



Appeal Decision

Site visit made on 23 January 2018

by M Seaton DipTP MRTPI

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

Decision date: 27 March 2018

Appeal Ref: APP/L5240/W/17/3179376

46 Welcomes Road, Kenley, CR8 5HD

- 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 & Mrs Rice against the decision of the Council of the London Borough of Croydon.
 - The application Ref 16/06203/FUL, dated 7 December 2016, was refused by notice dated 19 May 2017.
 - The development proposed is the demolition of the existing bungalow with associated garage and outbuildings. Erection of 2 detached two bedroom houses with provision for a garage, waste and refuse storage and associated hard and soft landscaping.
-

Procedural Matters

1. The applicants were identified as Mr & Mrs Rice on the planning application forms. However, the appellant has been identified on the planning appeal form as Mr Chester Harriot. Further to a request for clarification on the apparent discrepancy, I have had regard to additional correspondence from Mr & Mrs Rice explaining the familial relationship to Mr Harriot. I am mindful that the right of appeal is vested with the applicant for the corresponding planning application, and despite the clarification as to Mr Harriot's relationship to the applicants, I have proceeded with the appeal on the basis of the identification of Mr & Mrs Rice as the original applicants.
2. During the course of the appeal, the Council has adopted and published The Croydon Local Plan 2018, comprising the Strategic Policies and the Detailed Policies and Proposals (the Local Plan). As a consequence, Policy SP4.1 of the Croydon Local Plan: Strategic Policies 2013 has been replaced by Policy SP4.1 of the Local Plan, whilst Policies UD2 and UD3 of the Croydon Replacement Unitary Development Plan 2006 Saved Policies 2013, have been deleted in their entirety. Policy DM10 of the Local Plan is now identified as the detailed design policy linked to Strategic Policy SP4.
3. Accordingly, in light of the references within the submitted evidence to the emerging Local Plan, as well as the reliance placed upon the now superseded policies of the previous Development Plan, the opportunity was provided to the Council and appellant to make additional comments in respect of whether the publication would have any bearing on their cases. Whilst the appellant did not make any further comments, the Council took the opportunity to make a brief further submission, which is addressed in the context of this decision.

Decision

4. The appeal is dismissed.

Main Issue

5. The main issue is the effect of the proposed development on the character and appearance of the street scene and the area.

Reasons

6. The appeal site is a parcel of land set on the west side of Welcomes Road, which is a private residential street observed to be of semi-rural character as a consequence of the significant numbers of mature trees situated on various properties. An existing large bungalow is located on the appeal site, along with a number of outbuildings and sheds. The existing development within the street and immediate vicinity is predominantly comprised of large dwellings, with the adjacent plots in this part of Welcomes Road dominated by single-storey dwellings set within large spacious grounds. Within the wider street scene there is evidence of a variety of designs and appearance of dwellings.
7. The submitted plans indicate that the proposal would result in the sub-division of the existing plot into two distinct curtilages to accommodate a pair of detached two-storey dwellings. Whilst I observed there to be some degree of variation of plot size in the wider street scene, the properties on the west side of this part of Welcomes Road exhibit a comparative degree of consistency in respect of the size and scale of plots. The proposed sub-division of the existing site to form two significantly smaller and narrower plots than the others observed within this part of the street scene, would undoubtedly erode the existing pattern of development and have an adverse effect on the character of this part of Welcomes Road.
8. I accept the appellant's contention that the existing bungalow does not exhibit any particularly worthy architectural character, although its scale and central location within the existing plot is characteristic of the form and disposition of this type of development in this location. I am also mindful that the proposed dwellings would actually lead to an overall reduction in the width of existing built development on the appeal site, and that the setback and height of the proposed dwellings would not be unacceptable in the context of the street scene.
9. Despite this, by comparison with existing observed development, the comparatively narrow form and footprint of the proposed pair of two-storey dwelling dwellings would not be characteristic of the proportions or form of existing dwellings along Welcomes Road, and in particular the adjacent bungalows. I have had regard to the Council's conclusion that the resultant development would not be cramped, and I would accept this point. The proposed roof form of the dwellings, whilst noting the Council's assessment that it represents an improvement on the form of previous iterations, would nevertheless appear as a departure from the form of existing roofs through the incorporation of a flat roof element to avoid the introduction of a bulky and visually dominant roofscape, although this would have only a limited visual impact. Nevertheless, and despite the appellant's assertion to the contrary, I am satisfied that the detailed form and disposition of the proposed dwellings would appear as an incongruous and uncharacteristic addition to the street scene.
10. The appellant has referred me to the Council's submissions regarding the principle of development as being contradictory, and I note from the Council's

submission that Policy DM1.2 of the Local Plan now permits the redevelopment of residential units where it does not result in the net loss of 3 bedroom homes (as originally built) or the loss of homes smaller than 130m². However, in having regard to the Council's reasoning set out within their submissions regarding the acceptability of residential development subject to other detailed considerations, I am satisfied that the Council has not taken a contradictory stance in respect of its decision-making in this regard.

11. For the above reasons, the proposed development would result in an adverse effect on the character and appearance of the street scene and area. There would be conflict with Policies SP4.1 and DM10 of the Local Plan, and Policies 3.5, 7.1, 7.4, 7.5 and 7.6 of the London Plan. These policies seek to advocate high quality design, which reinforces and respects existing development pattern, layout and siting, where it contributes to local character and the distinctive qualities of an area, including the proportions of surrounding buildings which determine the character of the street. I have also found conflict with paragraph 131 of the National Planning Policy Framework (the Framework), which sets out the desirability of new development making a positive contribution to local character and distinctiveness.

Other Matters

12. Interested parties have raised a number of other concerns, including in respect of unacceptable increases to traffic levels along a narrow road, a failure to safeguard the living conditions of neighbouring occupiers having regard to outlook, and noise and disturbance during the construction period, and the impact on protected trees. However, whilst I have been mindful of these submissions, as a consequence of my conclusions on the main issue, the determination of this appeal has not turned on these matters, and there has not therefore been any need to address them.

Conclusion

13. The replacement of the single dwelling with a pair of dwellings would make a limited contribution towards the supply of housing in the local area, with the local economy also having the potential to experience some limited benefit both during the period of construction, and following occupation. Whilst I have had regard to the appellant's assertion that the proposed development would provide much needed small-scale affordable dwellings, ideal for an ageing population, no submissions have been made as to how future occupation on this basis would be achieved and secured, and therefore these are not matters which would attract any significant weight in support of the proposals.
14. Whilst I acknowledge the limited benefits as set out above, I have found that the proposal would result in an adverse effect on the character and appearance of the street scene and area. As a consequence, I have not found the development to be in accordance with the Development Plan. I am satisfied that despite the limited benefits summarised above, that these would be significantly outweighed by the adverse impacts.
15. For the reasons given above, I conclude that the appeal should be dismissed.

M Seaton

INSPECTOR