



Appeal Decision

Site visit made on 6 January 2025

by **Les Greenwood MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 24 January 2025

Appeal Ref: APP/L5240/W/24/3347019

Rear of 21 - 23 Harewood Road, South Croydon, Croydon CR2 7AT

- 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 Amtor Ali against the decision of the Council of the London Borough of Croydon.
 - The application Ref is 23/02919/FUL.
 - The development proposed is erection of a new 2 storey 5 bedroom residential building.
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Decision

1. The appeal is dismissed.

Preliminary matters

2. A revised version of the National Planning Policy Framework (the Framework) was published on 12 December 2024, during consideration of the appeal. Both main parties have had an opportunity to comment on these changes.
3. The appellant's appeal statement refers to the Council's Suburban Design Guide. The Council advises, however, that this former Supplementary Planning Document was revoked in 2022. I therefore give it no weight.

Main Issues

4. The main issues are the effects of the proposal on:
 - i) The character and appearance of the local area; and
 - ii) Living conditions at neighbouring properties, with particular reference to the outlook from 23 Harewood Road.

Reasons

Character and appearance

5. 21 and 23 Harewood Road are detached houses with large gardens, set within a residential neighbourhood of mainly similar properties. No 23 occupies a corner plot at the junction with Rayleigh Rise, a private road that rises fairly steeply away from the junction. The proposal is to build a detached house in No 23's back garden, fronting Rayleigh Rise and with access from that street. A small piece of No 21's back garden would be also incorporated into the site for use as part of the new house's garden.

6. In terms of design and scale, the new house would be reasonably similar to others in the area. It would, however, be a substantial, tall building perched well above the level of Harewood Road, including Nos 21 and 23, with its ridge level the same as that of 9 Rayleigh Rise which sits on higher ground. Its frontage and bulky, plain side gable elevation would be prominent in views, looming above the neighbouring houses. The new house has been designed as a somewhat box-like structure, with no stepping down to the lower boundary or other concession to the topography, so that it would sit awkwardly in this elevated position.
7. A wide gap would be left between the new house and the 2 storey section of No 23, so that the layout would not appear as overly cramped in the street scene. The design would nevertheless fail to adequately take its context into account. I note that other houses fronting onto Rayleigh Rise are of similar form, but none of those sit in the same situation, close to the backs of houses on Harewood Road. The appellant draws attention to a large new house on Harewood Road. That house sits on a corner plot at more or less the same level as its immediate neighbour so again is in a much different setting.
8. I conclude that the proposal would unduly harm the character and appearance of the local area. It conflicts in this respect with The London Plan 2021 (TLP) policy D3 and Croydon Local 2018 Plan (CLP) policies SP4 and DM10, which seek high quality design that responds to the existing character of a place.

Living conditions

9. The proposal includes a full height and full depth 2 storey gable side wall directly to the rear of No 23, on higher ground and only about 7 metres from the rear glazed doors to a habitable room at No 23. I note that this room also has a smaller, secondary window but the glazed opening facing the appeal site is the main source of outlook for that room. Although the Council does not appear to have any adopted standards for this sort of situation, the new wall would clearly be an intrusive and overbearing feature, dominating the outlook from that room due to its size and close proximity.
10. Objectors also refer to the impact on living conditions at 9 Rayleigh Rise, in particular. The proposed house's side facing windows could be obscure glazed, and non-opening up to eye level, to prevent loss of privacy. The proposed new house would sit side by side with No 9 so that impacts on light, outlook and garden privacy there would also be reasonably limited – much the same as for most other rows of houses. I find no undue impact on other neighbours' living conditions.
11. The effect on the outlook from 23 Harewood Road is sufficient reason for me to conclude that the proposal would be overly harmful to living conditions at No 23. The proposal also conflicts in this respect with TLP policy D3 and CLP policy DM10, which aim to ensure that the amenity of occupiers of adjoining buildings is protected.

Other matters

12. The new version of the Framework further emphasises the Government's aim of boosting the housing supply. This proposal would, in a small but significant way, make more efficient use of urban land to help to meet this objective, with particular reference to Framework paragraphs 61 and 129. TLP policy D3 and CLP policy SP2 also emphasise the need to provide more homes, especially family sized

homes like this, including through incremental densification. Framework paragraph 129(d) does say, however, that the efficient use of land should take into account the desirability of maintaining an area's prevailing character and setting. I have not seen any evidence of a shortfall of housing land supply in Croydon that would override my concerns regarding the main issues for this particular proposal.

13. I have also considered the various other points raised, both for and against the proposal, and see nothing to either add to or take away from my findings on the main issues. In particular, Rayleigh Road and Harewood Road appear to be lightly trafficked residential streets where the introduction of a new house with parking provision should not cause any significant highway safety issues. Construction noise and traffic would be an inevitable but short term issue. Any dispute about a right of access to the site across the verge of Rayleigh Road would need to be dealt with separately.

Conclusion

14. I find that the proposal conflicts with the development plan, taken as a whole. Although the proposal would make efficient use of the site to provide a new family home to help meet general housing need, I conclude that the appeal should not succeed.

Les Greenwood

INSPECTOR