



Appeal Decision

Site visit made on 27 May 2025

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

an Inspector appointed by the Secretary of State

Decision date: 6 June 2025

Appeal Ref: APP/L5240/W/24/3349126

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 24/00744/HSE.
 - The development proposed is alterations and extension to existing building and erection of detached garage.
-

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.

Background and Main Issue

3. The appellant has submitted an Arboricultural Report¹ (AR) with the appeal. The Council has considered the AR and is satisfied that the proposal would unlikely harm the health of existing protected trees on the site, subject to the imposition of tree protection conditions, 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.
4. 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.

Reasons

The Significance of the CA

5. 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

¹ Ref. Arboricultural Report: Arboricultural Implications Assessment (AIA) and Preliminary Method Statement (AMS) aiams3/spindlewood/24, dated 17 July 2024.

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.

6. 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) (the CAAMP SPD) incorporates many of the covenants into the CAAMP SPD as guidelines for new development.
7. The CAAMP SPD recognises that the massing of many newer buildings in the estate has increased significantly, undermining Webb's 'Garden First' principles. In light of this, the CAAMP SPD states that 'Extensions will be discouraged unless the size, siting, height and design would make a positive contribution to the landscape character of the Webb Estate.' The CAAMP SPD expects extensions to be designed with care and relate to the original building. It also advises that the choice of materials should be sensitive to the setting and surrounding buildings.
8. In addition, the CAAMP SPD advises that the minimum distance between boundaries and development should be approximately 3 metres to both sides and approximately 18 metres to the front boundary. It goes on to say that 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 spacious gardens. 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 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. While the principle of extending and altering the existing dwelling is acceptable, the proposed scheme features an expansive first floor balcony, which would introduce an element that is visually dominant and at odds with the typically traditional and private nature of elevations within the CA.
11. Furthermore, the proposed roof form would appear cluttered and overly complex, lacking the coherence and simplicity of the roof forms that are characteristic of the area. In addition, the excessive glazing on the south elevation of the building would introduce a level of transparency and reflectivity uncharacteristic of the CA's solid, materially rich facades. Taken together, the proposal would result in a dwelling that would appear incongruent and visually disruptive to the established character and aesthetic coherence of the CA.
12. Although the design and position of the proposed dormers windows would comply with the Conservation Area General Guidance Supplementary Planning Document (2013) (the CAGG SPD), the appeal scheme would increase the maximum ridge height of the existing dwelling and introduce numerous intersecting roof lines with changes in pitches, leading to a lack of coherence and visual clutter. Consequently,

the proposed roof form would not complement or respect the existing building, contrary to the CAGG SPD.

13. The appellant contends that the proposed relocation of the existing garage and reduction of the impact of the existing access would contribute to the 'Garden First' principles. However, the existing single garage is set well back from the road and obscured by existing vegetation so that its visual impact is limited. The detached double garage would be sited only 2.18 metres from the front boundary. This distance falls significantly short of the 18 metre CAAMP SPD guideline. Moreover, the proposed garage would be positioned in front of the existing main building line of the dwelling to the road, contrary to the CAAMP SPD. While the garage would not be clearly visible from Farm Drive due to the mature boundary vegetation, the garage would remain perceptible and an obvious deviation from the 'Garden First' principles.
14. The proposed garage 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, diminishing 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. The siting of the proposed garage is the same as in another proposal² (the alternative scheme) submitted by the appellant on the same site. The appellant contends that as the Council's grounds for refusal in relation to the alternative scheme did not refer to the siting of the detached garage, the position of the garage in this appeal proposal would be acceptable. However, it is clear from the Council's evidence that the siting of the proposed detached garage in the alternative scheme was not considered acceptable by the Council due to the distance of the proposed garage from the front boundary of the site. Furthermore, in the dismissed appeal³ relating to the alternative scheme, the Inspector considered that the siting of the proposed garage fell significantly short of the 18 metre SPD guideline, and would thereby cause harm to the significance of the CA.
16. The Council's Decision Notice describes the development as 'Demolition of existing garage and outbuildings; Extension to existing dwelling including an increase to the ridge height to accommodate two single storey side extensions and a two-storey rear extension with associated external alterations; Erection of detached garage.' The appellant argues that the Council's description of the proposed development implies that the Council concurs with the appellant's assessment of the orientation of the existing dwelling and therefore the appellant's view that the proposal is permitted development. However, there is nothing in the Council's description of development that identifies any orientation of the existing dwelling. The appellant contends that the proposed side and rear extensions are permitted development. However, it has not been demonstrated that these are permitted development. In any event, and for the avoidance of doubt, my decision is not concerned with whether or not planning permission is required for the proposed development but is based only on the planning merits of the proposal before me.
17. Overall, the proposal, by virtue of its architectural detailing and siting of the garage, would fail to respect the 'Garden First' principles which underpin the significance of

² Ref. 23/01381/FUL.

³ Ref. APP/L5240/W/24/3349180.

the CA, and would thus 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.

18. Notwithstanding this, 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 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.
19. The appellant contends that the proposal would reduce the impact of the existing access road and garage on the public realm, thereby contributing to the 'Garden First' principles and resulting in public benefit. However, as outlined above, the visual impact of the existing garage is limited due to its distance from the road and the presence of mature vegetation. The siting of the proposed garage would be in clear conflict with the 'Garden First' principles and so harm the character and significance of the CA.
20. 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 London Plan (March 2021) 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

21. 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