
Appeal Decision

Site visit made on 22 September 2021

by C Coyne BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 06/12/2021

Appeal Ref: APP/L5240/W/21/3272631

11 Combe Wood Hill, Purley CR8 1JP

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application for outline planning permission.
 - The appeal is made by Tomas Pohnetal (Aspect Homes London) against the Council of the London Borough of Croydon.
 - The application Ref 21/00002/OUT, is dated 1 January 2021.
 - The development proposed is Redevelopment and sub-division of site to provide 2x two storey semi detached dwelling houses (2 x 4-bed), involving associated parking, cycle parking, refuse storage and landscaping.
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Decision

1. The appeal is dismissed and outline planning permission is refused.

Procedural Matters

2. The application is for outline planning permission, with all matters reserved for future consideration. An indicative site layout and other indicative plans were submitted with the application and I have taken these into account only in so far as determining the acceptability, in land use principle terms, of erecting two dwellings on the site.
3. The appeal relates to a planning application that was not determined by the Council within the prescribed period. The Council have subsequently issued a statement for the purposes of this appeal highlighting that it would have refused the application for planning permission on three grounds. I have had regard to this statement for the residential development of the site in framing the main issues. In addition, the appellant has had an opportunity to comment on this statement, so I am satisfied they have not been prejudiced by this.
4. On 20 July 2021 a revised version of the National Planning Policy Framework (the Framework) was published. However, as the main parties have had an opportunity to comment on this matter and I also am satisfied that neither party has been prejudiced in this regard.
5. Since the determination of the original application the London Plan 2021 (a Replacement Plan) has been published by the Mayor. This London Plan (LP) replaces all previous versions. The new LP is clearly referred to within the Council's submissions. A copy of the relevant new LP policies was also submitted with the Council's statement which the appellant has had an opportunity to comment on. Therefore, I am satisfied that no party has been prejudiced in this regard either.

Main Issues

6. The main issues are:

- The effect of the proposed development on the character and appearance of the area; and
- The effect of the proposed parking arrangements on highway safety.

Reasons

Character and Appearance

7. The appeal property is a detached 1.5 storey dwelling set within a row of other detached dwellings on this part of Coombe Wood Hill. The rest of the properties on this side of the street comprise similar detached dwellings with front and rear gardens. Each of these dwellings has a reasonably sized plot meaning that the ratio of their built-form does not look out of proportion by being either visually too large or too small.
8. The indicative proposed scheme would replace the existing dwelling with two 2.5 storey semi-detached dwellings. Given their indicative design, scale and built-form as a whole these dwellings would be visually in proportion with the overall size of the appeal site as a development plot. However, when considered individually, each of these semi-detached dwellings would potentially have an indicative built-form to plot ratio that would be much smaller than that of the other properties on this part of Coombe Wood Hill, even the other semi-detached dwellings nearby.
9. While there are other semi-detached dwellings on the other side of the street and elsewhere in the wider area, these each have a footprint like the appeal property and the other detached properties in the area whereas the respective footprints of each of the indicatively proposed dwellings would be smaller. Each of their respective plots would also be narrower than those of the other properties on the street. As a result, their plot ratios would be out of proportion when compared with those of the rest of the properties in the area.
10. Consequently, I find that the indicative proposal would represent an incongruous addition to the street scene that would have a significant adverse visual impact. Furthermore, for similar reasons I also find that it would potentially represent a cramped form of development that would be at odds with the prevailing established pattern in the area.
11. The Council have also raised a concern in relation to the potential impact that the proposal would have on the roots of the street tree located to the front of the appeal property. However, they have not submitted any substantive evidence to demonstrate that this would be the case so I cannot be certain that the proposal would cause sufficient damage to the tree for it to have an unacceptable adverse visual impact in this regard.
12. In any event, given my findings above, I therefore conclude that the indicative proposed development would materially harm the character and appearance of the area. Accordingly, it would not meet the design and character requirements of policies SP4.1 and DM10 of the adopted Croydon Local Plan (CLP) as supported by the Suburban Design Guide Supplementary Planning Document

(SPD). It would also conflict with policy D4 of the LP. It would however not conflict with policy DM28 of the CLP.

Highway Safety

13. The Council have raised concerns that the indicative proposal would cause harm to highway safety by having an adverse impact on parking stress levels in the area and that the proposed new vehicular crossover would be too close to the existing street tree to the front of the appeal property. However, no substantive evidence has been submitted such as a parking stress survey or visibility splay analysis report to demonstrate that this would be the case. As a result, I cannot be certain that the indicative proposal would have an adverse impact in these regards.
14. I therefore conclude that the indicative proposed development would not materially harm highway safety. Accordingly, it would not conflict with policies SP8, DM29, and DM30 of the CLP as supported by the SPD. For similar reasons it would also not conflict with Policy T6 of the LP.

Conclusion

15. The fact that the indicative proposed development would not conflict with policy DM28 of the CLP or would not cause harm to highway safety does not alter, overcome, or outweigh the substantial harm that the principle of erecting two dwellings as indicated on the appeal site would cause to the character and appearance of the area.
16. Consequently, it would not accord with the development plan when read as a whole and the adverse impacts of granting planning permission would significantly and demonstrably outweigh the benefits when assessed against the policies contained within it.
17. Furthermore, there are no material considerations which indicate a decision otherwise than in accordance with the development plan. Therefore, for the reasons set out above, I conclude that the appeal should be dismissed.

C Coyne

INSPECTOR