
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: 17 May 2017

Appeal Ref: APP/L5240/W/16/3163576

Land r/o 62 & 64 Rickman Hill, Coulsdon CR5 3DP

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application for planning permission.
 - The appeal is made by Mr S Findlater against the Council of the London Borough of Croydon.
 - The application Ref 16/04716/FUL is dated 12 September 2016.
 - The development proposed is demolition of outbuildings and erection of 2-bedroom detached dwelling.
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Decision

1. The appeal is allowed and planning permission is granted for demolition of outbuildings and erection of 2-bedroom detached dwelling at land r/o 62 & 64 Rickman Hill, Coulsdon CR5 3DP in accordance with the terms of the application Ref 16/04716/FUL dated 12 September 2016, subject to the conditions set out in the schedule to this decision letter.

Procedural matters

2. The address of the appeal site is given as '62 Rickman Hill' on the application form. However, as the site comprises a physically separate parcel of land to the rear of No 62, I have used the address given on the appeal form as it describes the location of the appeal site more clearly.
3. Following the submission of the appeal against non-determination, the Council has not clarified the position it would have taken on the application in the event that it had made a decision.

Main Issues

4. The appeal site was previously the subject of a planning application (ref 06/05202P) for a single detached dwelling. This application was refused, and was subsequently dismissed at appeal. The current appeal proposal is a revision of the refused scheme, and seeks to address the previous reasons for refusal.
 5. Having had regard to the available evidence, I have based the main issues of the current appeal on: the matters raised in the consideration of the previous planning application; the development plan policies submitted by the Council; the relevant London Plan policies, and; the observations I made during the course of my site visit.
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6. The main issues are therefore:

- The effect of the proposal on the character and appearance of the surrounding area;
- Whether the proposal would provide satisfactory living conditions for future occupiers, with particular reference to outdoor space;
- The effect of the proposal on the living conditions of neighbouring occupiers, with particular reference to privacy, loss of outlook and visual impact, and;
- The effect of the proposal on parking provision and highway safety in the area.

Reasons

Character and appearance

7. The appeal site is located within a predominantly residential area. It appears to have been formed from land taken from the gardens of 62 and 64 Rickman Hill. This division appears to have taken place some time ago, and the land is now physically fenced off and visually separate from those properties. The proposal would create a new detached dwelling which would take its access from Parkside Gardens.
8. The surrounding area is characterised by a mixture of dwelling types, including semi-detached dwellings, terraced dwellings, and also a detached dwelling at 60 Rickman Hill. The new dwelling would rise to two storeys in height, reflecting the scale of the nearby dwellings. The proposed design and materials would sit comfortably with those used in the area. The frontage of the new house would respect the building line established by the front elevation of 1 Parkside Gardens and the side elevation of No 62.
9. The land on Parkside Gardens rises to the west, and the proposed asymmetrical roof would respond visually to the sloping nature of the site. Whilst this is not a typical roof form in the area, Policy UD3 of the Croydon Replacement Unitary Development Plan (The Croydon Plan 2006) Saved Policies (2013) (UDP) allows for some variety in roofscape. In this instance, the new dwelling would take design cues from its neighbours, whilst the proposed roof form would give it an individual identity.
10. Taking these factors in combination, I therefore conclude that the proposed development would sit acceptably in its spatial and visual context without unduly harming the character and appearance of the surrounding area. It would thus comply with Policy SP4 of the Croydon Local Plan Strategic Policies (LPSP, April 2013), which requires development of a high quality which respects and enhances Croydon's varied local character, UDP Policy UD2, which sets out guidelines for the layout and siting of new development, and UDP Policy UD3, which sets out guidelines for the scale and design of new buildings. It would further comply with Policy 7.4 of the London Plan (LP, March 2015), which aims to protect local character.

Living conditions

11. The new dwelling would be sited so as to leave enough room for car parking and a small garden at the front. At the rear, the garden space would measure

approximately 8m deep by approximately 12.6m wide, which would be adequate in size and shape for the modest two bedroom dwelling proposed.

12. In terms of quality, UDP Policy UD2 requires new development to provide clearly defined and enclosed private space. In this case, the proposed rear garden would be relatively private, being situated away from the public realm. Conversely, it would enable a reasonable degree of outlook towards the south. The southern aspect would also ensuring good levels of daylight and sunlight, as sought by UDP Policy UD2. Whilst there would be some degree of overlooking from the upper floors of the properties on Rickman Hill, this would be of a tolerable level, given the built-up nature of development in the area.
13. I therefore conclude that the development would provide satisfactory living conditions for future occupiers in terms of outdoor space. It would thus comply with the relevant requirements of UDP Policy UD2, and LP Policy 7.6, insofar as it seeks to secure high quality outdoor spaces.
14. The new dwelling would set in from the line of the front and rear elevations of 1 Parkside Gardens, and so it would not have an overbearing visual impact on that property. The main outlook from No 1 appears to be to the front and rear, and there is no evidence that the east facing windows of that property serve habitable rooms. As a result, the existing outlook from No 1 would be satisfactorily maintained. The west-facing windows of the new dwelling would serve a staircase, and so no harm to privacy would arise between the two properties.
15. The outlook from the rear of 62 Rickman Hill would be curtailed to a small degree by the development. However, the new building would sit at a separation distance of around 3.5m from the boundary with No 62. This distance, in conjunction with the full length of the rear garden of No 62, would ensure that the outlook from No 62 would not be unacceptably encroached upon. Furthermore, the visual impact of the new dwelling would be mitigated by the relatively long slope of the roof on its east side.
16. I thus conclude that the living conditions of neighbouring occupiers would be preserved by the proposal. It would therefore comply with UDP Policy UD2, insofar as it seeks to ensure privacy, and to secure an attractive environment, and LP Policy 7.6, insofar as it resists development that would cause unacceptable harm to the amenity of surrounding land and buildings, particularly residential buildings.

Parking and highway safety

17. The proposal would provide two car parking spaces in front of the new dwelling, and a new pavement crossover would be formed. UDP Policy UD13 sets out guidelines for parking design and layout. It requires that car parking must be designed as an integral part of the scheme, and should be safe, secure, efficient and well designed.
18. There would not be room within the site for vehicles to turn, and so motorists would have potentially have to reverse onto the highway when leaving the site, unless they had reversed onto the site from the highway when arriving. On my site visit, I observed that Parkside Gardens did not appear to experience heavy volumes of traffic, and that visibility for motorists coming to and from the appeal site would be good. The car parking area would also be located at a

safe distance from the junction with Rickman Hill. The laying out of visibility splays could be controlled by a suitably worded condition to ensure the safety of users and pedestrians. I am therefore satisfied that the development would not unacceptably harm highway safety in the area.

19. UDP Policy UD13 requires that parking should not dominate the urban form. In this case, whilst the parking area would be visible at the front, it would be offset to the side, leaving room for a front garden area at the development. I therefore consider that the parking area would not dominate the urban form to an unacceptable degree. A suitably worded condition requiring details of the landscaping of the site could be included to ensure an acceptable visual impact, as sought by UDP Policy UD13.
20. I therefore conclude that the development would provide suitable parking provision, and would not prejudice highway safety in the area. It would thus comply with the relevant provisions of UDP Policy UD13, and would also comply with UDP Policy UD12, which seeks to ensure the safety of all users of roads and footpaths. There would be no conflict with LPSP Policy SP8, which amongst other things seeks to ensure the legibility of redeveloped sites.

Conditions

21. No conditions have been suggested by the Council. However, for certainty, it is necessary that the development is carried out in accordance with the approved plans. Conditions relating to materials and landscaping are appropriate in the interests of character and appearance. A condition relating to the driveway and visibility splays are necessary to ensure highway and pedestrian safety.

Conclusion

22. For the reasons above, and taking all other matters into consideration, I conclude that the appeal should be allowed.

Elaine Gray

INSPECTOR

SCHEDULE OF CONDITIONS

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 729-210 (location plan); 729-201; 729-202a; 729-203a; 729-204; 729-205a; 729-206a; 729-207a.
- 3) The external surfaces of the development hereby permitted shall be constructed in the materials detailed on the approved plans.
- 4) No development shall commence until there shall have been submitted to and approved in writing by the local planning authority a scheme of landscaping. The scheme shall include indications of all existing trees and hedgerows on the land, identify those to be retained and set out measures for their protection throughout the course of development.
- 5) All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.
- 6) The dwelling hereby permitted shall not be occupied until the site access has been constructed with visibility splays measuring 1m by 1m on either side of the access. No structure, plant or tree exceeding 600mm in height above adjacent footway level shall subsequently be erected or allowed to grow within the pedestrian visibility splay areas.