



Appeal Decision

Site visit made on 10 September 2024

by L Francis BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 4 October 2024

Appeal Ref: APP/L5240/W/24/3342484

2 Woodplace Lane, Coulsdon, Croydon CR5 1NB

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Terrance Rodrigo against the decision of the Council of the London Borough of Croydon.
 - The application Ref is 23/02015/FUL.
 - The development proposed is: Road level - build a driveway at the front garden to allow 2 extra car parking spaces and build a retaining wall. Ground Level - retain the existing front garden space.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. Following the appellant's submission of an arboricultural report to support their appeal, the Council have confirmed that they consider the effect of the proposed scheme on trees would be acceptable subject to appropriate conditions should the appeal be allowed. As such, the effect of the proposal on trees is not a main issue.

Main Issues

3. In light of the above, the main issues are the effect of the appeal proposal on:
 - the character and appearance of the area; and,
 - highway safety.

Reasons

Character and appearance

4. The area is characterised by predominantly two storey suburban housing, set in large plots with front and rear gardens. Where front gardens have fences or walls as boundaries, they are typically at a low level. Higher boundaries tend to be in the form of planting or hedges. The low-level boundary treatments contribute to the open, spacious character of the area.
5. The topography of the area means that the house on the appeal site is set at a far higher level than Woodplace Lane itself. Due to the relative level of the garden to the footway, there is a concrete retaining wall which abuts the footway for the length of the appeal site, topped with wooden fence panels. There is a pedestrian gate on the street frontage. A vehicular access to the

appeal site is located off Woodplace Close, a private unmade road running off Woodplace Lane.

6. The proposal involves the creation of a parking area at road level accessed via a new crossover on Woodplace Lane. The scheme includes a concrete retaining wall to the back of the parking area and structure over the car parking area to support a garden above. There would be a handrail running along the length of the garden given its proposed location abutting the street. New steps would be constructed to one side linking the garden level and parking area.
7. The proposed structure to support the garden above the parking area would be highly visible from the street. Although I acknowledge that the concrete structure would be around the same height as the top of the existing fence panels, in conjunction with the handrail, it would nevertheless add significant bulk to the front boundary where it meets the footway. Given that the existing wall and boundary treatment to the street already has a dominant presence in the street scene, the proposals would have the effect of adding additional bulk and solidity to an already dominant feature. This would result in harm to the typically spacious and verdant character of the area.
8. The appellant indicates that they could add a hedge or planting to conceal the handrail. As I have no details of any proposed planting before me and it is not the role of the appeal process to evolve a development scheme, I proceed to determine the appeal on the basis of the proposed plans upon which the Council made its decision.
9. For the reasons outlined above, the appeal proposal would harm the character and appearance of the area. This runs contrary to the aims of Policy D3 of the London Plan 2021 and Policies SP4 and DM10 of the Croydon Local Plan 2018. Taken together, and amongst other things, these policies seek to deliver good design; require development to be of a high quality, which respects and enhances Croydon's varied local character and contributes positively to the townscape and respects the appearance, existing materials and built features of the surrounding area.

Highway Safety

10. The proposal specifies that the Woodplace Lane crossover would solely be used as an entry to the parking area, with vehicles exiting via the existing Woodplace Close access.
11. Woodplace Lane is a residential street with a speed limit of 20mph. Crossovers are a common feature along the street. The Council acting as Highway Authority has confirmed that there would be no in-principle objection to the siting of a crossover fronting Woodplace Lane. Although not part of the development plan, the Council's vehicle crossover guidance is referenced in the reason for refusal and I have had due regard to it in my decision.
12. The proposed crossover would be well set back from the 'give way' road markings. The drawings provided with the appeal indicate that there would be sufficient space for vehicles to manoeuvre into the site from Woodplace Lane and exit via Woodplace Close. I note that although Woodplace Close is not an adopted road, it is the sole means of vehicular access to several houses and the road would necessarily be used regularly by vehicles accessing those dwellings. Given the presence of the existing crossover, the use of Woodplace

Close as a means of accessing other dwellings, along with the position of the proposed crossover to Woodplace Lane relative to the 'give way' road markings, the appeal proposal would not be harmful to highway safety.

13. In terms of highway safety therefore, the appeal proposal would be in line with the aims of Policy T4 of the London Plan 2021 and Policy DM29 of the Croydon Local Plan 2018 insofar as they seek to maintain highway safety.

Other Matters

14. I acknowledge the appellant's comments regarding communication with the council over the description of development and other issues. However, this is a matter between the main parties and has no bearing on my consideration of the appeal.

Planning Balance and Conclusion

15. The appeal proposal would have the benefit of providing a car parking area which would allow vehicles to enter and exit in forward gear, along with electric car charging points and the retention of a garden area above. However, the harm I have identified to the character and appearance of the area would outweigh the identified benefits.
16. For the reasons given above the appeal should be dismissed.

L Francis

INSPECTOR