
Appeal Decision

Site visit made on 6 September 2022

by Richard McCoy BSc MSc DipTP MRTPI IHBC

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 03 OCTOBER 2022

Appeal Ref: APP/L5240/W/21/3289311

15 Rectory Park, South Croydon CR2 9JQ

- 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 Matthew Tillbrook against the decision of the Council of the London Borough of Croydon.
 - The application Ref 21/01871/FUL, dated 9 April 2021, was refused by notice dated 28 July 2021.
 - The development proposed is the demolition of existing wall and gate, division of existing garden to No.15 and the construction of a pair of semi-detached three-storey dwellings with vehicular parking, associated hard and soft landscaping and a new pedestrian access from Hyde Road for No.15 Rectory Park.
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Decision

1. I dismiss the appeal.

Procedural matter

2. The Council advised that the Suburban Design Guide, Supplementary Planning Document, was revoked at a meeting of the full cabinet on 25 July 2022. I have dealt with the appeal on that basis.

Main Issues

3. The main issues are the effect of the proposal on the character and appearance of the area, the living conditions of future occupiers of the development, and highway safety.

Reasons

Character and appearance

4. The appeal site is an area of sloping garden to the side and rear of no.15. This is a large 2 story dwelling which stands at a prominent location at the junction of Rectory Park with Hyde Road. A large, detached dwelling, no.15a, already occupies part of the garden to the rear of no. 15 along the Hyde Road frontage. Proposed is the erection of a pair of semi-detached, 3 story dwellings, that would also front onto Hyde Road between no. 15a and 2 Hyde Road.
5. I observed that the area is characterised by a mix of large detached and semi-detached dwellings which stand in generous plots. The further sub-division of the garden space at no.15 would create a rather small site on which to form the semi-detached dwellings. In my judgement, the proposal would be of a scale and bulk that would be at odds with the prevailing character of the area.

This would be apparent from the way in which it would occupy most of the available site space, giving it a cramped appearance. The provision of hard-standing parking spaces to the front would accentuate this feeling of over development at the site.

6. Accordingly, the proposal would cause significant harm to the character and appearance of the area, conflicting with Policies D3 and D4 of the London Plan (2021) and Policies SP4 and DM10 of the Croydon Local Plan (2018).

Living conditions

7. Concerns were raised that the proximity of the proposed parking spaces to ground floor rooms would create a poor level of accommodation and outlook for future occupiers of the development, particularly as one of the parking spaces would be reserved for occupiers of the host dwelling and not the occupiers of the proposal. However, given these would be bedrooms or a bedroom and a bedroom/study, I consider that the outlook would be acceptable and overall, in terms of room sizes and amenity space, an acceptable standard of living conditions would be provided for occupiers of the proposed development.
8. In this regard, the proposal would not conflict with Policies D3 (Experience), and D6 of the London Plan (2021) and Policies SP2.8, DM10.4 and DM10.5 of the Croydon Local Plan (2018).

Highway safety

9. The appeal site has a Public Transport Accessibility Level of 1b which reflects its poor connection to public transport options. Added to which, the topography of the area would mean access to shops and services on foot or by bicycle would be along steeply sloping footpaths and roads. In outer London locations such as the appeal site this equates to a need for 1.5 parking spaces per dwelling. I note, in this regard, that a Transport Technical Note (December 2021) has been submitted by the appellant as part of the appeal. The proposal would provide 3 on-site parking spaces, 2 of which would serve the proposed dwellings.
10. The Council is concerned that insufficient evidence has been submitted to determine the effect of this parking provision on the parking stress level on local roads. Furthermore, a controlled parking zone is not proposed for the area to manage overspill parking from the proposal, which the Council contends, places the onus on the developer to accommodate parking demand on-site. However, during the time of my visit, I noted that there was a good level of available on-street parking and I see no reason as to why that would not remain the case at other times of the day.
11. In respect of the depth of parking spaces and width of the vehicular crossovers, the submitted plans show that a depth of 4.8 metres per parking space can be achieved, as confirmed in the appellant's Statement of Case. The proposed arrangement and width of the vehicular crossovers, at one per proposed dwelling, would be similar to other crossovers already operating in the vicinity.
12. Against this background, I consider the proposal would be unlikely to be harmful to highway safety and would not conflict with Policies T4, T6 of the London Plan (2021) and Policies SP8, DM29 and DM30 of the Croydon Local Plan (2018).

Other matters

13. The Council raises no objections regarding the removal of trees in terms of amenity, based on the submitted Arboricultural Report, and considers that landscaping details and means of protection of retained trees could be secured via suitably worded conditions, were planning permission to be granted. From my assessment, I have no reason to disagree. The Council is concerned nevertheless, that tree removal and changes in land level could impact adversely on protected species and points to a lack of information in this regard. However, as I am dismissing the appeal for another reason, it is not necessary for me to consider this matter further.
14. With regard to facilities for refuse and bulky waste storage, provision is made to store 3 no. household waste bins per dwelling at the front of the proposed development. While I note the concern that the submitted drawings do not show space for bulky waste storage, I consider that the Council has not substantiated why this situation could not be overcome by means of a suitably worded condition attached to any grant of planning permission, as suggested by the appellant.
15. I note the Council considers that the proposal would not harm the living conditions of the occupiers of the adjacent dwellings and that details in respect of floor levels, boundary treatment and flooding/sewage could be secured via a suitably worded conditions were planning permission to be granted. From my assessment, I have no reason to disagree. I further note that the Council raised concerns regarding the submitted plans being unclear. However, they were of sufficient detail to enable me to fully assess the main issues as set out above.
16. My attention was drawn to a development claimed to be similar at 89 Hyde Road. While I do not have details of the full considerations of this proposal before me, I nevertheless consider that the site-specific circumstances differ insofar as that scheme related to the demolition of the existing building and its replacement with a flatted development. In any event, its presence would not be justification for a further development that I consider would be harmful to the character and appearance of the area.

Conclusion

17. I have found that the proposal would not be harmful to the living conditions of the occupiers of adjacent dwellings, future occupiers of the development and highway safety. In addition, I agree with the Council that details of landscaping, tree protection, floor levels, boundary treatment, construction logistics, vehicle charging points, drainage and refuse storage are matters that could be agreed by means of attaching suitably worded conditions, were planning permission to be granted. However, all of these are neutral in the planning balance as they do not add further harm rather than being in favour of the proposal.
18. On the other hand, the proposal would add 2 no, 3 bed units to the local housing supply and this attracts weight in its favour. However, this would not outweigh the significant harm arising from the adverse effect on the character and appearance of the area, contrary to Policies D3 and D4, of the London Plan (2021) and Policies SP4 and DM10 of the Croydon Local Plan (2018).

19. Accordingly, there are no material considerations that would warrant taking a decision otherwise than in accordance with the development plan taken as a whole. In which case the appeal is dismissed.

Richard McCoy

INSPECTOR