



Appeal Decision

Site visit made on 9 October 2019

by S Leonard BA (Hons) BTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 08 November 2019

Appeal Ref: APP/L5240/W/19/3234151

Farleycroft, 55 Ashburton Road, Croydon CRO 6AP

- 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 Michael Grundy (Farleycroft Ltd) against the decision of the Council of the London Borough of Croydon.
 - The application Ref 19/01235/FUL, dated 13 March 2019, was refused by notice dated 9 May 2019.
 - The development proposed is 1 x 3 bedroom flat to the rear of the site with provision of refuse and cycle facilities together with two car parking spaces using existing vehicular access.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposed development on the character and appearance of the East India Estate Conservation Area.

Reasons

3. The appeal site is located on the west side of Ashburton Road a residential road which leads off Addiscombe District Centre, located to the northeast. The site contains a modern, purpose-built, four storey block of flats finished in facing brick and render under a flat roof. There is also a group of six flat-roofed garages within the grounds to the north of the flat block, and a hardsurfaced parking area for two cars adjacent to the site frontage. The remainder of the site is mainly given over to soft landscaping, predominantly grass, but including a conifer tree and hedging in the westernmost corner of the site, where the new development is proposed. The site has an open frontage and is prominent in views from the street.
4. There are a variety of different dwelling heights, designs and materials within the site locality. These include three storey pitched roof purpose-built flats to the south of the site, which face the appeal site, separated from it by an access drive. There are two storey detached houses to the north and west of the appeal site, and semi-detached two storey houses to the rear. On the opposite side of the road are detached and semi-detached two storey residential properties with attic accommodation. The remainder of the street includes a mix of modern blocks of flats and older two and two and a half storey dwellings and bungalows.

5. The site lies within the East India Estate Conservation Area (EIECA). The East India Estate Conservation Area Appraisal and Management Plan (CAAMP) confirms that, in addition to being defined by the concentration of historic buildings of high architectural quality, the conservation area's special character is also defined by its spatial quality and the formal layout of the estate which comprises a strong urban 'ladder' structure made up of six parallel roads including Ashburton Road. The regular perimeter blocks within the conservation area are defined by street-facing terraces and buildings with consistent building lines, set back from the road by between 5-7m behind front gardens. Density of development is lower than that of the residential areas surrounding the conservation area, in part due to the deep gardens. The CAAMP states that there has been no significant backland development in the EIECA, and that this has helped preserve the quality of the area in terms of private amenity space.
6. The CAAMP confirms that Ashburton Road is the widest of the East India Estate streets and marks the eastern boundary of the conservation area. Due to its slightly later and less consistent development, it has a more varied character than other streets within the conservation area, with building heights ranging from bungalows to four storey blocks of flats. Street trees and a wealth of greenery, as well as consistent low-level boundary treatments, many of which are iron railings, contribute to the quality of the streetscape.
7. The host property comprising a 20th Century block of flats, together with the nearby blocks of flats in Ashburton Road, is designated in the CAMP as a building which detracts from the special character of the conservation area, having a footprint and massing which is out of scale within the context of the area's character and out of keeping with the well detailed Victorian and Edwardian houses which are characteristic of the conservation area's architectural character.
8. The CAAMP notes the lack of public open space within the EIECA, and the positive contribution made to the character and appearance of the conservation area by trees and planting within private gardens, including those visible from gaps in street-facing buildings. Hence, notwithstanding that the host property is identified as a detractor building, it is nonetheless set within spacious, landscaped grounds which are visible from the street. In this respect the shared external amenity area of the host property makes a positive contribution to the character and appearance of the conservation area.
9. The appeal proposal would result in a significant erosion of the aforementioned landscaped amenity area, reducing the green space between the host property and the neighbouring flats at Edgecumbe Court, including the removal of a tree and hedging which are visible from the street and contribute to the provision of an attractive landscape break between the surrounding built development. This would be detrimental to the spacious character of the conservation area.
10. The backland position of the appeal proposal in the rearmost, triangular-shaped part of the plot would be at odds with the more formal prevailing plot layout and established building line onto Ashburton Road. The plot size would be incongruously small in comparison to surrounding development.
11. The proposed position of the new building, at an angle to, and extending across the whole width of the plot, would not relate well to the shape of the plot and would appear out of keeping with the existing spacious character of the appeal site. The building footprint would take up a large proportion of the new plot

- and, combined with its proposed massing, which is effectively two storey at the south side and rear, would result in an overly-cramped development. This would be compounded by the sense of confinement arising from the proposed 1.8 m high boundary fencing around, and close to, the building.
12. Given the above, the appeal proposal would contravene the CAAMP which advises that one of the threats to the EIECA is back garden development, which will generally not be permitted due to potential disruption to the area's spacious character and loss of green spaces.
 13. The proposed new front boundary wall, railing and gate, and the proposed tree and shrub planting to the front and side of the host property would make a positive contribution to the street scene, having regard to the aforementioned prevailing character of frontage treatment and importance of front garden landscaping to the visual amenity of the street scene. However, these positive design elements of the scheme are not sufficient in themselves to outweigh the harm arising from the new dwelling, which would still be evident in views from the street due to the open frontage of the adjacent property and its side access drive, and the position of the frontage parking on the appeal site.
 14. Furthermore, these frontage improvements would be undermined by the proposed positioning of the refuse and recycling storage facilities at the front of the site, which would add an undesirable element of built clutter, to the detriment of the street scene.
 15. In terms of detailed design, the new building form and wall finish is reflective of the host property, identified as a detractor building within the CAAMP. The fenestration, which forms a significant part of the design, would not relate well to any surrounding window and door design detailing and appears to have been positioned and designed in order to satisfy the amenity objectives of the development, having regard to the cramped site circumstances. The zinc roof cladding and glazed balustrading would jar with the more traditional design of the rest of the building. As a result, the building design lacks coherence and would not be sympathetic to any of the design detailing of other buildings identified as positive contributors to the conservation area in the CAAMP.
 16. The appellant has drawn my attention to a number of planning permissions in respect of other properties within the EIECA. I do not find these developments, which relate to extensions to or conversion of existing buildings, to be directly comparable with the current appeal proposal in respect of the form of development proposed or its relationship with neighbouring properties and the surrounding area.
 17. For the above reasons, the proposed development would fail to preserve or enhance the character or appearance of the East India Estate Conservation Area. It would harm its significance as a heritage asset. As such the appeal proposal does not accord with Policies SP4.1, SP4.2, SP4.11, SP4.12, SP4.13, DM10.1, DM10.7, DM13, DM18.1, DM18.2 and DM18.4 of the Croydon Local Plan 2018, the Conservation Area General Guidance SPD 2013 and the East India Estate Conservation Area Appraisal and Management Plan SPD 2014.
 18. These policies and supplementary planning documents, amongst other objectives, aim to ensure that development proposals comprise high quality design which preserves or enhances the overall character and appearance of conservation areas. This includes requiring new development to be well

integrated with, and respect and enhance, the local character and to contribute positively to the townscape, including having regard to the development pattern, layout and siting, density, appearance, materials, and built and natural features of the surrounding area, and requiring refuse and recycling facilities to be sensitively integrated within the building envelope or landscape and sited behind the building line. For similar reasons, the proposal would also be contrary to Policies of the National Planning Policy Framework (the Framework) which seek to secure high quality design as set out in Chapter 12.

19. In terms of the advice in paragraph 196 of the Framework, the harm to the conservation area would be 'less than substantial' affecting only the immediate surroundings, and the Framework sets out the need to address the 'less than substantial harm' in a balanced manner against the public benefits associated with the scheme.
20. The appeal proposal would be located in an accessible location, close to the community facilities and services and public transport connections in Addiscombe District Centre. The proposed additional residential unit would bring economic and social benefits, including construction jobs, increased local spend and a sustainably located home which would boost the supply of housing in an area of identified need, providing a three bedroom dwelling of a size identified by the Council as a priority. In such terms, though in the broad scheme of things a modest contribution, these factors can and should weigh modestly in favour of the proposals and can be considered within the context of paragraph 196 of the Framework, public benefits. However, these benefits are significantly and demonstrably outweighed by the aforementioned harm the development would cause to the character and appearance of the East India Estate Conservation Area.

Other Matters

21. The appellant refers to the Council's pre-application advice dated 30 October 2018, which was for a different scheme to the appeal proposal, and which did not have the Council's support. The appellant asserts that regard has been given to the pre-application advice in designing the appeal proposal. Notwithstanding this, I am not bound by the advice given by the Council prior to the submission of the planning application and it does not alter or outweigh my conclusion on the main issue.

Conclusion

22. For the reasons given above, I conclude that the appeal should be dismissed.

S Leonard

INSPECTOR