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# Appeal Decision

Site Visit made on 20 July 2021

**by Stewart Glassar BSc (Hons) MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 01 OCTOBER 2021**

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**Appeal Ref: APP/L5240/W/21/3269228**

**21 Cliff End, Purley CR8 1BP**

- 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 Mrs Zoe Lister against the decision of the Council of the London Borough of Croydon.
  - The application Ref 20/03578/FUL, dated 10 August 2020, was refused by notice dated 2 October 2020.
  - The development proposed is the demolition of outbuilding: erection of two storey four bedroom detached house with accommodation in roofspace and lower ground floor and raised patio. Formation of pedestrian access.
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## Decision

1. The appeal is dismissed.

## Preliminary Matters

2. Between the determination of the planning application and the appeal coming before me, the new London Plan<sup>1</sup> and a revised Framework<sup>2</sup> were published. The Council has subsequently indicated that Policy D3 of the new Plan is relevant to this appeal. The views of the appellant have been sought on the new London Plan and I have referred to it in my findings. Similarly, both main parties have had an opportunity to comment on the revised Framework.

## Main Issue

3. The main issue is the effect of the proposed development on the character and appearance of the area.

## Reasons

4. Due to the sloping topography of the area, the houses on the south western side of Cliff End are sited such that their lower parts are generally below road level. As a result, it is the upper parts of these houses, and in particular their roofs, which contribute most to the street scene. In contrast, those houses on the north eastern side sit above road level. Despite the road not being overly wide, this difference in levels helps to create a sense of spaciousness which is reinforced by the houses generally being set back within their plots.
5. The appeal site is on the south western side of Cliff End, where the houses have a variety of styles and sizes. Although the ridge heights are not all the same, nor are the gaps between the roofs, the variance is not overt. As a

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<sup>1</sup> The London Plan 2021

<sup>2</sup> National Planning Policy Framework (2021)

consequence, it is a combination of the large roof forms and the spaces between them that contribute most clearly to the street scene. All these factors when taken together, along with the existing street trees and boundary planting which exists, gives the area a verdant and spacious character that contributes positively to the area.

6. The appeal site is relatively narrow in comparison to most plots in Cliff End. The proposed dwelling would be positioned either side of existing dwellings which have side gables that contain windows. As a result, the roof design is somewhat contrived, with high sided eaves and a front dormer that dominates the front roof slope. These features only serve to emphasise the narrowness of the house when compared to the neighbouring dwellings and the street as a whole.
7. Whilst there is variety within the street scene, and this contributes positively to its character, the proposed building would appear very obviously squeezed in. The existing roofscape created by the larger roof forms and spaces between them would be disrupted and the spacious character diminished. The proposed dwelling would appear sufficiently out of keeping with the pattern of development, so as to cause harm to the character and appearance of the area.
8. Accordingly, it would be contrary to Policies SP4.1 and DM10 of the Local Plan<sup>3</sup> and Policy D3 of the London Plan, which amongst other things, seek to ensure that such development respects the local character and positively responds to local distinctiveness. I have also had regard to the Council's Design Guide<sup>4</sup>, which amongst other things, seeks to ensure that the existing pattern along a street is respected and that the sense of a place that defines its character is enhanced.

### **Other Matters**

9. The appellant points to a number of issues, such as the principle of the development, parking, standard of accommodation, landscaping etc. which are said not to be in dispute. However, these would represent a lack of harm and as such, are neutral considerations in any balance.
10. Similarly, the appellant highlights the use of matching materials, the fenestration detailing and boundary treatment to illustrate how the building would assimilate into the street scene. In addition, the building to plot ratio is said to be comparable to other properties in the vicinity. However, these factors do not overcome the narrowness of the site or of the proposed building, which would remain significant contributory factors to the identified harm.
11. The appellant highlighted that the existing gap between 21 and 23 Cliff End is larger than most others along the road. However, it contributes positively to the spacious character of the area, whereas the proposed dwelling would appear awkward and out of keeping with this prevailing character.
12. The appellant identifies 23 and 25 Cliff End as each being of similar width to the appeal proposal. However, these are a pair of semi-detached dwellings and so appear within the street scene as a single roof form. Unlike the appeal

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<sup>3</sup> Croydon Local Plan (2018)

<sup>4</sup> Suburban Design Guide – Supplementary Planning Document (2019)

proposal, their individual widths are not so obviously apparent and as one built form, sit comfortably within the wider street scene.

13. As the appellant points out, a number of houses in Cliff End have garages/outbuildings/raised parking areas positioned between properties. However, their sizes and lower heights generally mean that they are not particularly prominent within the street scene. As incidental structures they do not interrupt the wider roofscape or the spaces between them and so do not harm the character of the area in the same way the appeal proposals would.
14. There are a number of newer dwellings which are visible within the street scene that are testament to how streets can change over time. However, these appear to assimilate acceptably in terms of their design and do not, based on what I have seen, harm the character and appearance of the street scene in the same way the appeal proposals would. They do not therefore lead me to allowing the appeal.

### **Planning Balance and Conclusion**

15. The Government's objective is to significantly boost the supply of housing and the proposal would provide a single dwelling with adequate access to services. The proposal would also accord with the Framework's support for windfall sites. However, given the small scale of the proposal, the provision of this additional house would attract only modest weight. The scheme would also lead to a small and time-limited economic benefit during the construction phase, which may give rise to extra local employment.
16. Conversely, I have found harm in relation to the effect of the proposed development on the character and appearance of the area. This harm is significant and as a consequence worthy of substantial weight that would outweigh the benefits associated with the proposed development.
17. The proposal would conflict with the development plan taken as a whole. There are no material considerations that indicate the decision should be made other than in accordance with the development plan. Therefore, for the reasons given, I conclude that the appeal should not succeed.

*Stewart Glassar*

INSPECTOR