



## Appeal Decision

Site visit made on 6 July 2021

by **D Cramond** BSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23 July 2021

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### Appeal Ref: **APP/L5240/W/20/3264505**

#### **15A Russell Hill, Purley, CR8 2JB**

- 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 Russell Hill Ltd against the decision of London Borough of Croydon.
  - The application Ref 20/03755/FUL, dated 18 August 2020, was refused by notice dated 16 October 2020.
  - The development proposed is the demolition of existing single storey detached dwellinghouse (with roof accommodation) including demolition of detached garage and erection of a three storey building comprising 9 self-contained flats; private/communal and play space; hard and soft landscaping; boundary treatment; reinstatement of existing crossover and new crossover to provide forecourt parking; cycle and refuse provision and land level alterations including raising to the front.
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### Decision

1. The appeal is dismissed.

### Application for Costs

2. An application for costs has been made by the Appellant against the Council. This application is the subject of a separate decision.

### Main Issues

3. I consider the main issues are the effects of the proposal on:
  - character and appearance of the locality;
  - living conditions for future occupiers; and
  - tree retention and replacement.

### Reasons

4. The appeal site is a dilapidated detached bungalow, garage and overgrown garden on the southern side of Russell Hill with direct pedestrian and vehicular access. The dwelling sits low relative the street and there is a sense of treed enclosure. Plot depth is appreciably less than the immediate norm. Russell Hill is characterised by a mixture of dwelling types and sizes with a number of blocks of flats that have been built in recent years. It is an area of change but nevertheless retains its good quality residential character and attractive appearance, not least through prevalent vegetation. The proposal is as described above.
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### *Character and appearance*

5. The scheme proposes major changes to the form of this relatively restricted site. Unfortunately, these changes are far from sympathetic or subtle. Little account is taken of any wish to try and work with levels and major change and build-up of earthworks are proposed. The roof level would be a consistent line in contrast to the road alignment. Elevations would plunge in ungainly fashion. The scheme would appear relatively tight to boundaries. Existing or new trees would lack space to display away from the built form. The frontage would be of dominating hard surfaces, car spaces, storage, raised ground, and with very little scope for new significant planting when a sylvan road edge is a local characteristic. There might be some mitigation if one could describe the design as being of interest or rooted in the place but regrettably it is ordinary, block-like, poorly fenestrated and of limited visual quality.
6. In summary the scheme would portray the characteristics of over-development of the site and inappropriateness to its context; the proposal would introduce a negative element to the area and the street scene.
7. The appeal site has outline planning permission for a scheme of 6 flats and one of the arguments put by the Appellant is that the current proposal would cause materially no more harm to the spatial character of the area than illustrated by that permission. I would respectfully disagree. I have to assess the appeal scheme on its own merits but feel I should respond to the Appellant's case. Whilst the outline scheme was to my mind near or at the limits of acceptability the current proposal goes well beyond that in three dimensional terms, ground contouring, site coverage, hard surfacing, and limitations on scope for trees and soft landscaping.
8. I do take the Appellant's point about the ridge line height being in accord with the 'relativity to neighbouring properties test' in the Croydon Suburban Design Guide SPD (2019) (SPD). However, to achieve good design one also has to consider roofscape and heights in a three dimensional context, having regard to overall bulk, street alignment and contours, and architectural approach.
9. In all the circumstances I conclude that the proposal would run contrary to Policy DM10 of the Croydon Local Plan 2018 (LP), Policies 7.4 and 7.6 of the London Plan (TLP) and objectives of the SPD which all aim to ensure that new development is well designed and aesthetically appropriate.

### *Living conditions*

10. The relatively tight physical constraints and form of this site means that whilst notional mathematical quantum would be reached the actual scope for meaningful outdoor amenity and play space would be limited and contrived in shape and position. There would be little space away from private accommodation to prevent disturbance or privacy loss and generally considerable overshadowing from trees or limitations on sunlight due to orientation. Similarly private amenity space at lower or northern levels would be of poor quality whilst Unit 1 in particular would have unfortunate room and glazing arrangements not conducive to an environment with good quality daylight.
11. Given the foregoing I therefore conclude that the scheme would conflict with LP Policies SP4 and DM10, LTP Policy 3.5 and pertinent objectives of the SPD. Taken together and amongst other matters, these all seek to ensure that

development safeguards and provides for good quality residential amenity and well-being.

*Trees*

12. I have carefully considered the tree related information provided. I can appreciate the arboricultural technical case put forward but I would wish to take a wider view than this. The fact is that a number of retained trees on site, and neighbouring, would be very close to built form and/or level changes and/or hard surface and thus at risk. They would also be close to, and shading, some or most outside amenity space and areas of principal elevation thus with pressure for future rectification albeit the decision on this would be in the Council's hands. Furthermore, the removal of the planned quantity of trees, even of lower categories, will lessen the verdant qualities of the locality. The replacement planting would simply not be generous enough in numerical or spatial terms; and it cannot be because of the site constraints and the form and scale of development which is being sought. The verdant ambiance would markedly decline as a result of the appeal proposal.
13. Having regard to these matters I conclude that the scheme would conflict with LP Policies SP4, SP7 and DM10, LTP Policy 7.21 and relevant elements of the SPD. Taken together and amongst other matters, these all seek to ensure new development would mean that trees and woodland are protected, maintained and enhanced; local natural character and landscape is protected; and natural features may flourish.

*Other matters*

14. I recognise that there are a number of technical and environmental issues that are not in dispute and it is clear that the Appellant has provided much thoughtful supporting material. I do appreciate the social and economic benefits, and the policy thrust, relating to the provision of additional homes and I give this due weight but, in this instance, the environmental and other impacts which I have described outweigh the positive factors.
15. I have carefully considered all the points raised by the Appellant but these matters do not outweigh the concerns which I have in relation to the main issues identified above.
16. I confirm that policies in the National Planning Policy Framework have been considered. Key objectives of the document are to safeguard qualities of the built and natural environments and living conditions for people and the development plan policies and guidance to which I refer mirror this.

*Overall conclusion*

17. For the reasons given above I conclude that the appeal proposal would have unacceptable adverse effects on the character and appearance of the locality, living conditions for future occupiers, and tree retention and replacement. Accordingly, the appeal is dismissed.

*D Cramond*

INSPECTOR