



Appeal Decision

Site visit made on 11 July 2023

by David English BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 6 October 2023

Appeal Ref: APP/L5240/W/22/3311352

Tudor Court, Russell Hill Road, Purley, Croydon CR8 2LA

- 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 Mrs T K Dhaliwal against the decision of the Council of the London Borough of Croydon.
 - The application Ref 22/02105/FUL, dated 17 May 2022, was refused by notice dated 28 September 2022.
 - The development proposed is conversion & extension of the existing roof space within 6 - 16 Tudor Court, to provide 9 x 2 bed 4 persons flats with proposed balconies to all flats to the rear and including new rear window alterations and some external and internal alterations and demolitions.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The Council's Suburban Design Guide SPD 2019 (the SDG) was revoked prior to its decision on the planning application. Accordingly, I have not had regard to the SDG in determining the appeal.
3. The proposal sits within the Brighton Road Local Heritage Area (the LHA). In this context, the site forms part of a non-designated heritage asset. Paragraph 203 of the National Planning Policy Framework (the Framework) indicates that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. I have determined the appeal accordingly.

Main Issues

4. The main issues are:
 - the effect of the proposed development on the character and appearance of the host property and the surrounding area, having regard to the LHA;
 - whether the proposal would provide an acceptable housing mix; and
 - whether adequate provision would be made for cycle parking.

Reasons

Character and appearance

5. The appeal site is located in Purley District Centre, a largely commercial area with various service and retail uses on ground floors, and a range of offices,

other commercial uses and residential accommodation above. Although there are some taller buildings in the vicinity of the site, including the modern nearby block at Coleridge Taylor Court, the dominant scale of buildings is generally three storeys, some having accommodation in the roof space. The overriding appearance of the immediate area is one of traditional, low-rise historic buildings having a variety of interesting architectural detailing. This provides an overall impression of cohesiveness in the street, and a comfortable well-established human scale to the District Centre.

6. From my observations during my site visit, it was evident that the block within which the appeal proposal sits provides important historical and architectural reference points associated with the growth of Purley. This is reflected in the designation of the LHA within which it is located, the significance of which is derived from its age and those historic associations. As such, the appeal property contributes positively to the character and appearance of the area.
7. The proposal would introduce a large box-like addition that would sit awkwardly on the existing building, towering above the ridge of the existing main pitched roof. While the proposal would not be visible from street level at the front of the site it would be visible from elevated positions along Russell Hill Road beyond its junction with Purley Way, from the Purley Way junction and from several positions along the length of Russell Hill Place. When seen with the host building and the remainder of the block with which it would be most closely experienced from these public vantage points, the proposal would create an incongruent and visually obtrusive bulky addition to the block. Furthermore, those upper parts of the proposed development in particular would jar markedly with the impressive tall chimneys which are a distinctive and defining feature of the host building.
8. Accordingly, as a result of its design, height, scale and mass, the proposal would fail to assimilate comfortably with the host building and would therefore be unduly harmful to the character and appearance of the host property and the surrounding area.
9. Another proposal for six flats over a similar footprint to the proposal before me was granted planning permission in April 2021 (Council Ref. 19/05952/FUL) and remains extant. However, the current proposal would extend significantly higher than the permitted scheme by providing a further storey of accommodation. That extant planning permission relates to a materially different and smaller scheme and therefore does not weigh in favour of the current proposal in respect of this main issue.
10. The development plan supports the evolution of local character over time arising from the need to accommodate more housing in appropriate locations. The site is in a District Centre where the principle of such evolution may be appropriate. However, in this case, due to its design, height, scale and mass the proposal would not comprise a sympathetic or appropriate evolution of local character and, as a result, would be unacceptably harmful to the significance of the LHA.
11. For these reasons, the effect of the proposed development would be unduly harmful to the character and appearance of the host property and the surrounding area, having regard to the LHA. It would therefore conflict with Policies D3 and D4 of The London Plan (March 2021) (the London Plan) and Policies SP4, DM10 and DM18.6 of The Croydon Local Plan 2018 (the Local

Plan) which, amongst other things, require high quality development which respects and enhances local character, contributes positively to townscape and responds to local context and distinctiveness, and, to preserve and enhance the character, appearance and setting of LHAs, giving substantial weight to protecting and enhancing buildings and townscape features that make a positive contribution to the special character and appearance of the LHA. The proposal also fails to meet the expectations of the Framework in respect of achieving well-designed places.

Housing mix

12. The proposal would result in the creation of nine 2-bedroom flats. Policy SP2 of the Local Plan sets out the Council's approach to providing a choice of housing for people in socially balanced and inclusive communities in Croydon. The policy is sub-divided into various sections some of which are not directly relevant to the case before me. However, paragraph SP2.2 is concerned with quantities and locations of housing and states that the Council will seek to deliver a minimum of 32,890 homes between 2016 and 2036, and that this is to be achieved by, amongst other things: '*f. Ensuring land is used efficiently, and that development addresses the need for different types of homes in the borough and contributes to the creation or maintenance of sustainable communities;*'.
13. Paragraph SP2.7 of Policy SP2 sets a strategic target for 30% of all new homes up to 2036 to have three or more bedrooms. The Council explains that its Strategic Housing Market Assessment from 2019 confirms a need for family sized market tenure homes across the Borough which it expects will comprise 20-25% 3-bed homes and 15-20% 4-bed homes in order to meet the demands of newly forming households, to ensure a mix of different unit sizes across sites and to support mixed and sustainable communities.
14. However, I have not been provided with any data regarding the number of new dwellings on allocated sites expected to have 3 or more bedrooms, the number of other current commitments that would contribute towards meeting the strategic target for family homes, or the number of family homes that have been built to date. Consequently, I do not know what percentage of the 30% overall target in paragraph SP2.7 is to be met from allocated sites and other commitments, or what percentage has been delivered.
15. Furthermore, noting the expectation in Policy SP2 that development addresses the need for different types of homes in the Borough, I have not been provided with evidence to suggest that 2-bedroom homes are not required as part of the overall housing mix. Indeed, the extant permission at the appeal site proposes six 2-bedroom homes and the Council has found that scheme to be acceptable in this location.
16. As a strategic target to support the delivery of family homes across the Borough, paragraph SP2.7 is not expressed as a requirement for the provision of family homes in all forms or scales of residential development proposals. The case before me concerns a proposal in the heart of a District Centre close to employment opportunities, shops, services, and recreational and entertainment facilities all of which are likely to be particularly attractive to smaller households. While the proposal may not make provision for 3-bedroom homes it would nevertheless contribute towards the expectations of Policy SP2 of the Local Plan in respect of the mix of new homes delivered in the Borough.

Accordingly, in the circumstances associated with this case, overall, I find this to be a neutral matter in my assessment of the appeal.

17. For these reasons, I find that, in this specific location, the proposal would provide an acceptable housing mix. It would therefore not conflict with the aims of Policy SP2 of the Local Plan which seeks to ensure land is used efficiently, and that development addresses the need for different types of homes in the Borough and contributes to the creation or maintenance of sustainable communities. The proposal would also contribute towards the expectations of the Framework in respect of making effective use of land and delivering a sufficient supply of homes.
18. The Council's reasons for refusal claims the proposal would conflict with Policy DM1 of the Local Plan. However, that policy relates to proposals for 10 or more dwellings and those involving the loss of existing 3-bedroom homes and is therefore not directly relevant to this main issue.

Cycle parking

19. Cycle parking and storage requirements are set out in the development plan, and this equates to a need for at least 18 long-stay and two short-stay cycle parking spaces to serve the proposal. The plans show two areas identified for cycle parking which would accommodate 8 spaces each. No further details are provided. The proposal therefore fails to meet the requirements set out in the development plan which are necessary to support sustainable and active travel options for future residents.
20. The Council indicates that, were the proposal found to be acceptable in all other respects, the matter of cycle parking could be addressed through planning conditions. I saw that sufficient space would remain within the appeal site to accommodate areas for the secure parking of cycles. I am therefore satisfied that, were the appeal to be allowed, adequate cycle parking arrangements could be secured by an appropriately worded planning condition.
21. For this reason, adequate provision for cycle parking would be provided to serve future occupiers. The proposed development would therefore comply with Policy T5 of the London Plan and Policy SP8.7 of the Local Plan which establish minimum cycle parking requirements for development and seek to ensure that development proposals help to remove barriers to cycling.

Other Matters

22. I have not been provided with details of any specific proposals to develop the allocated land referred to by the appellant (site reference 683), or any other relevant details associated with the allocation. Any proposal that emerges would require consideration against relevant development plan policies. Given the lack of information provided in respect of this matter it is a neutral consideration in my assessment of the case before me.
23. The proposal would be in an area having good public transport accessibility as evidenced by the Transport for London Public Transport Accessibility Level rating of 5. It would comprise a 'small site' in the context of Policy H2 of the London Plan where much needed housing could be delivered relatively quickly, and I recognise that optimising the potential of sites in delivering additional housing is a strategic aim of the development plan. The proposal would also contribute towards the delivery of smaller homes which would add to the

overall supply of housing. I attribute moderate weight to each of these benefits having regard to the relatively small scale of the proposed development. However, these benefits, either individually or cumulatively, would not outweigh the significant harm that would arise from the proposal to the character and appearance of the area.

Conclusion

24. For the reasons given above, the conflict with development plan policies relating to character and appearance mean that there is conflict with the development plan as a whole. There are no material considerations of such weight that indicate the proposal should be determined otherwise than in accordance with the development plan. I therefore conclude that the appeal should be dismissed.

David English

INSPECTOR