
Appeal Decision

Site visit made on 20 May 2025 by J Reed MPlan

Decision by Sarah Manchester BSc MSc PhD MEnvSc

an Inspector appointed by the Secretary of State

Decision date: 27 August 2025

Appeal Ref: APP/L5240/D/25/3358680

40 Norton Gardens, Norbury, London SW16 4SZ

- 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 James Burbridge against the decision of the Council of the London Borough of Croydon.
 - The application Ref is 24/00238/HSE.
 - The development proposed is creation of steps for pedestrian access to front door after removal of a section of boundary wall.
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by a representative of the Inspector whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Preliminary Matters

3. S72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires when determining proposals in conservation areas that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

Main Issue

4. The main issue is the effect of the proposal on the character and appearance of the Norbury Estate Conservation Area.

Reasons for the Recommendation

5. The appeal site is situated within the Norbury Estate Conservation Area (CA). The CA is one of the earliest London County Council cottage housing estates. It was designed and built in a distinctive Edwardian cottage style, influenced by the Garden City Movement and with Arts and Crafts inspired design. The estate is laid out in a formal grid pattern and the consistent and almost continuous building lines of the cottages provide strong definition to the streets. The boundary treatments, including low brick walls with timber fencing, iron railings and hedges, further contribute to the strong sense of urban enclosure to the streets. Given the above, I find that the significance of the CA insofar as it relates to the appeal to be primarily associated with the architectural and historic importance of the cohesive front boundary treatments.

6. The Norbury Estate Conservation Area Appraisal and Management Plan Supplementary Planning Document (the CAA) notes that the original architecture and urban design of the estate has been well preserved. Consequently, changes to an individual building may have a substantial impact on the collective character of a block or terrace of buildings. Moreover, given their architectural importance and the positive contribution they make to townscape character, the CAA advises that all existing original boundary treatments should be retained and repaired.
7. In this regard, the part of Norton Gardens that contains No 40 retains its unified original front boundary treatments, which consist of a continuous low brick wall with only a single communal pedestrian gateway serving the appeal property row of properties.
8. Although the CA is a densely developed townscape, the design approach disguises the small size of individual units and results in a sense of spaciousness. The single communal gateway and otherwise continuous front boundary wall are part of this design approach and contribute positively to this 'sense of place'.
9. The loss of part of the boundary wall and the creation of an additional access point would erode the historic fabric and the uniform development pattern of the terrace. The proposal would disrupt the original design, thereby diminishing local distinctiveness. It would be detrimental to local character and history, including the surrounding built environment, and it would not maintain the strong sense of place.
10. The materials would be in keeping with the traditional materials that characterise the CA. However, that would not mitigate the harm that I have found, including in terms of disrupting the visual rhythm and diminishing the sense of enclosure to the street. On the basis that the proposal would be prominent in the street scene, it would be capable of harming the CA as a whole. The harm to the character and appearance of the CA, and thereby its significance, is a matter to which I give great weight.
11. I am mindful that there are openings in boundary treatments elsewhere in the CA, including in the wall serving the terrace opposite. However, there is little evidence to indicate that these steps were not part of the original layout or that they otherwise benefit from planning permission. In any case, their symmetry in the street scene does not appear to significantly harm the character and appearance of the CA. In this regard, openings elsewhere do not provide a justification for a proposal that would harm the historic and architectural significance of the CA.
12. In the context of the National Planning Policy Framework (the Framework), taking into account the nature and scale of the proposal, I consider the harm to be at the lower end of less than substantial, but nevertheless of considerable importance and weight. Paragraph 215 of the Framework states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset (such as the CA), this harm should be weighed against the public benefits of the proposal.
13. The provision of a more convenient access to the appellant's home would be a private benefit. The appellant also suggests that the new access could also be used by neighbouring residents, but this would be at most a very limited public benefit. These benefits are not sufficient to outweigh the harm I have identified.

14. Therefore, I conclude that on balance the proposed development would not preserve or enhance the character or appearance of the CA. This would fail to satisfy the requirements of the Act, paragraph 210 of the Framework and conflict with policy HC1 of the London Plan (2021) and policies DM10 and DM18 of the Croydon Local Plan 2018. These require, among other things, that proposals preserve and enhance the character, appearance and setting of heritage assets within the borough. As a result, the proposal would not be in accordance with the development plan.

Other Matters

15. The parties dispute the possibility of precedent as a result of the proposed scheme. However, I have no substantive evidence before me of any instances where other proposals of a similar nature would be likely to occur and so cannot conclude that the proposal would lead to increased pressure for other similar developments. In any case, such cases, if they did arise, would be subject to planning control and the Council would consider them on their own merits.
16. I note the appellant's concerns in relation to the relationship of the existing entry to the bin pen, and the unsatisfactory existing arrangements for refuse storage. However, there is little evidence before me that there are no alternative solutions to the refuse problem without resorting to the harm that I have found.

Conclusion and Recommendation

17. The proposal would not accord with the development plan, when taken as a whole, and there are no material considerations of sufficient magnitude to indicate that the appeal should be determined other than in accordance with the development plan.
18. I therefore recommend that the appeal should be dismissed.

J Reed

APPEAL PLANNING OFFICER

Inspector's Decision

19. I have considered all the submitted evidence and my representative's report and on that basis the appeal is dismissed.

S Manchester

INSPECTOR