

Appeal Decision

Site visit made on 25 July 2022

by R C Shrimplin MA(Cantab) DipArch RIBA FRTPI FCI Arb MCIL

an Inspector appointed by the Secretary of State

Decision date: 15 September 2022.

Appeal Reference: APP/L5240/W/21/3288074

Land at 5 The Avenue, Coulsdon CR5 2BN

- 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 Surrey Land Ltd against the decision of the Council of the London Borough of Croydon.
 - The application (reference 21/02660/FUL, dated 19 May 2021) was refused by notice dated 29 July 2021.
 - The development proposed is described in the application form as follows: "demolition of double garage/outbuilding and construction of one detached dwellinghouse with accommodation in the roofspace, and provision of parking".
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Decision

1. The appeal is dismissed.

Preliminary points

2. Notwithstanding the description of the proposed development that was given in the application form, the nature of the proposal can more clearly be expressed as set out in the decision notice and the appeal form, as follows: "*Demolition of double garage/outbuilding, alterations including alterations to land levels, erection of detached two/three storey dwellinghouse with dormer extension on the rear roof slope including accommodation in the roofspace with associated parking, refuse store and cycle store*".

Main issues

3. The first main issue to be determined in this appeal is the effect of the proposed development on the character and appearance of the surroundings. The second is the effect of the proposed development on the residential amenities of neighbours, including the existing house at this address (whether the proposed new house would be visually intrusive or overbearing to an unacceptable degree). Thirdly, in relation to the site layout, it is necessary to consider whether adequate provision would be made for refuse storage within the site and for access and parking.

Reasons

4. The appeal site is located in a closely built-up part of Coulsdon, north of the centre but with good access to shops and services and within easy walking distance of Coulsdon Town railway station. The Avenue runs approximately

east to west and the topography has a marked slope, both along the length of the road and on each side. Properties along the road frontages are varied in character, including both detached and semi-detached houses, and it appears that some may be later insertions into the original layout. Many of the front gardens have been paved, to permit on-site parking, but the streetscene is attractive, nonetheless.

5. The houses in The Avenue are generally constructed in traditional forms and materials, with pitched roofs and rendered or brickwork external walls.
6. Number 5 The Avenue is a semi-detached house, with number 7, located on the south side of the road. It has rendered walls under a pitched, tiled roof. Like its neighbours, it is set back from the roadside, behind a modest front garden, with a longer back garden sloping down to the railway line to the rear (south). This property also has a wide garden at the side, however, which includes a driveway through to a large "garage or outbuilding" that is located further to the rear than the house itself.
7. The land levels on the site are complex. There is a marked slope towards the rear (south) but the side garden area is at a significantly higher level than the neighbouring land at number 3, to the east.
8. It is now proposed to demolish the "garage or outbuilding" and to carry out alterations to the existing house and the land levels, thus creating a clearer space for a new construction alongside number 5. In this area, a new house would be built, with a two-storey street elevation to eaves level but incorporating a bedroom and en-suite bathroom at attic level (partly in a dormer construction on the rear roof slope) and additional living accommodation at lower ground floor level, opening onto the back garden. The scheme would also include access and parking provision and ancillary storage facilities.
9. The 'National Planning Policy Framework' (which was revised in July 2021) emphasises the aim of "achieving well designed places" in the broadest sense (notably at Section 12), while making effective use of land and encouraging economic activity. It is aimed at achieving good design standards generally, by adding to the overall quality of the area and being visually attractive and sympathetic to local character and history, although it is also recognised that appropriate change may include increased densities. It encourages high design standards generally, which includes protecting existing residential amenities and providing good standards of accommodation.
10. Under the broad heading "Promoting sustainable transport", Section 9 of the revised 'National Planning Policy Framework' (2021) deals with a number of transport related issues. Among other things, it points out the need to prevent significant impacts on highway safety. It is intended that congestion ought to be reduced (and hence that new development should not inhibit the free flow of traffic, in principle), but it is of particular importance to ensure that "safe and suitable access to the site can be achieved for all users" (paragraph 110).
11. Policies in the Development Plan reflect these basic considerations.
12. In particular, Policy D3 of 'The London Plan' (dated March 2021) promotes a "design-led approach" to development and identifies some important design

- criteria, including the need to “deliver appropriate outlook, privacy and amenity”. Policy D4 is specifically concerned with “Delivering Good Design and Policy D6 includes specific design standards.
13. Similarly, Policies SP4 and DM10 of the ‘Croydon Local Plan 2018’ focus on “urban design and local character” and “design and character”, respectively.
 14. In respect of highway issues, Policies T4 and T6 of ‘The London Plan’ are relevant, being concerned with traffic and car parking issues (including an intention to limit car parking spaces in appropriate circumstances). Policies SP8, DM29 and DM30 of the ‘Croydon Local Plan 2018’ have similar aims. Of course, an underlying principle in the planning policies is a need to ensure highway safety.
 15. The Council’s ‘Suburban Design Guide Supplementary Planning Document’ (dated 2018) is also relevant, but it does not have the force of the statutory Development Plan.
 16. The proposed development would require initial groundworks to establish new site levels for the plot to be created, as well as alterations to the existing house to provide additional width for the new plot. The angled layout of the existing site is unusual but the proposed plot would be similar in width to some others in the vicinity (even though it would be narrower than most). The new house would take up most of the width of the plot, however, and the front gardens of both the new plot and the existing house would be dedicated primarily to on-site car parking.
 17. In consequence, the proposed development would appear somewhat cramped on its site and would bring about a hardening of the streetscene, which would be even more dominated by hard surfaces and by the built-up frontages. There would be a less open frontage and less relief by soft landscaping, especially in the light of the proposal for bicycle storage (which is addressed below).
 18. The proposed new house itself would be conventional in appearance and the design would fit in with the existing townscape. Nevertheless, the cumulative effect of various aspects of the project on the density of the development along the street would be to harm the character and appearance of the streetscene and would undermine planning policies that are intended to promote good design in the widest sense.
 19. The new building would have some impact on the residential amenities of its nearest neighbours. It would be located approximately in line with the houses either side, taking account of the echelon layout that has been adopted in this part of The Avenue, and would not intrude unduly on either the front or rear elevations of the buildings either side, or on their respective front and rear gardens.
 20. The side (east) elevation of number 5 does have a number of windows that would be affected, however. On the ground floor the affected windows would include the secondary window to the living room and the door and windows serving the entrance hall, while on the first floor the affected windows serve bathrooms.

21. On the second floor, the main window to the existing attic bedroom would be affected, since it would face the flank of the dormer construction that is proposed at roof level on the new building, rather than overlooking the flat roof at its lower ground floor level. Even though the attic bedroom at number 5 is also served by a rooflight on the rear roof slope, this would be a significant reduction in amenity for future occupiers.
22. This is a habitable room and the impact, as shown, would be important to the quality of life in the house. It is argued that this room can be considered to be a guest bedroom, used primarily during the hours of darkness, but I do not accept this argument. The bedroom may well provide a private space for a member of the household (now or in the future) and a satisfactory standard of accommodation ought to be provided.
23. The new plot itself would have a reasonable size of back garden, but access from the road for bicycles and wheelie bins would be difficult, as a result of the marked alteration to levels that is proposed. In consequence, the submitted drawings indicate that refuse and recycling bins could be placed behind a gate on the west side of the new building, while bicycles could be stored in a "storage cabinet" at the front.
24. A bicycle store at the front of the new house would significantly reduce the space available for planting and would thus generate a hard and unattractive section of the road frontage where, currently, there is a softer and more open visual element. In view of all this, I have formed the view that a more effective solution for the site layout would be needed, to mitigate the scale of any proposed development.
25. A concern has also been raised about vehicular access to the site but I accept that the arrangements for this would be similar to accesses for other sites in the locality. I am not persuaded that cars ought necessarily to both enter and leave the site in forward gear and I am convinced that this matter could have been left to a landscaping and layout plan if the scheme had otherwise been acceptable overall.
26. Evidently, each application for planning permission is to be determined on its own merits and, in this case, various conflicting considerations must be weighed against each other. The appeal site lies within an established urban area, which is "sustainable" in planning terms, and the proposed development would make a useful addition to the provision of housing in the area. Even though the contribution to housing needs would be small, and even though the Council is currently meeting its housing targets, this consideration carries significant weight in the appeal.
27. On the other hand, the scheme would have a significantly detrimental impact on the outlook from the existing attic bedroom at number 5 The Avenue and it would result in a much harder townscape at the front of the property. These specific concerns underpin my conclusion that the proposed development would appear overly cramped and, although it may be possible for them to be resolved in a different design, I am not persuaded that the objections can be overcome merely by the imposition of conditions.
28. I accept that an alternative scheme may be viable in planning terms, but I am convinced that, in this case, the benefits of the project would be outweighed by

the harm that would be done to the setting of the existing house and to the streetscene, combined with its effect on the neighbouring property at number 5 The Avenue. Hence, I have concluded that the scheme before me would conflict with both national and local planning policies (including the Development Plan) and that it ought not to be allowed.

29. Although I have considered all the matters that have been raised in the representations, I have found nothing to cause me to alter my decision.
30. In reaching these conclusions I have considered whether the appeal could be allowed but subject to conditions that might overcome the concerns that I have identified. In view of all the uncertainties involved, however, I have formed the opinion that it would not be possible to frame precise conditions to deal with the various objections and that, therefore, this appeal must be dismissed.

Roger C. Shrimplin

INSPECTOR