



Appeal Decision

Site visit made on 3 March 2023

by A M Nilsson BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 03 APRIL 2023

Appeal Ref: APP/L5240/W/22/3303607
62 The Ridge Way, South Croydon CR2 0LF

- 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 Shazad Mahmood against the decision of London Borough of Croydon.
 - The application Ref 21/01298/FUL, dated 11 March 2021, was refused by notice dated 28 June 2022.
 - The development proposed is described as the demolition of the existing dwelling and creation of 9 new family-sized dwellings, 5no. houses and 4no. maisonettes with associated parking, landscaping and children's play area.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposed development on the character and appearance of the area, with specific regard to its scale and mass.

Reasons

3. The appeal site comprises a corner plot on the junction between The Ridge Way and Arkwright Road. It contains a large 'L' shaped detached two-storey dwellinghouse in a spacious setting. This is reflective of the surrounding area which is predominantly made up of large, two storey detached dwellings with large gardens.
4. Arkwright Road has a notable and relatively steep incline as it rises in a north-easterly direction from Briton Hill Road. This gives the appeal site a prominent setting when viewed from the lower sections of the road. The site and the existing dwelling sit higher than the adjacent dwelling at no. 1 Arkwright Road.
5. The existing dwelling spans both road frontages with the majority of the dwelling facing on to The Ridge Way, which is broadly level at this point, with the dwelling being of a similar height to the adjacent dwelling at no. 60 The Ridge Way. Although being a large dwelling on a prominent corner plot, the existing dwelling sits comfortably with the surrounding properties in terms of its scale and mass.
6. The proposed development involves the demolition of the existing dwelling and the construction of 9 no. dwellings on the site with 4 no. of these being flats, and 5 no. being houses. The flats would be accommodated across four floors in part of the building that would be situated at the corner junction of the plot

- overlooking Arkwright Road and The Ridge Way. There would be three vertical storeys with the fourth floor being accommodated within the large roof space.
7. Due to the scale and mass of the proposed development, when combined with the steep incline of Arkwright Road and the corner nature of the plot, the development would appear hugely visually prominent. In terms of the surrounding context, it would be significantly greater in scale and mass than the surrounding built environment. This discord would create a sudden and abrupt increase in scale and mass which would appear inharmonious with the generally lower rise and spacious nature of the surrounding dwellings.
 8. I acknowledge that the design has sought to relieve the overall bulk of the building through the provision of accommodation in the roof space and the use of long sections of roof slope spanning from the ground floor level to the ridge. Visually however, the long sloping section accentuates the profound height difference, particularly where it is proposed on the Arkwright Road elevation. I also acknowledge that the building is proposed to be sunken into the site somewhat. Whilst this may relieve the dominance caused by its scale and mass, it would not be to such an extent that the impact would be acceptable.
 9. The remainder of the development would in effect form a terrace of dwellinghouses on The Ridge Way elevation. These would have accommodation over three floors with around half of the third floor being located in the roof space. This section of the development would be located on part of the street that is relatively level. Although the submitted plans show a relatively marked difference in scale with the adjacent dwelling at no. 60 The Ridge Way it is of a reasonable separation and is certainly a more comfortable arrangement than that which would otherwise exist on the Arkwright Road elevation. Nevertheless, the development as a whole is of a considerable mass given the context of the site and its surroundings. This mass is emphasised in its overall scale, which would also cause significant harm.
 10. I acknowledge that the overall design draws on many elements of the surrounding built environment, with reference being made to the form of dwellings on the Courtlands Close and Church Way junction. The development displays some similarity in terms of the angled roof design but is of a significantly greater scale and mass to draw sufficient comparison.
 11. I therefore find that due to its overall scale and mass, the proposed development would cause significant harm to the character and appearance of the area. It would be contrary to Policies SP4 and DM10 of the Croydon Local Plan (2018) and Policy D3 of the London Plan (2021). Collectively, these policies require that development is of high quality which respects and enhances the local character having regard to, amongst other things, scale and massing. It is also required that development proposals should enhance local context by delivering buildings that positively respond to local distinctiveness through their scale and shape, with due regard to existing street hierarchy, building types, forms and proportions.

Other Matters

12. I am referred to Policy DM10 which outlines that proposals, should seek to achieve a minimum height of 3 storeys. My reading of the policy, as it relates to 3 storeys, is that this is something that should be sought or aimed for, as opposed to an absolute requirement. This would suggest a recognition that

there may be situations where other factors mean three storeys is not always appropriate.

13. I appreciate that Council officers recommended approval of the application to the planning committee and that this followed positive pre-application discussions with Council officers. The practice of obtaining pre-application advice is encouraged in the National Planning Policy Framework (2021) (the Framework) and both parties should be commended for this approach. It is therefore understandable that the appellant may feel aggrieved that their positive discussions and recommendation did not reflect the final outcome. However, it is within the committee's gift to find differently to the officer recommendation even when positive pre-application advice has been received. Thus, this consideration has had no bearing on my decision.
14. The appellant considers that the Council's reason for refusal is not clear or precise. The reason for refusal clearly sets out the Council's concerns in relation to the proposed development and which policies they consider the scheme would be contrary to. The fact that the specific subsections of the policies are not referred to in the reason for refusal does not render the concerns that were expressed any less valid. Either way, it would not be a reason to allow the appeal.
15. The appellant outlines that the reason for refusal does not refer to the Supplementary Planning Document (SPD) that was in place at the time of the decision. Members were advised of the intention to revoke the document and that this was a material consideration. The fact that the Council did not refer to the proposed development being contrary to the SPD does not undermine their reason for refusal, which refers to the statutory development plan. Furthermore, the fact that the SPD has since been revoked means that it has no weight in the appeal in any event.

Planning Balance and Conclusion

16. The Government's objective as set out in the Framework is to support sustainable housing growth. The proposed development would result in a small increase in the Council's overall housing number, with most being family sized units, and would be in a sustainable location. It would also bring a number of additional residents to the area who would contribute to the local economy. Collectively, I give these matters moderate weight in favour of the proposed development.
17. However, the significant harm that the proposed development would have on the character and appearance of the area attracts significant weight that outweighs the benefits associated with the proposed development.
18. The proposed development would therefore conflict with the development plan and there are no identified other considerations, including the Framework, that outweigh this conflict.
19. For the reasons set out above, and having had regard to all other matters raised, I conclude that the appeal should be dismissed.

A M Nilsson

INSPECTOR