
Appeal Decision

Site visit made on 18 May 2017

by Andrew Dawe BSc(Hons) MSc MPhil MRTPI

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

Decision date: 09 June 2017

Appeal Ref: APP/L5240/W/17/3170093

119 Purley Oaks Road, South Croydon CR2 0NY

- 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 Ms Hirschmann (Osborn Securities Limited) against the decision of the Council of the London Borough of Croydon.
 - The application Ref 16/06204/FUL, dated 8 December 2016, was refused by notice dated 26 January 2017.
 - The development proposed is demolition of existing buildings; erection of 2 pairs of semi-detached two storey properties with accommodation in the roof; erection of two detached two storey properties with accommodation in the roof; formation of vehicular access, provision of parking and landscaping.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposed development on:
 - i) the character and appearance of the surrounding area;
 - ii) the living conditions of the residents of neighbouring properties in respect of visual amenity.

Reasons

Character and appearance

3. The site is located in a residential area with a variety of mainly detached houses and bungalows set in varying sized but generally good sized plots. The appeal site itself is a large plot with a detached dwelling set further back from the road than those either side. There are two pairs of semi-detached three storey dwellings immediately to the south-east of the site set relatively close to the street with car parking in front.
 4. The proposed two pairs of semi-detached dwellings fronting onto Purley Oaks Road would be set well forward on the site and be prominent features of that part of the streetscene. However, they would be seen to a significant extent in the context of those existing semi-pairs to the south-east, due to their similar forward position, three storey height, semi-detached nature, use of gable features, and off-street parking in front. They would have wider front elevations and be deeper, with a smaller separation between the pairs, compared with those existing pairs. However, those other combined factors
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- previously referred to would prevent them from appearing as alien features of the streetscene.
5. Although forward of No 115, there would remain a noticeable gap at upper floor level, above No 115's flat roof garage, between the main side elevation of that dwelling and that proposed. Furthermore, they would be softened in appearance to some degree on the approach from the south-east by the retained large mature tree close to the boundary with the adjacent semi-pairs.
 6. The proposed single storey rear elements would extend the depth of the buildings to beyond the line of the rear elevations of the existing dwellings either side. However, that would not be clearly apparent or visible from public vantage points, due to the single storey height and distance away from neighbouring streets. The additional single storey element to unit 4 would further extend the width and depth of that dwelling. However, it would be set well back from the front elevation and so would not be a prominent feature within the streetscene.
 7. The two proposed detached dwellings to the rear of the site would be seen in the different context of Wettern Close. It has a pleasant sense of spaciousness with the large rear garden of No 119, and backdrop of mature trees, contributing strongly to that. There are three storey flats located at the north-east end of Wettern Close. However, these are set well back from the road, with some softening from intervening trees and a significant lawned bank in front.
 8. I have had regard to a previous, now lapsed planning permission for a single dwelling at the rear of the site, Ref 12/02377/P. However, that was materially different to the current scheme, notably in terms of the lesser footprint of built form on that part of the site.
 9. I have also had regard to a previous dismissed appeal scheme for two dwellings on this rear part of the site, Ref APP/L5240/A/11/2151134, in terms of the extent to which the concerns of my colleague in that case have been addressed in the current proposal. I note that the proposed dwellings would be set further from Wettern Close than one of those relating to that previous scheme. The appellant also highlights that a number of young trees have now been removed from the site making it more open. However, the now proposed side by side relationship of the proposed dwellings introduces different considerations. That previous scheme was to some extent considered in the context of a then extant permission for 10 flats on the adjacent site at Two Ways in Sanderstead Road. However, I note that my colleague, whilst taking account of that, initially set out concerns specifically related to the appeal site.
 10. Notwithstanding those other previous cases, I have in any case determined this appeal on its own merits based on all of the evidence submitted and my own observations.
 11. Importantly, the proposed two dwellings, due to their three storey height, close proximity to each other and steeply sloping roofs would combine to have a substantial and dominating massing effect and appear cramped on the site, despite the staggered height due to the slope of the land. They would be set back from the road to some extent but behind mainly parking area. Although some limited tree planting would be possible at the road frontage, and despite

the intended use of grass reinforcement grids, there would therefore be limited scope for significant and effective planting to soften that massing effect.

12. Trees to the rear of the semi-detached properties of 121 Purley Oaks Road would be likely to still be visible to a degree. However, they would be significantly obscured by the proposed dwellings which in any case would be much more to the fore and dominant. Those trees adjacent to the north-east boundary of the site would still be visible but in close proximity to proposed house No 5 and so significantly dominated by it.
13. For the above reasons, the proposed two detached dwellings would have an obtrusive and jarring effect on the currently spacious setting around the end of Wettren Close, including the rear garden of the appeal site and its verdant backdrop.
14. Due to those concerns relating to the proposed detached dwellings, and notwithstanding my findings in relation to the proposed semi-detached dwellings, I conclude on this issue that the proposed development would cause unacceptable harm to the character and appearance of the surrounding area. As such, in respect of this issue, it would be contrary to policies SP4.1 and SP4.2 of the Croydon Local Plan: Strategic Policies, policies UD2, UD3, H2 and H5 of the Croydon Replacement Unitary Development Plan: The Croydon Plan (the UDP), and policies 7.1, 7.4 and 7.6 of the London Plan which together, in respect of this issue, require development to respect the character and appearance of residential areas. It would also be contrary to the National Planning Policy Framework (the Framework) which in paragraph 17 sets out that planning should, amongst other things, always seek to secure high quality design and take account of the character of different areas.

Living conditions

15. The proposed semi-detached dwellings would be positioned between those existing dwellings either side. Although they would project further to the rear than those others, it would mainly be at single storey level. Those existing dwellings, excluding the garage of No 115, are also set away from the side boundaries of the site. The proposed frontage dwellings would therefore be unlikely to have an overbearing visual impact or cause a harmful level of visual intrusion when seen from those properties.
16. The proposed two detached dwellings would be more visually prominent when seen from the neighbouring properties fronting Purley Oaks Road, particularly due to their height and position on raised ground. However, they would be set away from the boundaries with those properties and aligned with the rear parts of their gardens.
17. Proposed house No 5 would be close to the rear boundary of the property to the north-east of the site. However, it would be set down to some extent in relation to the higher level of that adjacent property. It would also be set well away from the dwelling itself relating to that property, being beyond the rear boundary. That boundary is also fairly wide such that there would remain significant undeveloped space visible either side of where the proposed dwelling would be positioned. Furthermore, there are existing fairly mature trees along that rear boundary that would provide some degree of screening albeit that their longer term maintenance or survival could not be guaranteed.

18. The two detached dwellings would also be visible from front rooms of dwellings on the opposite side of Wettren Close to varying degrees. However, there would be a significant degree of separation between them. The flats located at the end of Wettren Close, in being set well back from the road and not directly facing the site, would be unlikely to be afforded prominent views of the proposed two rear dwellings.
19. For these reasons, the proposed detached dwellings would also be unlikely to have an overbearing visual impact or cause a harmful level of visual intrusion when seen from surrounding properties.
20. For the above reasons, I conclude on this issue that the proposed development would not cause unacceptable harm to the living conditions of the residents of neighbouring properties in respect of visual amenity. As such, in respect of this issue, it would accord with policies UD8 and H5 of the UDP which together require development to protect residential amenity, including in respect of preventing undue visual intrusion. It would also accord with the Framework in this respect which in paragraph 17 sets out that planning should, amongst other things, always seek to secure a good standard of amenity for all existing and future occupants of land and buildings.

Conclusion

21. The Framework sets out that there should be a presumption in favour of sustainable development and indicates that to achieve that, economic, social and environmental gains should be sought jointly and simultaneously through the planning system.
22. I have found that the proposal would not cause unacceptable harm to the living conditions of the residents of neighbouring properties in respect of visual amenity. However, this does not deflect from the unacceptable harm that I have found would be caused to the character and appearance of the surrounding area.
23. I acknowledge that the proposal would have the benefit of providing additional family dwellings to the local housing supply. It would also be in an accessible location and be likely to bring local economic benefits in terms of its construction. However, those benefits would be fairly small, relating to a net increase of only five dwellings, and would be insufficient to outweigh the unacceptable harm referred to above. It would therefore not be a sustainable form of development.
24. Therefore, for the above reasons, I conclude that the appeal should be dismissed.

Andrew Dawe

INSPECTOR