of an acceptable size. However, the proposed dwellings would be allocated garden areas that would be substantially smaller than is typical of this location.
8. I have had regard to the backland schemes which have been granted planning permission in the vicinity. I have been provided with a location plan which includes a block plan for the development of three detached houses at the rear of 88-90 Keston Avenue². From this information, it appears that the overall plot sizes in proportion to the footprint of those dwellings are significantly greater than those of the appeal scheme. I therefore find that the proposed dwellings would appear cramped within their boundaries with little rear garden space. This would be significantly at odds with the prevailing pattern of plots in the immediate area. It would be an uncharacteristic and incongruous form of development which would be out of keeping with its surroundings.
9. My attention has also been drawn to the sites on Waddington Avenue which back onto the appeal site. I have been provided with a photograph of the rear elevations of the development of two storey buildings at 123-125 Waddington Avenue, which I saw on my visit. I have also been provided with a proposed site layout for a scheme at 121 Waddington Avenue, which shows relatively small garden plots.
10. However, although these cases are clearly similar in a number of ways to the appeal scheme, I do not have before me the full details of the proposals or the circumstances in which they were found to be acceptable. Whilst I acknowledge the appellant's concern in respect of consistency in decision making, the lack of detail significantly reduces the weight I can apportion to these cases. In any event, I am bound to consider the appeal scheme on its own merits.
11. The Council is also concerned about the level of hardstanding that would be associated with the new dwellings. In addition to the new access, eight new

¹ 16/01101/P

² 14/02425/P

parking spaces would be provided. Whilst this would be a reduction from the number of spaces previously proposed, the site would nonetheless be dominated by the proposed hardstanding, in contrast to the largely undeveloped character of the appeal site and the existing gardens in the immediate vicinity.

12. The appellant takes issue with the Council's use of the word 'verdant' in respect of the appeal site, drawing attention to the existing outbuilding and sheds. However, the submitted site survey shows that the majority of the rear plot areas remain undeveloped. My observations on site indicated that the gardens remain characterised predominantly by grass and vegetation. Although some soft landscaping is indicated on the proposed site plan, this would be insufficient to mitigate the harmful loss of greenery to facilitate the access and parking areas.
13. Taking these factors in combination, I conclude that the proposal would unacceptably harm the character and appearance of the surrounding area. It would thus fail to comply with Policy H5 of the Croydon Replacement Unitary Development Plan (The Croydon Plan 2006) Saved Policies (2013) (UDP), which requires that residential development on back garden and backland sites should respect the character of adjoining residential areas. It would also conflict with UDP Policy UD13, insofar as it seeks to ensure that car parking should not be allowed to dominate the urban form. It would further conflict with Policy 7.4 of the London Plan (March 2015), which amongst other things requires development to have regard to the pattern and grain of existing spaces.

Traffic and highway safety

14. The existing garage at No 76 would be removed, and the new access drive serving the four new dwellings would run along the boundary of No 78. The Council is concerned about the proximity of the access to the junction between Keston Avenue and Ambercroft Drive.
15. The access would be sufficiently wide to allow two cars to pass side by side, which would ensure efficiency, lessening the likelihood of motorists having to linger on the highway whilst waiting for another vehicle to enter or leave the site. I note the Council's concern that the submitted drawings do not show the full detail that they require. However, a visibility splay is shown, and I am satisfied from my observations on site that adequate visibility could be achieved, in the event that the scheme were to be found otherwise acceptable.
16. Whilst the stretch of Keston Avenue adjacent to No 76 is quite steep, I observed that visibility towards the mouth of Ambercroft Drive from the proposed access point is good. Additionally, the road was very quiet during the duration of my visit, and there is no substantive evidence before me to show that volumes or speeds of traffic are problematic here, or that there is a high accident rate in the vicinity.
17. I therefore conclude that the free flow of traffic and highway safety would not be unduly compromised by the proposal. As a result, I find no conflict with UDP Policy UD13, insofar as it requires that parking design and layout should be safe and secure.

Other Matters

18. The design and proposed materials of the new houses would complement the architectural styles in the vicinity, and the location would be otherwise sustainable. However, the National Planning Policy Framework sets out that a core element of sustainability is the impact on the built environment. The contribution of four additional dwellings to the housing supply is to be given weight, albeit modest. However, this benefit would be insufficient to outweigh the visual harm and conflict with policy identified.

Conclusion

19. Despite my finding that the development would not harm the free flow of traffic or highway safety, it would unacceptably harm the character and appearance of the surrounding area. Taking all other matters into consideration, I therefore conclude that the appeal should be dismissed.

Elaine Gray

INSPECTOR