



Appeal Decision

Site visit made on 12 February 2025

by **H Miles BA (hons), MA, MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 4th of March 2025

Appeal Ref: APP/L5240/W/24/3349712

12 Woodcote Grove Road, Coulsdon, Croydon CR5 2AB

- 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 Hunjan against the decision of the Council of the London Borough of Croydon.
 - The application Ref is 24/00973/FUL.
 - The development proposed is demolition of existing house and erection of 2-storey building (with accommodation in the roof space) to provide 5 flats including associated amenity space, landscaping, parking, cycle and refuse store.
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Decision

1. This appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposed development on the character and appearance of the area and the effect on the living conditions of neighbouring occupiers with particular regard to privacy and any overbearing effect.

Reasons

Character and Appearance

3. Woodcote Grove Road is characterised by both detached and semi detached mainly two storey dwellings and the road slopes upwards to the north. Although their detailing varies, their shared characteristics including their large plots and generally clear separation between buildings, particularly at first floor and above result in a pleasant, spacious pattern of development.
4. There are taller blocks of flats at 38 and 40 Woodcote Grove Road, however these are located further along the road and are not readily visible from the appeal site. 105 Woodcote Road and 20 and 35a Smitham Bottom Lane are even more distant. Furthermore, these are not so common as to form an overriding part of the character and appearance of the area.
5. 12 Woodcote Grove Road is a detached property set in a large plot. It has a single storey side addition with a pitched roof above. Due to its height and massing this retains a notable sense of separation from the adjoining property. It therefore makes a positive contribution to the pattern of development described above.
6. The proposed development would introduce a large building to this site. It would be two storeys across the full footprint, with accommodation within the substantial

roof. It would be located 1.5m from the boundary with no. 14 and 1.1m from the boundary with no. 10a.

7. Due to the land levels, the increased massing to two storeys to the southerly elevation would appear highly prominent. It would also bring two storey development closer to the front part of no 14. This would harmfully erode the spacing between the appeal site and the adjoining properties, particularly no. 10a. In addition, the proposed development would extend further to the rear of the site, resulting in a larger scale of building and a reduction in the size of the open rear garden. Overall, the building would appear unacceptably bulky in this context and would harmfully erode the spacious pattern of development.
8. The appellant makes comparisons with the appearance of the developments at 38, 40 and 105 Woodcote Grove. However, for the reasons set out above, this does not alter my decision. Furthermore, and taking into account their separate locations, I am not provided with evidence that satisfies me that the circumstances of these decisions are comparable to that before me now.
9. Therefore, overall, the proposed development would harmfully erode the spacious character of the surrounding area in a highly visible location. This would result in substantial harm to character and appearance.
10. Consequently, the proposed development would be harmful to the character and appearance of the area. As such, it would be contrary to Policy D3 of the London Plan (2021) (LP), Policies SP4 and DM10 of the Croydon Local Plan (2018) (CLP). Together these require that development is high quality, respects local character, follows a design-led approach and is of the most appropriate form and land use for the site, amongst other things.

Living Conditions

11. 26 The Avenue is broadly perpendicular to the appeal site and is at a noticeably lower ground level. Its narrow rear garden is bounded by the appeal site for the majority of its length along one side. The rear elevation of the proposed building would be located close to this garden. Due to the change in ground levels the proposed rear elevation would appear taller than two storeys. It would occupy the majority of the width of the appeal site, and includes numerous windows as well as terraces at the raised ground floor level and at roof level serving multiple residential units. There are trees along this boundary. However views towards the garden would still be possible, particularly when trees are not in leaf.
12. Therefore, the multiple terraces, views from a number of households, and the elevated height of this elevation would result in a significant amount of overlooking across the full length of the garden of no. 26. There would also be an overbearing effect from the proximity and size of the built form. This would be unacceptably overbearing and harmful to the privacy of the occupiers of no. 26.
13. Turning to 10a Woodcote Grove Road, the proposed development would be at a higher ground level and therefore noticeably taller than the neighbouring property. However, whilst it would project beyond its rear elevation, the extent would be limited, with a clear set back to this corner of the proposed building. Consequently, the majority of the length of the garden to no. 10a would remain open. Therefore, there would not be an unacceptable overbearing effect on this property.

Nevertheless, the lack of harm in this regard would be a neutral factor which would not overcome the harm to no. 26.

14. Therefore, the proposed development would be harmful to the living conditions of neighbouring occupiers with particular regard to privacy, and overbearing effect. As such, in this regard, it would be contrary to policies Policy D3 of the LP and Policies SP4, DM10 of the CLP. Together these require the amenity of adjoining occupiers is protected including with regard to overlooking and privacy and enhances well-being.

Other Matters

15. The Council states that a financial contribution towards sustainable transport would be required, as well as removal of access to residents parking permits for any future CPZ. Albeit this did not form part of the reason for refusal for the application. The appellant has not submitted a legal agreement. However, as the scheme is unacceptable for other reasons this would not lead me to a different decision on this appeal and there is therefore no need for me to reach a finding on this matter.
16. The appellant has raised concerns regarding the Council's handling of the pre application enquiries. However, that does not alter my assessment of the planning merits of the proposal.

Conclusion

17. The proposal conflicts with the development plan and the material considerations do not indicate that the appeal should be decided other than in accordance with it. Therefore, for the reasons given above the appeal should be dismissed.

H Miles

INSPECTOR