



Appeal Decision

Site visit made on 9 August 2022

by R J Redford MTCP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23 September 2022

Appeal Ref: APP/L5240/W/22/3296161

Wood View, Woodstock Road, Coulsdon CR5 3HS

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Mr Martyn Avery of Chartwell Land & New Homes (2) Limited against the decision of the Council of the London Borough of Croydon.
 - The application Ref 21/04990/OUT, dated 29 September 2021, was refused by notice dated 21 February 2022.
 - The development proposed is the demolition of existing dwelling and erection of nine flats with associated access, parking and landscaping.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The appeal scheme seeks outline planning permission with landscaping matters reserved. I have considered the appeal and accompanying plans accordingly.
3. The appellant has submitted some minor amendments to the proposed development namely the reduction of the vehicle access cross over; alterations to the cycle and refuse storage provision; clarification and amendments to the private outdoor space for some of the proposed flats; and an additional technical note relating to highways. Although an appeal should not be used to evolve a proposal, the amendments do not significantly alter the proposed development, all interested parties have had an opportunity to comment and have not raised objections to their inclusion. I have, therefore, made my decision having regard to these amendments.

Main Issues

There are 4 main issues, and they are the effect of the proposed development on a) the character and appearance of the area including trees; and b) highway safety; and whether the proposed development would provide c) adequate cycle and bulky waste storage; and d) acceptable living conditions for future occupiers regarding private outdoor space.

Reasons

Character and appearance

4. Woodstock Road is characterised by a relatively steep gradient from Chipstead Valley Road up to the railway line. It has a mix of 2-storey, detached and semi-detached dwellings on both sides. The obviously different building on the road is nearest the railway line, 18 Woodstock Road, which is a flatted development.

The properties all follow a similar building line and although detailing and finishes vary, there is a unifying traditional residential character to the street scene.

5. The appeal site constitutes a reasonably large, detached dwelling, and is flanked on either side by smaller, more modestly designed semi-detached properties. It is a prominent feature of Woodstock Road, and due to the topography of the area, its flank elevation is very visible from Chipstead Valley Road within a gap between the properties on that road and the rear of those on Woodstock Road. The site's prominence within the area is further emphasised by the mature trees within its front boundary, an obvious and verdant break in the otherwise built up character of this densely developed suburban area.
6. The proposal would be significantly larger and at odds to the more modest scale and character of the other properties on Woodstock Road. The visibility of the site from Chipstead Valley Road would mean the disparity in scale would also be visible from a wider area. This is because it would infill the existing visual gap between buildings and would visually overpower and dominate the more modest properties further down the hill to the detriment of the area's character.
7. It is appreciated that there are some comparisons in footprint size to No 18. However, the more prominent location in the street scene, rectilinear and solid form of that proposed would look significantly bulkier and more intrusive. This is because No 18, is only 2 and 3-storey in height and due to its U shaped footprint, sections of the building are recessed behind the frontage creating a more broken and less visually solid mass within the street scene than the appeal proposal.
8. The proposed design has taken cues from the traditional features used in the surrounding area including front facing gables, hanging tiles and arched windows. However, the use of multiple versions of these features on one building is not characteristic of the area's appearance. The frontage of the proposed building incorporates all these elements multiple times (including 5 forward facing gables with a 2-storey gabled bay overhanging the ground floor) creating an awkward and overly complicated mix of features which fight for visual dominance. This would draw attention to the building, accentuating the physical mass and scale of that proposed which in turn would emphasise the disparity between its appearance and that of its surroundings.
9. The appellant states that elements of the proposal specifically relate to parts of the Suburban Design Guide Supplementary Planning Document (SDG). It is noted that since the submission of the appeal the Council have put forward a motion to revoke the SDG, the outcome of which has not been confirmed. Nevertheless, supplementary planning documents, according to the Framework, should add detail to the development plan but are not part of that plan. In this case the overriding development plan policy position is one where new development, as a whole, should respect and enhance the surrounding character.
10. The proposed development would require the loss of 4 of the 7 boundary trees which form part of Woodstock Road's character along with a series of smaller trees throughout the site. The appellant's arboriculturist state that they are of a low quality and limited life expectancy, this is as agreed by the Council's tree officer. I have no evidence before me which contradicts this conclusion and,

through observation, although those in the front boundary do have a positive impact on street scene, it was evident they are growing very closely together with overlapping canopies.

11. Although the preference would always be to protect mature trees wherever possible and to incorporate them into new developments, an ethos enshrined in the development plan, from the evidence before me there is opportunity for the planting of trees both within the front boundary as well as the wider site as part of the landscaping, to be dealt with at reserved matters. Nevertheless, the loss of the boundary trees would have a detrimental impact on the character of Woodstock Road, in the short term whilst any subsequently approved trees are planted and mature.
12. Consequently, the proposal would have an unacceptably harmful effect on the character and appearance of the area including trees. This would be contrary to Croydon Local Plan (2018) (Local Plan) Policies SP4, DM10 and DM28, London Plan Policies D3, D4 and G7 and the SDG, insofar as they relate to the respecting and enhancing local character and protecting existing trees.

Highway safety

13. Woodstock Road is a short, straight residential road which culminates at a pedestrian footbridge to Woodmansterne train station. The proposal would provide 5 off-street parking spaces accessed by a central crossover and the existing site access would be closed.
14. Local Plan Policy DM30 refers to London Plan Policy T6 to guide the quantum of parking for new developments. Policy T6 sets maximum standards for parking which takes into consideration the accessibility of a location in terms of public transport and proximity to services via the PTAL rating. In this case the maximum provision would constitute 0.75 spaces per 1 and 2 bedroomed dwelling, and 1 space per 3 bedroomed dwelling, totalling 7.5 parking spaces. The appellant suggests that based on Census car ownership data for the area, the anticipated car ownership from the development could be 6 vehicles and this is not disputed by the Council. There would potentially therefore be overspill parking requirement for 1 car.
15. The appellant's Highway Technical Note (HTN) concludes that there is sufficient on-street parking in the area to support any overspill created by the proposal without detriment to highway function or safety. However, the parking study in the HTN, which this conclusion is based on, has considered roads on the opposite side of the railway line. The only link between the roads in question and the appeal site would be via the stepped footbridge through the railway station, and that the nearest road bridge was some distance away. During my site visit the relationship between both sides of the railway is not extensive and there is no visual connectivity between them. Therefore, on the balance of probabilities, future occupants are unlikely to park on the opposite side of the railway as it would not be direct or convenient.
16. The figures in the HTN study show Woodstock Road, Chipstead Valley Road, and the adjacent Linden Avenue (linked to Woodstock Road by a short direct footpath), where people are more likely to park, are under significantly more parking stress than those on the opposite side of the railway and according to the Council would result in a parking stress of 84.6%. The level considered to demonstrate parking stress is 85% and this would be exceeded when taking

account of the removal of the parking bay on Woodstock Road. Therefore, I find the evidence before me does not satisfactorily show that any overspill on-street parking caused by the proposal would not increase parking stress to unacceptable levels and thereby have a detrimental impact on the function and safety of the highway.

17. The proposed new access, as shown on the amended plan PL 21-576-02 C, would constitute a 4m wide cross increasing at kerb side only to allow for the ramped kerb stones on either side, which accords which recognises the Council's width requirements and appropriate sightlines could be achieved through suitable landscaping (a reserved matter) and its maintenance. The provision of a protected pedestrian route from the proposed building to pavement could also be achieved through this manner. I therefore find that the use of the proposed access by both pedestrians and vehicles would allow suitable intervisibility with other road users, and the internal layout of the site would ensure parking vehicles could enter and exit in a forward gear. However, this does not overcome the harm found in relation to on-street parking stress and road functionality impacting on highway safety.
18. Consequently, the proposed development could have a detriment effect on highway safety and would not comply with Local Plan Policies SP8.17, DM29 and DM30 and London Plan Policies T4, T6, and T6.1 insofar as they relate to the function, useability and safety of the highway network and vehicle parking provision.
19. The Council also referred to Local Plan Policies SP8.3 and SP8.6 in its reason for refusal. These are sub sections of Policy SP8 which sets out the Council's strategic goals for transport and communication. SP8.3 relates to the management of urban growth and public transport, and SP8.6 relates to the improvement of the pedestrian experience. As these are not relevant to the case before me, I have not referred to them.

Cycle and bulky waste storage

20. The proposal would provide an outbuilding toward the rear of the site for cycle and bulky waste storage. It would be accessible from the road along a gated path which would pass between the side elevation of the proposed main building and a retaining wall along the site boundary.
21. The proposal could provide accommodation for up to 30 people and Local Plan Policies DM13 and DM30 require cycle and bulk waste storage to not only be appropriately sized but to be easily accessible and well located for users. The relatively narrow width of the proposed access path would be constrained and awkward for users to navigate due to the proximity of the solid side elevation of the proposed building and retaining wall. It would be very difficult for users travelling in opposite directions to pass easily, especially with cycles, mobility scooters or bulky waste, most likely requiring one party to turn round or walk backward along a relatively long distance, notwithstanding navigating a gate part way along that path. This lack of easy access between the proposed outbuilding and bulky waste collection point, at the front of the site, could also have the unintentional impact of waste being moved directly to the collection point for storage to save navigating the narrow access path on collection days.
22. Therefore, I am not satisfied that the proposed outbuilding, all though aptly sized, would be appropriately accessible to be considered adequate cycle and

bulky waste storage. This would be contrary to Local Plan policies SP8.7, DM13, DM29 and DM30 and London Plan T5, insofar as they relate to the design of cycle and waste storage including convenience of location and ease of accessibility, and the adaptability of cycle storage for non-regular cycles, motorbikes, and mobility scooters.

Living conditions

23. The proposal would provide a mix of balconies and terraces as private outdoor space for each of the 9 proposed flats. These would mainly be to the rear of the proposed building overlooking or adjoining the proposed communal gardens and other residential properties beyond. Proposed flat 8 would have a partially-enclosed balcony overlooking the parking area and road beyond. Whilst proposed flat 6 would have a corner balcony overlooking the road, and frontages of the adjacent properties.
24. Local Plan Policy DM10.4 sets out specific criteria for the form and amount of minimum space required to constitute appropriate private outdoor space. These would be achieved or exceeded for all 9 proposed dwellings and the proposed balconies and terraces would be integrated in the overall design. The orientation and outlook from each of the proposed spaces would be adequate to ensure their usability.
25. The proposed development would, therefore, be able to provide acceptable living conditions for future occupiers with specific regard to private outdoor space. This would comply with Local Plan Policy DM10.4 and London Plan Policies D3 and D6 insofar as they consider the form and design of private outdoor space and its impact on future occupants living conditions.

Planning Balance and Conclusion

26. It is noted that National Planning Policy Framework seeks to boost the supply of homes and make more efficient use of land in accessible locations. The proposal would provide 9 homes on previously developed land in a reasonably accessible location along with associated economic and social benefits contributing to the windfall element of the Council's five year housing land supply which attracts modest weight based on the number of houses involved. The appellant also states that the proposal would provide social, economic, and financial benefits. These matters are not elaborated on or evidenced. However, I acknowledge that the provision of construction jobs and the contribution of new residents to the local economy would be a modest benefit.
27. Whilst I have found that the proposal would provide acceptable living conditions for future residences, this absence of harm would be neutral in the planning balance. I have found harm with regard to the effect on character and appearance, highway safety and cycle and bulky refuse storage. Consequently, the appeal scheme would conflict with the development plan as a whole. There are no material considerations of sufficient weight, that would indicate a decision otherwise. The appeal should, therefore, be dismissed.

RJ Redford

INSPECTOR