



Appeal Decision

Site visit made on 3 May 2022

by E Grierson BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 30 May 2022

Appeal Ref: APP/L5240/W/21/3286648

81 The Glade, Croydon CR0 7QN

- 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 Davies (Redbanksia) against the decision of London Borough of Croydon.
 - The application Ref 21/00108/FUL, dated 6 January 2021, was refused by notice dated 28 October 2021.
 - The development proposed is the demolition of 81 The Glade and redevelopment of the site to provide a four-storey building comprising 9 flats, associated landscaping works and re-location of crossover access.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposed development on:
 - the character and appearance of the surrounding area, and
 - the living conditions of the occupiers of the neighbouring dwellings, with regard to outlook and light.

Reasons

Character and Appearance

3. The appeal site is currently occupied by a two-storey detached dwelling located on a large corner plot on the junction of The Glade and Lorne Gardens. The surrounding area is residential in nature largely comprised of two-storey or single storey self-contained dwellings.
4. The appellant has taken guidance from the Croydon Suburban Design Guide Supplementary Planning Document (SPD) (2019) which states that the redevelopment of corner plots should seek to include an additional storey to the 3 storeys recommended in the Croydon Local Plan (2018) Policy DM10.1. This has resulted in a proposed building of a significant size, with four storeys and a substantial depth and width which is much larger than the majority of other buildings within the area.
5. Although an additional storey is encouraged on corner plots within the SPD, Policy DM10.1 still requires proposals to respect the scale, height, massing and density of the surrounding area.

6. Only the roofspace would sit at a greater height than the dwelling at 83 The Glade. However, the eaves height of the proposed building would be much greater than that of its neighbouring dwelling. It would therefore appear considerably taller and bulkier than the dwelling at No.83, and other properties along this section of The Glade, and not as a gradual or subtle increase in height which would assimilate into the streetscene.
7. Whilst fronting The Glade, the proposal would also have a relationship with the properties to the rear on Lorne Gardens, which is a narrow street comprised of modestly sized and uniform semi-detached and detached dwellings. The proposal would be slightly set back from the pavement on Lorne Gardens with a staggered rear elevation intended to reduce the sense of massing. However, the significant scale of the proposed building, compared to the dwellings on Lorne Gardens, would still dominate the neighbouring properties and would be wholly out of keeping with the current character of this road.
8. Therefore, the height of the proposed building, when combined with its significant bulk and massing, would create an overly large and dominant addition within the streetscene, which would appear distinctly at odds with the surrounding properties.
9. The policy requirement to optimise site capacity is noted. However, this must respond to the existing character of a place with the incremental densification supported in Policy D3 of The London Plan (2021). Although the appeal site is located on a corner plot, it is not an overly prominent or highly used junction, where a higher density may be more appropriate. Therefore, a building of this scale would erode the character of the area and represent an overly dense form of development in this suburban setting.
10. It is noted that the existing dwelling makes little contribution to the streetscene and a suitable replacement may help to enhance the character and appearance of the area. The modern and simple design, including a front gable, inset balconies and a high level of planting, are to be commended. However, I do not agree that a building of lesser scale would fail to create the townscape marker which the appellant is seeking.
11. In conclusion, due to its significant height and massing compared to the surrounding lower density residential buildings, the proposed development would result in significant harm to the character and appearance of the area and would conflict with Policies SP4 and DM10 of the Croydon Local Plan (2018) and Policies D1 and D3 of The London Plan (2021). These policies collectively seek to ensure that new development respects and enhances the varied local character and whilst seeking to achieve a minimum height of 3 storeys should respect the scale, height, massing and density of the surrounding area and consideration of the design options to determine the most appropriate form of development that responds to the site's context and capacity for growth.

Living Conditions

12. The Croydon Suburban Design Guide SPD (2019) states that there should be a separation distance of 18 metres between new dwellings to third party existing dwellings. However, the guidance specifically states that this is a back-to-back distance. The rear elevation of the proposed building would be approximately 12 metres from the side boundary of the nearest property on Lorne Gardens, largely facing the front garden and driveway of this neighbouring dwelling.

Whilst the proposed building would be significantly larger in scale and mass than the neighbouring dwellings, due to the positioning of the proposal in relation to the neighbouring property on Lorne Gardens, a separation distance of 12 metres would be sufficient to prevent any loss of outlook to the neighbouring occupiers.

13. Whilst not within the Council's reasons for refusal, a third party has raised concerns regarding the impact of the proposed development on the neighbouring property, 83 The Glade, indicating that the proposal would fail to meet the 45-degree rule in relation to this neighbouring dwelling. However, whilst useful, the 45-degree rule is for guidance only. The proposal is separated from the shared boundary with No.83, with the parts of the development extending beyond the rear building line of this neighbouring property set further away from the boundary and stepping down in height. Therefore, although the proposal may not meet the 45-degree rule on a horizontal plane, the proposed development would not have a significant impact on the outlook from the neighbouring occupiers at No.83 or the light which that dwelling would receive.
14. Consequently, the proposed development would not harm the living conditions of the occupiers of the neighbouring dwelling and would accord with Policy DM10.6 of the Croydon Local Plan (2018) which seeks to ensure that the amenity of the occupiers of adjoining buildings is protected.

Other Matters

15. The proposal would provide an additional 8 dwellings on the appeal site, including some suitable for families. Whilst this would clearly bring some social and economic benefits to the local area and aid national targets for new housing, it has not been demonstrated that there is a local requirement for new housing of this type. Therefore, in this instance, the benefits of providing new dwellings would not outweigh the significant harm found to the character and appearance of the area.
16. The appellant has indicated that a smaller scheme on the appeal site would not be viable and states that the refusal of the current scheme would forgo the opportunity to provide additional homes. However, no evidence has been provided to support this claim. Nevertheless, in this case, a lack of a viable alternative would not overcome the harm that I have identified.
17. A number of developments have been brought to my attention which are similar to the development proposed and the appellant claims set a precedent for the appeal proposal. Although it is noted that these developments are also flatted blocks on corner plots, they are all some distance from the appeal site and within different settings, where little information on the character of the area has been provided. The development at 37 Woodmere Avenue is located closest to the appeal site. However, this is a two-storey building with roofspace accommodation, less than the development proposed. Therefore, I do not consider that these examples set a valid precedent for the appeal proposal before me.

Conclusion

18. Whilst I have found that the proposal would not have a significant effect on the living conditions of neighbouring occupiers, this is a neutral factor and does not

outweigh the harm the proposal would have on the character and appearance of the surrounding area. Therefore, for the reasons given above and having had regard to all other matters raised, the proposal would conflict with the development plan taken as a whole and I conclude that the appeal should be dismissed.

E Grierson

INSPECTOR