
Appeal Decision

Site visit made on 25 April 2024

by C Hall BSc MPhil MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16th May 2024

Appeal Ref: APP/L5240/D/24/3337700
129 Bynes Road, South Croydon CR2 0PZ

- 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 Miss Gina Warnes against the decision of the Council of the London Borough of Croydon.
 - The application ref. 23/01492/HSE, dated 17 April 2023, was refused by notice dated 6 November 2023.
 - The proposal is for the erection of a cycle store to the front of the property.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposal on character and appearance of the existing property and surrounding area.

Reasons

3. The appeal site consists of a two-storey, mid terrace house with a small front garden in a street scape of similar residential properties. The rear garden backs onto a railway line and there is a primary school further along Bynes Road.
4. The layout of built form along Bynes Road is fairly regimented; the front building lines of the terraces are laid out in well-defined linear patterns along each side of the highway. The distance between elevations and the public highway is therefore fairly consistent and uniform, and this arrangement is particularly noticeable at the junction with Rolleston Road.
5. The proposal for a cycle store would interrupt this pattern, projecting into the front garden of the appeal site and beyond the established front building line. Although I acknowledge that it is of modest proportions, the scheme would still be clearly evident from the public domain within the vicinity of the site and would be a prominent incursion within the context of the locality, resulting in an uncharacteristic feature within the setting.
6. I recognise that there is variety to the appearance of houses in the area in terms of brickwork, doors, fences, walls and parking spaces. However, crucially none have permanent storage facilities within the front gardens. I also appreciate the appellant's desire to create a safe and secure space for bicycles to be parked, that no objections have been raised in respect of the living conditions of the occupants of neighbouring dwellings, and that the scheme would encourage cycling to the benefit of the environment, sustainable

transportation and general well-being. Nonetheless, these matters do not outweigh the harm I have identified above.

7. I sympathise with the appellant's frustration at the perceived lack of communication from the Council during the course of the application, and am also aware that the concluding paragraphs to the delegated report are at odds with the conclusions drawn elsewhere in the document. This would appear to be the result of an administrative error as the grounds for refusal in the decision notice are clear. All these issues notwithstanding, the appeal proposal remains unacceptable for the reasons given previously.
8. On this basis I consider that the development would be harmful to the character and appearance of the existing property and surrounding area. It would be contrary to Policy D3 of the London Plan (2021) and Policies SP4 and DM10 of the Croydon Local Plan (2018), which seek to secure new development of acceptable scale and appearance. It would be inconsistent with the advice in the National Planning Policy Framework, which states that good design is a key aspect of sustainable development,

Other matter

9. The Council is concerned that the current proposal could set a precedent for other similar developments nearby. Each case must be considered on its own merits, but as there are numerous small front gardens in the area I consider this to be a realistic argument.
10. Despite the appellant's assertion, I saw at my site visit that a number of front gardens are used for the siting of bins, which seems appropriate for convenience and to keep the footway clear. Even if they are not in use for such purposes, the installation of cycle storage in front gardens would further reduce the potential for the placement of bins in perpetuity.
11. I therefore share the Council's concerns that removal of such space could result in more bins on the public highway to the detriment of the visual amenity of the locality. Allowing this appeal might make it more difficult to resist further similar proposals, which would cumulatively exacerbate the harm which I have described above. My decision does not turn on this matter, but it adds weight to my conclusion.

Conclusion

12. Having regard to the foregoing and all other matters, the appeal is dismissed.

C Hall

INSPECTOR