
Appeal Decision

Site visit made on 27 August 2024

by Thomas Courtney BA(Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23 OCTOBER 2024

Appeal Ref: APP/L5240/W/24/3341638

23 Kendall Avenue South, Croydon CR2 0QR

- 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 Mr Mark Bright against the decision of the Council of the London Borough of Croydon.
- The application Ref is 23/01126/FUL.
- The development proposed is a new dwelling and partial demolition of existing dwelling.

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues in this case are:
 - The effect of the proposal on the character and appearance of the area; and
 - Whether the proposal would provide adequate parking, and associated effects on highway safety.

Reasons

Character and Appearance

3. The appeal property is a detached two-storey dwelling located on the eastern side of Kendall Avenue South. It has a pitched roof, a double storey front gable projection, and is finished with white render and brickwork. There is also an existing flat-roofed detached garage and two vehicular crossovers onto the highway.
4. The appeal property lies within an established residential area characterised by a mix of detached and semi-detached dwellings. The semi-detached properties have mostly similar roof forms and building widths. The detached properties are also similarly scaled and have comparable profiles featuring hipped roofs and two-storey front-facing gables with pitched roofs. The spacing between the buildings is fairly regular and often occupied by single storey garaging. The gaps between buildings lend to an open feel which contributes to the character and appearance of the area. In this regard, the large gap at first floor level between the appeal property and the neighbouring property at 21 Kendall Avenue South directly contributes to the spaciousness of the street scene and thus to the character and appearance of the area.

5. The proposal seeks to demolish part of the appeal property and its garage, reconfigure it and to erect a new detached dwelling adjacent to it, to create two dwellings. The plans provided give little detail of the proposed reconfiguration of the existing dwelling, other than the indication that it would reflect the scale and positioning of a previous consented scheme under Council Ref 23/00547/HSE. On the basis of this information, I acknowledge that the proposed dwelling would share some similarities with the proposed reconfigured existing dwelling in terms of design aspects and general bulk and massing.
6. Nonetheless, the proposed dwelling would maintain a very limited degree of separation from the reconfigured existing dwelling. This would fail to reflect the spatial qualities of the street scene and would give rise to an incongruous and cramped form of development. This would result in significant harm to the character and appearance of the area. In addition, the proposed dwelling would be around a metre narrower than the reconfigured existing dwelling, which would be noticeable, and which would accentuate the incongruous and cramped form of development.
7. Permission was granted for the erection of extensions to the appeal property and its sub-division to form two semi-detached properties under Council Ref 21/03069/FUL. This consented development would reflect the spatial characteristics of other semi-detached dwellings along Kendall Avenue South, whereas the proposal before me, with the limited gap between the buildings, would not, and would appear incongruous and cramped as a result. Accordingly, the consented semi-detached scheme does not justify a planning permission in this instance.
8. Given the above, the proposal would give rise to significant harm to the character and appearance of the area. Therefore, it would conflict with Policies DM10 and SP4 of the Croydon Local Plan 2018 (CLP) and Policy D3 of the London Plan 2021 insofar as they seek to ensure proposals are well-designed and respect local character and development patterns.

Highway Safety

9. Policy T6.1 of the London Plan 2021 states that, in an area with a PTAL of 2 in outer-London, a maximum of up to 1 parking spaces per 3+bedroom dwelling should be provided. The application form states that one space per dwelling would be provided but the submitted plans do not indicate how the parking layout would be arranged.
10. Notwithstanding this, it was considered that two off-street parking spaces could safely be provided as part of the previous consented semi-detached scheme. Therefore, it is likely that similar provision could be achieved with the appeal proposal.
11. In addition, whilst the Council suggests there would be stress on on-street parking if no off-street parking were to be provided, I have not been provided with any substantive evidence of a lack of capacity and thus any resulting highway safety issues which might arise. Moreover, Kendall Avenue South did not appear to me to be overly congested with parked vehicles during my site visit, albeit that I recognise that this constitutes a snapshot in time.

12. On the basis of the above, I am satisfied that, had I been minded to allow the appeal for other reasons, with the Council's suggested condition relating to off-street parking details, the proposal could provide adequate off-street parking and would thus not give rise to any adverse effects on highway safety.
13. It would thus accord with Policies DM29 and DM30 of the CLP and Policies T4, T6 and T6.1 of the London Plan 2021 insofar as they seek to ensure that proposals provide appropriate parking and do not compromise highway safety.

Other Matters

14. The appellant states that the proposal would be more cost effective than the previously granted scheme for two semi-detached properties. However, this is a consideration to which I afford little weight, and thus is insufficient to outweigh the harm I have found.

Conclusion

15. Whilst I have found that the proposal would provide adequate parking and would not adversely affect highway safety, I have found that it would give rise to significant harm to the character and appearance of the area. The proposal would thus conflict with the development plan as a whole and the material considerations do not indicate that the appeal should be decided other than in accordance with it.
16. For the reasons given above, I conclude that the appeal should be dismissed.

Thomas Courtney

INSPECTOR