



## Appeal Decision

Site visit made on 3 August 2022

**by H Miles BA(hons), MA, MRTPI**

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

**Decision date: 22/09/2022**

---

**Appeal Ref: APP/L5240/W/22/3295431**

**46 The Glade, Croydon CR0 7QD**

- 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 K Sherwood of Sherwood Architects Ltd against the decision of London Borough of Croydon.
  - The application Ref 21/05741/FUL, dated 15 November 2021, was refused by notice dated 3 February 2022.
  - The development proposed is demolition of a single storey dwelling and redevelopment with a new building to provide 9 dwellings (Class C3), with associated amenity space, integral refuse, cycle stores and external car parking.
- 

### Decision

1. This appeal is dismissed.

### Main Issues

2. The main issues are the effect of the proposed development on:
  - The character and appearance of the area
  - Whether the development would promote the use of sustainable modes of travel particularly having regard to vehicles and cycle parking.
  - The living conditions of neighbouring occupiers with particular regard to outlook to nos 44 and 48 The Glade.

### Reasons

#### *Character and Appearance*

3. This part of The Glade is mainly characterised by single dwellinghouses. Their appearance is varied and there is a mix of semi detached and short terraces. However, their shared features including their 1-2 storey height, some with roof extensions, pitched roofs, and traditional domestic pattern of development and appearance contribute to a pleasant, modest, residential street.
4. The appeal site is occupied by a bungalow with a pitched and hipped roof. Its siting is more spacious than other plots nearby with a large separation from no 44. Nevertheless, its modest domestic qualities make a positive contribution to the character and appearance of the area.
5. The proposed development would introduce a substantial 3-4 storey building on this plot with two connected large gables. There would be a pronounced increase in height from the neighbouring two storey properties. This height and bulk would be significantly greater than others nearby and therefore would be

visually jarring in this context. This remains the case even though the plot is larger than others in the vicinity. The proposed development would therefore harmfully contrast with the limited height and scale of properties in this area and unacceptably erode its modest character.

6. Policy DM10 of the Croydon Local Plan 2018 (CLP) states that proposals should seek to achieve a minimum height of 3 storeys, but also that they should respect the development pattern, scale, height and massing of the surrounding area amongst other things. The advice in the Suburban Design Guide Supplementary Planning Document 2019 (SPD) also provides guidance regarding where increased densities can enhance places but also seeks to limit any negative impact on them. This development seeks to increase the density on this site. However, as outlined above, it would be in a form that would be harmful to the character and appearance of the area. Therefore, it would be contrary to these policies in this regard.
7. Consequently, the proposed development would result in a harmful effect on the character and appearance of the area. As such, in this respect, it would be contrary to Policies SP4 and DM10 of the CLP. Together these seek to achieve high quality design which respects local character. As well as the advice in the SPD, as set out above.
8. Policy D8 of the London Plan (2021) (LP) mainly relates to public realm, Policy D4 of the LP relates to design analysis and scrutiny, and Policy SP2 of the CLP is a high level policy relating to housing supply. Therefore, the policies set out above are more relevant to this main issue.

#### *Transport network*

##### *Sustainable Transport*

9. Policy SP8 and DM29 of the CLP and Policy T4 of the LP seek to promote sustainable travel including walking, cycling and public transport, in part by improving infrastructure and requiring new residential development to contribute towards the provision of car clubs. It is considered that these measures would improve transport choices and reduce car dependence.
10. The Council has sought a legal agreement to secure £1500 per unit towards improvements to sustainable transport measures including but not limited to on street car clubs with Electric Vehicle Charging Points (EVCPs) as well as EVCPs in general. I have not been provided with a mechanism to secure any contribution for these purposes. The justification for this specific amount which has been provided at my request is limited. Nevertheless, without measures to promote alternative modes of travel to the car, the proposal would fail to comply with the aims of the above policies.

##### *Cycle storage*

11. An internal area for the storage of 22 bicycles would be provided. However, the proposed layout does not include sufficient space for manoeuvring. It would appear that there is potential for adapting this alongside the adjoining refuse storage area. Therefore, I am satisfied that such details could be secured by condition, and overall an appropriate amount of cycle parking would be provided. Therefore, in this regard the proposed development would be in accordance with Policy T5 of the LP and Policies DM10.2, DM29 and DM30 of the CLP which require the provision of suitable cycle parking.

### *Car parking*

12. The proposed development has a PTAL of 1a. It would provide 7 car parking spaces for 9 dwellings, which is below the maximum that would be allowed. Given the low public transport accessibility of the site and lack of any means to secure provision of car club membership or sustainable transport improvements, it is more likely that future occupants would choose to own a car. As there would be insufficient space to park on site cars would be parked on street.
13. The submitted parking survey indicates that there is some capacity for cars to park on street, albeit that there are some limitations due to the survey's location and timing. I am also directed to a similar recent survey conducted for no. 81 which also concludes that there is capacity on-street for additional parking demand to be met in this vicinity. Taking all the above into account along with my observations, I am satisfied that any limited on street parking that may occur could be accommodated on nearby streets without causing danger or inconvenience to other road users.
14. However, Policy T6.1 of the LP states that disabled persons parking should be provided for new residential developments. Even in a scheme of this scale, and having due regard to the public sector equality duty, it is important that any disabled occupier should have reasonable certainty that they could park on the site. They should be able to do so in a space that is adequate, practical and appropriately functional. This is particularly necessary where other occupants may need to park on-street further from the site. Although the scheme proposes provision of a single disabled bay, the proposed layout shows only limited space in an area which is also used for access to the dwellings, bike and bin stores. The scheme therefore falls short of the requirement to provide adequately for those with disabilities.

### *Summary*

15. I am therefore satisfied that the proposal would be acceptable in terms of highway safety and would provide adequate cycle parking. However, the lack of contribution towards promotion of sustainable transport and the inadequacy of the disabled parking space means that there is conflict with SP8 and DM29 of the CLP and Policy T4 and T6 of the LP, the aims of which are set out above.

### *Living Conditions*

16. The main outlook from the rear windows at both 44 and 48 The Glade is across their rear gardens, and this would not alter. The development would be visible in peripheral views. However, due to its staggered footprint to the rear, this would not be significantly harmful to the outlook from these properties. The development is set forward of no. 48, nevertheless due to the position of the proposed building and its limited forward projection in this location, the outlook from the front windows would not be unacceptably harmed.
17. The stepped form, location of windows and siting relative to the neighbouring dwellings would ensure that the development was not overbearing or intrusive to neighbouring occupiers. I have no detailed evidence that there would be a harmful impact on light to these properties.
18. Consequently, the proposed development would have an acceptable effect on the living conditions of neighbouring occupiers. As such, in this respect, it

would be in accordance with Policy D3 and D6 of the LP and Policy DM10 of the CLP. Together, these seek to deliver appropriate outlook, light and protect the amenity of adjoining buildings, amongst other things.

### **Other Matters**

19. Bin storage would be provided internally, however there are concerns with the detail of this arrangement including the size of bins indicated. However, as this area adjoins the cycle store I am satisfied that there would be sufficient flexibility and space within the development to provide adequate refuse storage. Such details could be secured by condition if the development were otherwise acceptable. Therefore, the proposed development would comply with Policy DM13 of the CLP which sets standards for the provision of adequate refuse facilities.
20. I have been made aware of a scheme at 81 The Glade<sup>1</sup>, however this was dismissed at appeal and therefore does not alter my findings. Two other developments are drawn to my attention at 182 Brighton Road<sup>2</sup> and 31-33 Croham Valley Road<sup>3</sup>, however these are both distant from the site and would have different site-specific considerations relating to character and appearance. As such, these are notably different to the scheme before me now.

### **Planning Balance and Conclusion**

21. There would be modest benefits associated with the provision of 9 dwellings and the proposed development would do so without causing harm to the living conditions of neighbouring occupants. However, I have found that the proposal would cause harm to the character and appearance of the area, would not provide satisfactory parking for disabled occupants and would fail to adequately promote alternatives to the car. These shortcomings of the scheme would significantly outweigh the benefits, leading me to conclude that the scheme is unacceptable.
22. The proposal would not accord with the development plan and there are no other considerations to indicate that the appeal should be determined otherwise. Therefore, for the reasons given above, I conclude that the appeal should be dismissed.

*H Miles*

INSPECTOR

---

<sup>1</sup> APP/L5240/W/21/3286648

<sup>2</sup> LPA ref: 18/05830/FUL

<sup>3</sup> LPA ref: 19/04615