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# Appeal Decision

Site visit made on 10 January 2023

**by C Butcher BSc MA MRTPI**

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

**Decision date: 10 February 2023**

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**Appeal Ref: APP/L5240/W/22/3305645**

**2 Highland Road, Croydon, Purley CR8 2HS**

- 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 Paul Thompson against the decision of the Council of the London Borough of Croydon.
  - The application Ref 22/00948/FUL, dated 1 March 2022, was refused by notice dated 19 July 2022.
  - The development proposed is the demolition of existing building and redevelopment of site to provide 8 residential units (Use Class C3) comprising of 3 storeys together with associated cycle provision, amenity space, external landscaping, refuse storage and associated works.
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## Decision

1. The appeal is dismissed.

## Applications for costs

2. An application for an award of costs was made by Mr Paul Thompson against the Council of the London Borough of Croydon. This application will be the subject of a separate decision.

## Preliminary Matters

3. The Council's decision notice includes reference to the Suburban Design Guide Supplementary Planning Document (2019). However, the Council has confirmed within their statement that the document was revoked on 25 July 2022. As a result, I have not given any weight to this document when making my decision.

## Main Issue

4. The effect of the proposed development on the character and appearance of the area.

## Reasons

5. The appeal site is located within a prominent corner plot on Highland Road, a suburban cul-de-sac. The road itself is predominantly characterised by one and two storey detached and semi-detached dwellings. They are generally set back from the road and have relatively large sized gardens that provide an open and spacious feel to the street scene. The general size of the houses themselves, and the gaps between them, provides views of mature trees beyond which contributes to the verdant nature of the immediate area.

6. The current dwelling on the appeal site, by nature of its modest size and overall footprint within the plot, clearly conforms with the character of the wider area.
7. The proposed three storey building would be significantly larger than the current dwelling, both in terms of height and footprint. Indeed, while a sufficient distance from adjacent dwellings, including No. 27, would be maintained, the building would clearly appear substantially bigger than other properties nearby. The site would therefore appear cramped when compared to other dwellings in the vicinity.
8. The slope on which the appeal site is located would reduce the visual impact of the proposed building to some extent by ensuring that the ridgeline of the roof would be no higher than that of the neighbouring single storey bungalow at No. 1. In addition, the proposal would maintain the current building line. However, due to its overall mass, it's comparative size would still be readily apparent, and it would appear incongruous, overly dominant and out of keeping with its surrounds. Views of mature trees beyond the property would also be reduced, thereby harming the open and spacious character of the street. This would be exacerbated when viewing the proposed building from the front, where the increase in hard standing as a result of the parking area, and the subsequent loss of greenery from the existing front garden, would be obvious.
9. There is an existing building located at 5 Highland Road which is comparable to the proposed development in some ways, due to its height and footprint. However, given its corner plot location, the appeal site is in a significantly more prominent location. The incongruous nature of the building, when compared to others nearby, would therefore be more apparent. Indeed, while the western elevation of the proposed building would be partially obscured by the existing mature trees, a clear indication of its substantial size and dominance would still be provided, particularly during the winter months when there is less foliage. Other examples of nearby developments that have been identified by the appellant are not located on Highland Road, which being a cul-de-sac, has a quite different character to other roads nearby including Higher Drive.
10. I conclude that the proposed development would cause harm to the character and appearance of the area. This would conflict with Policies SP4 and DM10 of the Croydon Local Plan 2018, as well as Policies D3 and D4 of the London Plan March 2021, which taken together, seek to ensure that new development is well designed and contributes positively to local character.

### **Other Matters**

11. While national policy does encourage the efficient use of sites, development should still only take place in a way that preserves character and appearance.
12. Given that the proposal for eight dwellings would only make a small contribution to overall housing need in the area, I have given this issue very limited weight. In addition, I note that the appellant has set out that the appeal site is in an accessible location, and also that the proposal would include various measures to ensure energy efficiency. However, these issues do not overcome the harm identified elsewhere in my decision.
13. The appellant has stated that permitted development rights could be utilised to extend the existing dwelling, including making it taller than the proposed

building that is the subject of this appeal. However, I have no detailed plans for any such scheme and there is no certainty that any such work will take place in future. It has therefore not been demonstrated that there is a realistic prospect of such a scheme coming forward, or that it would be more harmful than the proposed development before me. As a result, I have not afforded any weight to this issue while making my decision.

14. The appellant has prepared a unilateral undertaking (UU) as part of this scheme. Even if I were to conclude that the UU was acceptable, its clauses seek to prevent harm and do not represent a benefit that needs to be balanced against the harm I have identified to character and appearance.

### **Conclusion**

15. The proposed development conflicts with the development plan when considered as a whole and there are no material considerations, either individually or in combination, that outweigh the identified harm and associated development plan conflict. The appeal is therefore dismissed.

*C Butcher*

INSPECTOR