
Appeal Decision

Site visit made on 27 August 2019

by Felicity Thompson BA(Hons) MCD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18th September 2019

Appeal Ref: APP/P5870/W/19/3230055

130 Croydon Road, Beddington, CR0 4PG

- 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 Alastair Tweedie (Elysian Properties Limited) against the decision of the Council of the London Borough of Sutton.
 - The application Ref DM2018/02095, dated 20 November 2018, was refused by notice dated 4 February 2019.
 - The development proposed is 8 flats (3 x 3 bedroom, 5 x 1 bedroom) with the demolition of existing house and with the provision of refuse and cycle facilities together with eight car parking spaces and extension of existing vehicular accesses.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The description of the proposal in the banner heading above is taken from the original application form however, I have removed superfluous wording in the interests of brevity.
3. A revised plan showing the proposed extended dropped kerb with Croydon Road relocated by 0.5m to the west was submitted with the appeal. Given the marginal difference between this and that shown on the originally submitted plans and as there are no other changes, I have considered the appeal on the basis of the revised plan and am content that no party was prejudiced by me doing so.

Main Issues

4. The main issues are:
 - the effect of the proposal on the character and appearance of the area
 - the effect of the proposed widening of the dropped kerb with Croydon Road on a street tree and highway safety.

Reasons

Character and appearance

5. The appeal site consists of a detached house which occupies a relatively large corner plot, set back from but close to and fronting the busy Croydon Road. Whilst there is a primary school to one side, a parade of shops and pub located

further west along Croydon Road and a car and tile showroom further east along Croydon Road, the immediately surrounding area is predominantly residential in character and consists of two storey semi-detached houses of broadly the same scale and massing, incorporating a similar palette of materials with the main external material being render and the houses typically having hipped roofs with the main slope parallel to Croydon Road and other features such as bays. Consequently, there is a general rhythm and harmony to the appearance of the houses, the result being a pleasant suburban appearance.

6. Policies 10 and 28 of the Sutton Local Plan 2016-2013 (the Local Plan) and 7.4 and 7.6 of the London Plan (2016) together seek development which results in better designed, higher quality new housing which is attractive and designed to the highest standard, especially with regard to architectural detailing and which respects the local context and responds to local character and is of a suitable scale, massing and height to the setting of the site and/or townscape.
7. The National Planning Policy Framework (the Framework) states that planning decisions should ensure developments are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change.
8. The proposed design is contemporary and whilst new buildings do not necessarily need to repeat nearby designs, they should provide an attractive design which respects the local context and responds to local character.
9. The proposed building would have three gables visible at the front and two at the rear, with a central flat section which would not be visible from the road. Although the plot width would be similar to the existing house and whilst I recognise attempts to break up the massing, the proposed orientation and pitch of the roof slopes, the use of cladding, the fenestration arrangements and design in terms of their size, style and arrangement, along with the use of glazed balconies would all be in marked contrast to the surroundings. Furthermore, whilst the ridge height would be lower than that of the neighbouring school overall, the resulting development because of its scale and massing, would not reflect the local residential building form.
10. The proposed building would be set back from the road, behind the existing building line such that some space would be retained around the building, including at the rear, where soft landscaping could be introduced. However, the proposed building would be sited in a prominent position and as a result of the scale and detailed design, would stand out as a substantial, prominent and awkward addition to the street scene, significantly at odds with the surrounding modest two storey houses.
11. Whilst the proposal appears to have taken some design cues from the extension to the neighbouring school, I am not satisfied that it would be appropriate to mimic the appearance of a building which stands alone in generous grounds and which is evidently in use for different purposes. Furthermore, the design of which is more straightforward than the appeal proposal.
12. I noted the car and tile showrooms located further along Croydon Road and agree that these have an unsympathetic modern appearance however, they are not viewed in the same context as the appeal site and in any event, I do not know the circumstances of those developments being permitted. Their

existence does not justify the further erosion of the character and appearance of the area that would occur as a result of the appeal proposal.

13. At my site visit I had regard to the development at 58 Stafford Road, referred to by the appellant however, although that property is located at the end of a row of terraces it is also located in a busy mixed use area with substantial modern commercial buildings to the rear and on the opposite side of the road. Therefore, the circumstances are not directly comparable to those before me. In any case, I have considered the appeal scheme on its own merits.
14. Overall, for the reasons given above I find that the proposal would be wholly unrelated to the character of the predominantly residential buildings in the vicinity. It would not respond to local character and history as advocated by the Framework and would cause significant harm to the character and appearance of the surrounding area and so would not accord with the design principles set out in Policies 10 and 28 of the Local Plan, 7.4 and 7.6 of the London Plan (2016) or the Framework.
15. My attention has been drawn to Policy H2 of the draft London Plan 2017. However, the Inspectors' report into that draft plan has not yet been received and as I do not know the extent of any objections to this policy, only limited weight may be given to it. In any event, I note that the Council identified no specific policy objection to the redevelopment of the site for additional dwellings.

Effect on a street tree

16. At my site visit I observed that mature street trees planted in the highway verge at reasonably regular intervals, along part of Croydon Road make a valuable contribution to the pleasant and attractive appearance of the area.
17. The revised plan shows the proposed access with Croydon Road located further away from an existing street tree and the report prepared by Harper Tree Consulting demonstrates that the extended dropped kerb, as revised, would not encroach into the root protection area (RPA) of the tree. It is also stated in the report that the proposed increase in size of the existing dropped kerb can be accommodated without damage to the current RPA.
18. In the absence of substantive contrary evidence, I find that there would be no harm to the street tree and therefore no conflict with Policy 28 of the Local Plan which requires that younger trees that have the potential to add significant value to landscape character in future should also be retained where possible.

Highway safety

19. The revised plan shows that the proposed dropped kerb with Croydon Road would not be located within 10m of the junction with Cedar Road. As such and based on my site observations, in the absence of substantive contrary evidence or explanation, given that there is good visibility in both directions along Croydon Road and that drivers at the junction of Cedar Road with Croydon Road and those at the proposed access with Croydon Road, would have good visibility of one another and pedestrians, I consider there would be no harm to the safety of pedestrians or users of the highway. Furthermore, the proposed access would serve only a small number of parking spaces and it seems to me that comings and goings are likely to be similarly limited.

20. Consequently, I consider there would be no harm to highway safety in accordance with the highway safety protection aims of Policy 36 of the Local Plan and the Framework which states that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety.
21. I note that Transport for London (TFL) made comments about the potential harm to visibility for users of the proposed access with Croydon Road as the street tree matures. However, the Council have not relied on this in refusing the application.
22. The Council have referred to Policy 37 of the Local Plan which relates to parking. The Council found no harm in respect of the extent of parking provision therefore, in the absence of explanation I consider this policy is not directly relevant to this main issue and weighs neither for nor against the proposal.

Other Matters

23. I acknowledge that the proposal would contribute 8 sustainably located dwellings to the Boroughs housing supply. However, the Framework states that there are three overarching objectives to achieving sustainable development which are mutually dependent; these are economic, social and environmental. The harm to the character and appearance of the area means that the environmental objective of sustainable development would not be achieved. As such the proposal does not represent sustainable development when considered against the policies in the Framework taken as a whole.
24. I have had regard to the letter of support received and note that there were no objections from members of the public and no harm identified to the living conditions of neighbouring residents or future occupants. However, these matters do not outweigh the identified harm.
25. I note that this is a revised scheme following discussions with the Council and a previously withdrawn application. However, this and the misgivings expressed by the appellant about how the Council dealt with the application are separate matters which have no bearing on the planning merits of the proposal.

Conclusion

26. For the reasons given above, having had regard to all other matters raised, the appeal is dismissed.

Felicity Thompson

INSPECTOR