



Appeal Decision

Site visit made on 16 March 2020

by J Bowyer BSc(Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16th April 2020

Appeal Ref: APP/L5240/W/19/3243892

85 Coulsdon Road, Coulsdon CR5 2LD

- 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 R Spencer against the decision of the Council of the London Borough of Croydon.
 - The application Ref 19/03930/FUL, dated 19 August 2019, was refused by notice dated 14 October 2019.
 - The development proposed is demolition of the existing garage and alterations to the existing property. Erection of a detached two storey dwelling at the rear of 85 Coulsdon Road with associated parking, refuse and cycle storage.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues in this appeal are the effect of the proposed development on (i) the character and appearance of the Bradmore Green Conservation Area and (ii) the living conditions of the occupiers of 85 Coulsdon Road with particular regard to outlook and the provision of external amenity space.

Reasons

Character and Appearance of the Conservation Area

3. The appeal site is located on Coulsdon Road, and is within the Bradmore Green Conservation Area (CA). The CA centres around Bradmore Green and Grange Park. Together with surrounding open spaces including the bowling greens and Coulsdon Manor Golf Club which are close to the rear of the appeal site, these green spaces give a semi-rural feel to the area and provide a rich landscape setting for the buildings within the CA. The predominantly domestic scale of these buildings and the relatively large plots serving them further enhance the distinctive spacious character of the CA.
4. Much of the appeal site is screened from the street by fairly dense hedging to the front site boundary. However, there are views along the vehicular access from Coulsdon Road of the detached bungalow and garage on the site, as well as glimpsed views towards the rear garden. While I find that the existing buildings on the site make a neutral contribution to the CA, the generous spacing around the dwelling and the landscaped boundaries of the site contribute positively to its spacious and semi-rural character. This contribution is particularly evident in views from Coulsdon Road on the approach to the CA where the openness of the site is seen clearly across the adjacent car park.

5. As the site is within the Bradmore Green CA, I am required to pay special attention to the desirability of preserving or enhancing the character or appearance of that area in accordance with the statutory duty under s72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.
6. The appeal proposes subdivision of the site and the erection of a detached dwelling to the rear of 85 Coulsdon Road. Policy DM10 of the Croydon Local Plan 2018 (CLP) specifically requires at DM10.1 that development within the grounds of an existing building should be subservient to the retained building. To be subservient, the Council's Suburban Design Guide Supplementary Planning Document (SPD) 2019 further guides that where a development is within 18m of the rear of a property, it should be of a lower height. While I note that the proposed dwelling would be independent to No 85, neither CLP Policy DM10.1 nor the SPD indicate that the requirement for subservience applies only to ancillary buildings, and I can find little support for the appellant's suggestion that the guidance is not relevant to the appeal proposal.
7. The roof of the new dwelling is proposed to be level with the maximum height of that to No 85, conflicting with the guidance on height within the SPD. Moreover, most of the roof of the existing dwelling is set below the level of the highest part of its ridge. In contrast, the design of the proposed dwelling's roof with a large flat section and additional front and rear dormers would result in a larger spread of built form at this maximum height and would significantly increase its overall scale and visual impact. This would not be offset to any notable degree by the smaller footprint of the proposed dwelling given the fairly modest difference from No 85. The overall scale, bulk and mass of the proposed dwelling would therefore be disproportionate to the existing dwelling on the site, and would not accord with the requirement for subservience.
8. The proposed dwelling would for the most part be screened in views from the front of the appeal site by the existing dwelling and hedge to the boundary. Even so, the dwelling, and its bulky roof form in particular, would be clearly apparent in views from Coulsdon Road on the approach to the CA, with additional opportunities for glimpsed views of the development from within the CA through vegetation to the site boundaries.
9. Notwithstanding the proposed use of sympathetic materials, the presence of the development would inevitably reduce the current spacious setting to the rear of the existing dwelling. This reduction would be further compounded by the proximity of the development to the rear of No 85. While I note the differing orientations of these buildings, less than 10m separation is proposed. The resulting tight relationship between the dwelling and the rear of No 85 would be unusual. The close proximity of the development to the proposed plot boundaries as well as the short depth of the retained rear garden to No 85 would also be out of keeping with the more generous spacing around buildings that is typical in the CA. The proposed dwelling would therefore appear squeezed onto the site, and would significantly erode the distinctive open character of the appeal site and CA.
10. For these reasons, I find that the proposed dwelling would be a prominent and intrusive feature which would detract from the prevailing spacious character of the area. It would therefore cause harm to the character and appearance of the appeal site and Bradmore Green CA. The National Planning Policy Framework (the Framework) advises that heritage assets such as conservation areas are

an irreplaceable resource, and that great weight should be given to the conservation of a designated heritage asset when considering the impact of a development on its significance. In the terms of the Framework, the harm the development would cause to the significance of the CA would be less than substantial. Paragraph 196 of the Framework therefore indicates that this harm should be weighed against the public benefits of the proposal.

11. I acknowledge that no objections were raised by neighbouring occupiers, but this is a neutral factor and does not weigh in favour of the proposal. The appellant has also suggested that the development would contribute to the supply of relatively affordable housing in the Borough. I have no detailed evidence before me demonstrating that the dwelling would meet the definition of affordable housing as set out within national or local planning policy. However, the proposal would make effective use of the site within an existing residential area and the proposed dwelling would add to the supply of housing locally. While this would be a public benefit of the development, the extent of the benefit is tempered by the small contribution it would make to the supply of housing.
12. The harm to the significance of the CA would be less than substantial, but I nevertheless give this harm considerable importance and weight in accordance with the Framework. In this context, I find that the public benefits of the proposal would not outweigh the harm that it would cause.
13. In conclusion on this main issue, I find that the development would fail to preserve the character and appearance of the Bradmore Green CA. It would also conflict with Policies SP4.1, SP4.2, DM10 and DM18 of the CLP and Policies 7.1, 7.4, 7.6 and 7.8 of the London Plan – The Spatial Development Strategy for London Consolidated with Alterations Since 2011 (LP). The appellant has questioned the relevance of some of these policies, but together they broadly seek high quality development which reinforces and is sympathetic to local character and its context, and which conserves and enhances heritage assets. There would also be conflict with the Suburban Design Guide SPD, and with the Conservation Area General Guidance SPD 2013 which seeks development that is sensitive to its context.

Living Conditions

14. The proposal would reduce the size of the garden serving the existing dwelling, but the main parties indicate that around 606sqm would be retained for No 85. In area terms, this would far exceed the minimum requirements for external amenity space which are outlined within CLP Policy DM10.4. The Policy further advises that in the case of development within the grounds of an existing building, the host property should retain a garden with a minimum length of 10m. While this standard would not be met, I am satisfied given the large overall size and layout of the retained garden that there would remain adequate external private amenity space to serve the occupiers of No 85.
15. Notwithstanding this, as highlighted by the short depth of the retained garden to No 85, there would be very limited separation between the existing and proposed dwellings on the site. The proposed dwelling would extend across much of the width of the rear of No 85, and its roof form would give considerable mass to the upper part of the building. The overall scale and bulk of the proposed development at such close proximity to No 85 would combine

to result in a highly intrusive feature which would harm outlook from the rear of this dwelling, although the garden retained to its side would be less affected.

16. I note that the proposal includes alterations to the rear elevation of No 85 to demolish the existing conservatory and remove the rear patio doors but the rear elevation would still include a kitchen window facing the proposed development which would be the sole source of light and outlook for this room. The plans also suggest that the rear facing panels of the bay window to the rear bedroom would be obscured, but this would further diminish outlook for occupiers, and outlook to the canted sides of the bay would offer limited practical benefit given its shallow form and the small extent of clear glazing. The proposed alterations to the existing dwelling would not therefore mitigate the harm that the development would cause to outlook for occupiers.
17. Overall, I therefore conclude on this main issue that the proposal would result in poor outlook causing unacceptable harm to the living conditions of occupiers of 85 Coulsdon Road. Notwithstanding my findings that the amount of private amenity space to serve the existing dwelling would be adequate, the development would therefore conflict with Policy DM10 of the CLP and Policies 7.4 and 7.6 of the LP which seek, amongst other things, protection for the amenity of the occupiers of adjoining buildings and a positive relationship between buildings. There would also be conflict with the Suburban Design Guide SPD which similarly seeks to minimise impacts of development on neighbours.

Conclusion

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

J Bowyer

INSPECTOR