



Appeal Decision

Site visit made on 8 June 2020

by P W Clark MA(Oxon) MA(TRP) MRTPI MCMI

an Inspector appointed by the Secretary of State

Decision date: 8 July 2020

Appeal Ref: APP/L5240/W/20/3246598

1 Selsdon Park Road, South Croydon CR2 8JE

- 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 G Addy against the decision of the Council of the London Borough of Croydon.
 - The application Ref: 19/04028/FUL, dated 25 August 2019, was refused by notice dated 21 January 2020.
 - The development proposed is erection of 3 bedroom bungalow.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The application form describes the proposal as a three-bedroomed bungalow but the submitted drawings show a two-bedroomed bungalow. I have considered the appeal and reached my decision on the basis of the submitted drawings.
3. The Council's decision letter gives two reasons for refusal but its officer report recommends five. It appears that there was an error made when the decision was issued. The appellant's appeal statement encloses the officer report as an appendix and comments (under "other matters") on the matters raised in the missing reasons for refusal and so it is clear that the appellant is aware of the Council's concerns and so has not been prejudiced by the Council's error.

Main Issues

4. The Council's officer report (paragraph 6.3) recognises that the site is located within an existing residential area and, as such, providing that the proposal complies with all other relevant policies of the development plan, the principle of the development of the existing site is supported. It also accepts that, despite a technical contravention of Croydon Local Plan policy DM10.4, which is concerned with the size of garden area retained for an existing dwelling where part is released for development, the footprint of the development site represents a common sense approach to the split of the land (paragraph 6.4).
5. If I were to accept these conclusions without demur, there would be no question of whether the land should be developed, only issues surrounding how it is to be done. But, since 1990, nine planning applications have been made. Two have been granted for side and rear extensions and a conservatory. The

remainder have been refused (two for side extensions and five for building new flats or houses). This planning history suggests that the Council's conclusions about the availability of the site for development should not be accepted without discussion. The Council also appears to raise this question in paragraph 6.11 of its officer report, although it is not stated as a reason for refusal.

6. In relation to the current appeal proposal there are five other main issues. They are the effect of the proposal on;
- The significance and setting of Nos 1 and 3 Selsdon Park Road as a non-designated heritage asset
 - The living conditions of potential future occupants
 - The demand for, and provision of, refuse storage facilities
 - The demand for, and provision of, car parking facilities
 - Highway safety.

Reasons

Heritage

7. The Council's Supplementary Planning Document No1; Local List of Buildings of Architectural or Historic Interest offers five criteria, any two of which can justify the inclusion of a property on its local list. They are; authenticity, architectural significance, historical significance, technical significance and townscape value. There is no information to show which of these were the reason for the identification of numbers 1 and 3 Selsdon Park Road as heritage assets.
8. From my observation of the properties, I find that although windows have been replaced in two different styles on each property and an historic lean-to outbuilding has been removed from the flank of number 1, they appear to be an otherwise authentic pair of late nineteenth or early twentieth century cottages. Their architectural style could almost be described as "cottage ornée", fashionable a hundred years' earlier, manifest in the use of engaged dormers, bargeboards decorated in a saw-tooth pattern, decorated ridge tiles and the use of decorative brickwork. The last appears in the form of contrasting red brick quoins and architraves, string courses in which the stretchers are red and the headers are yellow, two styles of herringbone brickwork in the tympani of the dormer gables and the arches of the chimney stacks where the inner row of voussoirs are all red and the outer row alternate red and yellow bricks. The picturesque effect is offset by white paintwork and black or white rainwater goods.
9. As noted in a previous appeal decision (APP/L5240/A/04/1152058) the existing semi-detached dwelling has a wide and open side garden, which, in combination with the open side garden of the attached property, contributes to the open character and appearance of the surroundings of the pair of dwellings. To my mind, this openness is a part of the significance of these non-designated heritage assets since it demonstrates their former rural isolation and sets them apart from the generality of suburban development in the neighbourhood.
10. Any development on the side gardens would compromise that openness to a degree and so, cause harm to the significance of the heritage asset. But, the

appeal proposal would be set apart from the now fully exposed flank wall of the historic cottage by about 4.4m and so the full extent of the flank wall and the brickwork detailing of its chimney stacks would be visible from a position on the footway about half-way across the frontage of the new plot, allowing the technical skill of the brickwork to be appreciated, only gradually being obscured by the new development as one moved further away.

11. In other ways the proposal is not so respectful of the character of the heritage asset. As a bungalow, the proposal would occupy a greater footprint than were the same accommodation to be provided in a two-storey form. Consequently, the proposal would have both a greater width than a single one of the existing cottages and a greater depth than the main body of the cottages and so, would not appear subservient to the retained heritage asset as would be required by Croydon Local Plan policy DM10.1.
12. To avoid an excessively dominant roof over an extensive footprint, the pitch of the roof in the appeal proposal would be shallower than, and therefore at odds with, that of the heritage asset. Even so, the height of the ridge line above the eaves would be noticeably greater than the height of the ridge line of the heritage building above its eaves. To avoid the appearance of an overly dominant roof, the proposal would be given a hipped form but with its ridge running at right angles to the road, again at odds with and therefore disrespecting the gable-ended form of the heritage asset whose ridge runs parallel to the road.
13. Although the proposal would adopt some of the brick details of the heritage building, such as quoins and window architraves, the proportions of the window openings would be horizontal and so would be at odds with the vertical proportions of the window openings in the heritage building.
14. I therefore conclude that the proposal would harm the significance of the heritage asset by compromising its sense of a spacious setting and by taking a form which would be at odds with, but in fairly close proximity to, that of the heritage asset. It would therefore be contrary to Croydon Local Plan policies DM18.1 and DM18.5b which require development to preserve or enhance the significance of a heritage asset, its setting and features.

Living conditions

15. The Council's officer report confirms, and I agree, that in quantitative terms the amenity space proposed to remain for the existing dwelling and to be provided for the proposed dwelling would be adequate. The issue is whether it would be qualitatively adequate in terms of potential overlooking from neighbours in Edgcombe.
16. I agree that the flats at number 4 Edgcombe, to the side of number 1 have short rear gardens, about 7m long, whereas at least 10m is more normal. It is also true that the land which would be part of the garden of the new proposal is currently used as a parking area and not for sitting out. But, there is a tall, close-boarded fence around the garden area which would give privacy and, in any event, the garden to the side of the proposal would not be private since it would be directly visible from the public highway and would be a secondary garden, not directly accessed by any principal habitable room. No habitable room window would be formed in the flank façade of the proposal, so there is no question of window to window overlooking.

17. To the rear of the proposal, the flats at number 6 Edgecoombe have slightly longer rear gardens but terminating in dense planting, some of it evergreen, which effectively blocks views into the land which is the existing rear garden of number 1 and would remain as the rear garden of the proposed dwelling. Effectively therefore, there would be no change to any overlooking of this section of the rear garden of number 1. In any event, the more private patio area of the proposed dwelling's garden would be at an angle from any line of view from the upper windows of 6 Edgecoombe and so would not be subject to direct overlooking.
18. I therefore conclude that the provision of amenity space would be adequate to provide satisfactory living conditions to potential future occupants of the appeal proposal. It would therefore comply with Croydon Local Plan policy DM10.6 which requires no direct overlooking of private space within 10m.

Refuse facilities

19. The submitted plan shows a location for bin stores at the rear of the proposal, beyond the distance within which refuse collections would normally be made. But it is common for householders to move their bins from storage to a place where they would be collected on refuse collection days and so, this should not be a reason for dismissing the appeal. In any event there is ample space around the curtilage of the proposal where bins could be stored within collection distance. If I were minded to allow this appeal, a condition could require the submission of alternative details. I conclude that arrangements for refuse storage and collection could be made adequate.

Parking facilities and highway safety

20. Two off-street parking spaces are shown on the submitted plans which would allow for one each to be allocated to the existing and proposed dwellings. There is room for more to be provided, albeit in tandem, if there were demand.
21. There is concern that the layout proposed would not allow for cars to be turned on site so that they could both enter and leave in a forwards direction. Selsdon Park Road is a classified A road and can be expected to be busy but there is no information to show that flows exceed 10,000 vehicles per day which is the limit recommended by the government's Manual for Streets for providing direct access onto roads with a 30mph speed restriction.
22. Although Selsdon Park Road itself has very limited direct frontage access, I observed that immediately to the west of the site, where the A2022 becomes Addington Road, most dwellings have direct frontage access, few of which provide for vehicles to be turned around on site. There is no information to show that these have been the cause of traffic accidents. I therefore conclude that the proposal would provide adequate space for parking cars and would not cause an undue risk to highway safety.

Conclusions

23. This proposal would be acceptable in all but heritage considerations. Paragraph 197 of the National Planning Policy Framework advises that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced

judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

24. Although the heritage asset in this case is not a designated asset protected by statute, it is nevertheless of significance both for its architecture and as representative of a pair of isolated rural cottages predating the suburban development of Croydon. The principal benefit of this appeal proposal is that it would add one dwelling towards the supply of new housing in Croydon. It is government policy to boost the supply of housing, so that benefit must be deemed to be considerable. I accept that a degree of loss of spaciousness around the site may be a necessary price to pay for obtaining that benefit but this proposal would not only result in that harm but it would cause additional harm by providing in place of spaciousness a quite inappropriately designed companion for the heritage asset with which it would be seen in common. I therefore dismiss the appeal.

P. W. Clark

Inspector