



Appeal Decision

Site visit made on 11 July 2023

by C Carpenter BA MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 31 August 2023

Appeal Ref: APP/L5240/W/22/3313632

220 Brighton Road, Purley CR8 4HB

- 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 Robin Lewis (Brighton Road 2020 Ltd) against the decision of the Council of the London Borough of Croydon.
 - The application Ref 21/01473/FUL, dated 19 March 2021, was refused by notice dated 6 September 2022.
 - The development proposed is demolition of the existing two storey house and detached garage and erection of a four-storey building to provide 9 units with associated new vehicular access, car parking, cycle/refuse storage and soft/hard landscaping.
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Decision

1. The appeal is dismissed.

Application for costs

2. An application for costs was made by Mr Robin Lewis (Brighton Road 2020 Ltd) against the Council of the London Borough of Croydon. This application is the subject of a separate decision.

Preliminary Matters

3. The description of development in the heading above has been taken from the planning application form. In Part E of the appeal form it is stated that the description of development has not changed but, nevertheless, a different wording has been entered. Neither of the main parties has provided written confirmation that a revised description of development has been agreed. Accordingly, I have used the one given on the original application.
4. The appellant submitted a finalised section 106 agreement after the deadline for appeal documents. Given this document has been signed by the parties to the appeal, no party would be prejudiced by me taking it into account.

Main Issue

5. The main issue is the effect of the proposed development on the character and appearance of the surrounding area.

Reasons

6. The appeal site is on a prominent corner between Brighton Road and Smitham Downs Road and comprises a two-storey detached dwelling within a large triangular garden. The surrounding area is residential with mainly two-storey detached and semi-detached houses of varied traditional appearance in linear frontage plots. They generally have traditional, hipped and gabled roofs. The

front gardens along Brighton Road are generous, providing a deep set-back from the busy arterial road. There are some newer blocks of flats of three or four storeys nearby, including opposite the appeal site.

7. The front building line would be forwards of the prevailing line along Brighton Road, but this difference would be tempered by the corner plot location on a main road and the inward chamfer towards the neighbouring building. However, on the Smitham Down Road frontage there would be an extensive, unbroken elevation situated much closer to the site boundary than other buildings in that more suburban street. In addition, the overall bulk, scale and mass of the new four storey block would be significantly larger than that of nearby houses, notwithstanding the proposal's three-storey appearance from some perspectives and the rise in topography away from Brighton Road. Consequently, the development would have a very dominant presence in the street scene, particularly from Smitham Down Road.
8. This discordant effect would be aggravated by the unorthodox roof form of the proposal. Although taking inspiration from nearby hipped and gabled roofs, the extent of irregularity would look out of place from several perspectives next to the more modest and consistent roofs nearby. The unusual roof configuration at the apex of the corner site would be particularly noticeable, given its prominence when viewed from Brighton Road. The asymmetrical window arrangement on each façade would add further incongruity to the building's appearance, to the detriment of the surrounding area.
9. The proposal would be comparable in height to the new block of flats at No 1 Smitham Down Road. As with the appeal proposal, that building also has greater site coverage than its predecessor. However, No 1 Smitham Down Road is more akin in form, scale, set-back and design to other buildings in the street than would be the case for the appeal scheme. Therefore, rather than complementing the new block of flats on the opposite corner plot, and the block under construction next to it, the proposed development would overwhelm them with its dominant mass and incongruous appearance.
10. Some of the proposed eaves heights seen from Brighton Road would be comparable to others on that road, adding a degree of continuity. Boundary planting that conceals the appearance of neighbouring dwellings would slightly reduce the perception of contrast with the proposal. Appropriate external materials, finishes and design details could be secured by condition, were the appeal to be allowed. However, these factors would not overcome the harm described above.
11. I have considered the appellant's Townscape Character Assessment and acknowledge the character and appearance of the area have evolved over time. I also accept some other corner plots in the vicinity of the appeal site have achieved greater density through innovative design. However, the circumstances at each site are different. In the case of the appeal scheme, the extent of the proposal's deviation from the area's predominant character would be so great as to be harmful. This would conflict with the design principles in Policies D3 and D4 of the London Plan (LP) and Policies SP4 and DM10 of the Croydon Local Plan (CLP), notwithstanding these policies' support for optimisation of site capacity and for a minimum of three storeys.
12. For the above reasons, I conclude the proposed development would have a harmful effect on the character and appearance of neighbouring dwellings and

the surrounding area. This is contrary to Policies D3 and D4 of the LP and Policies SP4 and DM10 of the CLP. Together, these policies seek, among other things, high quality design with a form and layout that enhances local context and respects local character. This is also contrary to the National Planning Policy Framework (the Framework) where it requires development to be visually attractive and sympathetic to local character.

Other Matters

13. The proposal would deliver nine dwellings of different sizes, which would make a contribution to meeting housing need in the area. The development would also contribute to local economic growth during the construction process and through future occupiers' use of local services and facilities. However, these benefits would not outweigh the conflict with the development plan I have identified.
14. The Council is satisfied with the proposed quality of accommodation, impact on living conditions of neighbours, levels of cycle and car parking, sustainable drainage measures, energy efficiency, fire safety and effect on biodiversity and trees, subject to relevant conditions were planning permission to be granted. I see no reason to disagree with their conclusion on these points. However, compliance with the development plan in these respects is a neutral factor.
15. The content of the section 106 agreement deals with matters other than character and appearance, so would not overcome the conflict with the development plan I have identified.
16. My attention has been drawn to a Suburban Design Guide Supplementary Planning Document. I understand this has been revoked by the Council.
17. I note the proposal's design evolved to take account of pre-application advice sought from the Council. Be that as it may, and notwithstanding any public discussion at the time the Council took its decision, I have considered the appeal on its merits based on the evidence before me.

Conclusion

18. I have found the proposal conflicts with the development plan, read as a whole. No other material considerations, including the Framework, have been shown to indicate that a decision should be taken otherwise than in accordance with it. Therefore, the appeal is dismissed.

C Carpenter

INSPECTOR