



Appeal Decision

Site visit made on 10 March 2025

by **U P Han BSc (Hons) DipTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 17 April 2025

Appeal Ref: APP/L5240/W/24/3349180

Spindlewood, Farm Drive, Purley, Croydon CR8 3LP

- 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 B Vandervilt against the decision of the Council of the London Borough of Croydon.
 - The application Ref is 23/01381/FUL.
 - The development proposed is demolition of existing single storey dwelling, detached double garage and various outbuildings and erection of 2 storey 6 bed dwelling with detached garage.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The appeal site is within Webb Estate and Upper Woodcote Village Conservation Area (the CA) wherein I have a statutory duty under Section 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (LBCA) to pay special attention to the desirability of preserving or enhancing the character or appearance of the area.
3. The Council's handling of the planning application has not factored into my decision, and I have determined the appeal only on the planning merits of the case.

Background and Main Issue

4. The appellant has submitted an Arboricultural Report¹ (AR) with the appeal. The Council considers that the AR overcomes the second reason for refusal, which relates to protected trees. The Council has indicated that it no longer contests this reason for refusal subject to tree protection conditions being imposed were the appeal to be allowed. Having considered the information submitted, I find it reasonable to conclude that, with the appropriate tree protection measures as recommended in the AR, any potential harm to the protected trees would be mitigated.
5. In light of the above and in view of no identifiable conflict with Policy DM28 of the Croydon Local Plan (February 2018) (CLP) and Policy G7 of the London Plan (March 2021) (LP), as referred to in the Council's Decision Notice, the main issue in this appeal is whether the proposed development would preserve or enhance the character or appearance of the CA.

¹ Ref. Arboricultural Report: Appeal Statement by Southern Beeches Ltd, Ref: as1/spindlewood/24, dated 16 July 2024.

Reasons

The Significance of the CA

6. The CA holds significant historical and architectural value as a pioneering example of early 20th century garden suburb design. Developed in the early 1900s by William Webb, the residential estate embodies his 'Garden First' principles, emphasising the integration of residential buildings within thoughtfully designed landscapes. The estate is characterised by its spacious plots, mature landscaping, and substantial detached houses. The original estate comprised largely of housing in the Arts and Crafts style.
7. To ensure the integrity of the estate remained intact, Webb laid out a set of restrictive covenants. The Webb Estate and Upper Woodcote Village Conservation Area Appraisal and Management Plan Supplementary Planning Document (June 2007) (SPD) incorporates many of the covenants into the SPD as guidelines for new development.
8. The SPD recognises that the massing of many of the newer buildings in the estate has significantly increased to the detriment of Webb's 'Garden First' principles. In light of this, the SPD requires the massing of any new buildings, including extensions and outbuildings to be in proportion to the plot size. The minimum distance between boundaries and development should be approximately 3 metres to both sides and approximately 18 metres to the front boundary. Extensions are to be sympathetic to and relate well to the original building. Garages and outbuildings should not protrude in front of the existing main building line but be set back and subservient to the existing house.

The Effect of the Proposal on the Significance of the CA

9. The appeal site comprises of a relatively modern detached single storey dwelling, a detached single garage and a spacious garden. The site is enclosed by dense vegetative boundaries and the dwelling and garage are set well back from Farm Drive which is lined with grass verges and hedges contributing to the verdant, secluded and tranquil character of the CA.
10. The proposal seeks to demolish the existing single storey dwelling, garage and various outbuildings and to erect a two-storey dwelling and detached double garage. The main parties agree that, as a later addition and due to its architectural style, the existing house makes a neutral contribution to the character and appearance of the CA. Consequently, the principle of demolition has been found acceptable by the Council and I find no reason to disagree.
11. The new house would be substantially larger than the existing house and orientated so that its front elevation would face the northern boundary of the site. The access point would remain as it is from Farm Drive to the east of the site. Despite the proposed creation of a larger front garden area in the north part of the site, the proposed dwelling would be sited 14.13 metres from the front boundary to Farm Drive, thereby failing to meet the 18 metre distance advised in the SPD.
12. While the existing dwelling is not much further back in the plot than the proposed dwelling, it is significantly less intrusive due to its height and overall size. The proposal would result in a larger amount of built form positioned closer to the

front boundary, thereby diminishing the sense of spaciousness about the site and undermining the spatial qualities of the CA.

13. Furthermore, the proposed detached double garage would be sited only 2.18 metres from the front boundary. This distance falls significantly short of the 18 metre SPD guideline. While the garage would not be clearly visible from Farm Drive due to the mature boundary vegetation, and the extent of hard surfacing in the site would be reduced, the garage would remain perceptible and an obvious deviation from the 'Garden First' principles.
14. Together, the proposed garage and dwelling would introduce intensified built presence close to the front boundary of the site. This would significantly reduce the visual and physical separation between development and the plot boundary, eroding the sense of openness and spaciousness that characterises the site and surrounding area. As a result, the proposal would undermine the 'Garden First' principles, eroding the historic building lines and development patterns that contribute to the character and significance of the CA.
15. While some elements of the architectural detailing and external materials palette of the proposed development take reference from its historical context, other aspects would appear incongruous with the Arts and Crafts style of the original Webb houses. For example, the heavy-looking balustrades at first floor level, the flat roof on the two-storey bay, the flat roof above the ground floor entrance and the columns and pediments would all appear alien and visually disruptive, eroding the established character and aesthetic coherence of the CA.
16. Although the plot size would remain the same and the two-storey height of the dwelling would be acceptable, the proposed dwelling by virtue of its architectural detailing and siting within the plot, along with the siting of the garage, would fail to respect the 'Garden First' principles which underpin the significance of the CA, which would harm its character and appearance. Notwithstanding this, due to site's degree of prominence within the CA, this would equate to a limited amount of harm. In the terms of the National Planning Policy Framework (the Framework), the harm to the CA would be less than substantial.
17. Paragraph 215 of the Framework establishes that where a proposal would lead to less than substantial harm to the significance of a designated heritage asset (in this case the CA), this harm should be weighed against the public benefits of the proposal. Paragraphs 212 and 213 of the Framework also advises that great weight should be given to the asset's conservation, irrespective of the level of potential harm and that any harm to the significance of a designated heritage asset should require clear and convincing justification.
18. The appellant has not explicitly identified any public benefits of the proposal. Compliance with the development plan in relation to private amenity space, overlooking, sunlight and daylight, landscaping, trees, drainage, ecology, refuse and recycle storage and vehicular access are expectations for all development that weigh neither for nor against the proposal and are therefore considered neutral.
19. Given the above, the proposal would fail to preserve or enhance the character or appearance of the CA, and there are no public benefits which would outweigh the less than substantial harm which would be caused to that heritage asset. Accordingly, it would not satisfy the requirements of the LBCA and the

Framework. There is conflict with Policies DM10 and DM18 of the CLP and Policy HC1 of the LP insofar as they require development to achieve high quality design and preserve and enhance the character and appearance of heritage assets including conservation areas.

Conclusion

20. 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 the development plan. For the reasons given above the appeal should be dismissed.

U P Han

INSPECTOR