



Appeal Decision

Site visit made on 7 January 2014

by **Clive Tokley MRTPI**

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 30 January 2014

Appeal Ref: **APP/L5240/A/13/2205854**

40 Portland Road and 5-7 Doyle Road, London, SE25 4PQ.

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Event Investments Ltd against the decision of the Council of the London Borough of Croydon.
 - The application Ref 12/01114/P dated 18 April 2012 was refused by notice dated 25 March 2013.
 - The development proposed is the demolition of existing buildings, erection of a three/ four storey building comprising a 58 bedroom hotel (use class C1) with associated accommodation; widening of an existing vehicular access onto Doyle Road and provision of associated parking.
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Decision

1. The appeal is dismissed.

Introduction and Main Issue

2. The description of development set out above differs from that on the application form but it is the one that appears on the Council decision and the appeal form. I have therefore adopted it for this decision. The Council has raised no concerns about the design approach or materials of the proposed building and, taking account of the concerns of nearby residents, the Council considers that the use of the building can be adequately controlled by conditions.
3. The main issue is the effect of the siting and massing of the proposal on the character and appearance of the area including the adjacent South Norwood Conservation Area (CA).

Reasons

Context

4. The CA is focussed on South Norwood High Street and the immediately surrounding residential areas. Most of the CA lies to the north-west of the railway line but it extends to the south east to include part of the commercial frontage of Portland Road with the residential streets on either side. The business frontages extend beyond the CA and, to the north west of Addison Road, both sides of Portland Road, including the appeal site, accommodate a
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range of business uses occupying the ground floor of mainly two- and three-storey buildings. A significant proportion of the buildings, both within and outside the CA, are of a poor quality and I noted that a number of the ground floor units appeared to have been converted to residential use.

5. The commercial frontages and traffic in Portland Road contrast with the quieter residential streets on each side. One of these, Doyle Road, marks the south eastern boundary of the CA. The appeal site lies outside the CA at the junction between Portland Road and Doyle Road and the site extends to almost one third of the south-east side of Doyle Road. The remainder of that frontage is occupied by narrow-fronted terraced cottages with small front gardens. The north-west side of this street, within the CA, is partly fronted by similar cottages but the central section of the road has been developed with modern three-storey flats.
6. The former public house occupying the appeal site is dilapidated and unused and at the time of my visit the site was secured by hoardings at the back edge of the pavement. Unlike its Portland Road neighbours the front of the public house building is set back from the back edge of the pavement and this set back returns into Doyle Road where it reflects the set back of the houses.

Siting

7. The front wall of the proposed building would be at the back edge of the Portland Road pavement and would continue the line of the buildings to the south-east. This pattern of development continues to the north-west of Doyle Road and buildings are similarly-positioned at the Portland Road junctions with Clifford Road and the south-east side of Albert Road that are both within the CA. However unlike those junctions the return frontage of the proposal would be set back from the side road with a "chamfered" corner. As a result of this the proposal would create an area of public space at the junction.
8. The return frontage to Doyle Road would be roughly in line with the front walls of the terraced houses resulting in a narrow roadside "front garden" area with an opportunity to soften the appearance of the area by planting.
9. The proposal would reduce the amount of undeveloped space on the Portland Road frontage but I consider that in relation to both frontages the positioning of the building would not be out of character with this area. In addition the proposal would create an opportunity for enhancement at the junction and in Doyle Road.

Massing

10. Most buildings fronting Portland Road have two or three floors of accommodation; however to both the north and south of the appeal site are examples of modern buildings with fourth floor accommodation. To the north this is in a dormer-lit roofspace and to the south (Nos 48 to 50) in a top floor that is set back from the frontage. I also saw an example of a flat-roofed building rising to four stories within a couple of metres of the pavement at the corner of Clifford Road and Carmichael Road that creates a prominent visual stop at the south west end of Doyle Road.
11. Being sited at the road junction the proposed building would be more clearly in view along Portland Road than the neighbouring redeveloped sites, especially

from the north, and would be of significantly greater townscape importance. The grey brickwork and masonry coping give a solidity and mass to the lower three floors that is comparable to other buildings in the street. This section of the building is taller than the eaves of the largest buildings in the vicinity; however I consider that its height, which would return around the corner, responds to the space at the junction and would be acceptable here. The top floor would be set back about 1m from the lower floors and its zinc clad exterior would suggest a more lightweight structure; however I consider that these measures would not disguise the bulk of the building at third floor level.

12. When approaching the appeal site from the south the full height and bulk of the frontage building would be prominently in view above the adjacent two-storey building which at first floor level retains period details including stone cills and lintols and bracketed eaves. The bulk of the building would also be apparent when travelling southward along Portland Road. From this direction it would be seen in the context of the relatively small-scale two-storey buildings in each of the three other quadrants of the cross-road junction where Doyle Road and Coventry Road meet Portland Road. A more imposing taller two-storey building with prominent gabled dormers lies to the north but this too is less bulky above first floor level than the proposal. All of these buildings lie within the CA.
13. The four-storey building at Nos 48 to 50 has a more pronounced set-back at top-floor level than the proposal and from street level the smooth-finished grey panels, without clearly-visible windows, are visually recessive above the pale brick walls. As a result of its bulk and more prominent location the proposal would be significantly more intrusive in the street scene of Portland Road than the nearby four storey buildings. The corner building would also be viewed down the slope from Doyle Road where the contrast between the height and bulk of the building and the smaller-scale buildings in the CA on the east side of Portland Road would be especially stark.
14. Beyond the corner building the two lower floors of the return frontage to Doyle Road would be finished in brickwork with a coping that would be just above the eaves line of the houses to the south west. In common with the corner building the top (second) floor is proposed to be clad in zinc; however the road-facing elevation of the top floor would not be set back from the wall below. Drawing (PL200 rev B) indicates that all of the windows in this elevation are box bays extending out from the wall; however the second floor plan (PL106 rev B) indicates that the second floor windows would be flush with the walls. The drawings of this part of the proposal contain a number of inconsistencies in both front and rear elevations but tracing the evolution of the proposal I have concluded that the appellant's intention is best expressed by the floor plan and I have considered the proposal on that basis.
15. The three storey building fronting Doyle Road would be taller and bulkier than the houses to the south west; however taking account of the presence of the modern three-storey flats within the CA on the north side of Doyle Road I consider that this part of the building would represent an appropriate transition from the residential frontage to the commercial buildings in Portland Road.
16. Overall I consider that as a result of its height and resultant bulk the building would be excessively over-dominant at the junction of Doyle Road and would unacceptably detract from the character and appearance of the area. For this

reason the proposal would conflict with Policy UD3 (*Scale and Design of New Buildings*) of the 2006 *Croydon Plan* and saved policies 7.4 and 7.6 of the *London Plan*. These policies are consistent with one of the core planning principles of the National Planning Policy Framework (the Framework) which indicates that planning should always seek to secure high quality design and I give them substantial weight.

17. I consider that the massing of the building would conflict with the character of the adjacent CA and would neither preserve nor enhance views in to or out of the CA. I consider that the harm arising to the CA would be "less than substantial" as indicated in the Framework and therefore a balance needs to be struck between that harm and the public benefits arising from the proposal.

Other matters

18. A number of nearby residents have raised objections to the proposal and the application also attracted objections from South Norwood Residents' Association, The Norwood Society and a petition of objection from Rescue South Norwood. The proposal is supported by People for Portland Road.

19. In addition to the main issue the principal matter raised by objectors is the use of the proposed building. The application seeks permission for a hotel within use Class C1 of the Town and Country Planning Use Classes Order 1997 (as amended); however objectors are concerned that the building could be used as a hostel. Hostels do not appear in any of the defined Use Classes and Class C1 specifically excludes them. Therefore the change of use of the building from a hotel to a hostel would require planning permission from the Council. The Council has recommended a condition to clarify the definition of a hotel and had I been minded to allow the appeal I would have given consideration to the need for such a condition; however in the light of my conclusion on the main issue there is no need for me to consider this matter further.

20. Residents have expressed concern about parking; however the site is well-served by public transport. One "disabled" space is proposed and in accordance with the Council's view I consider that the refusal of permission on the grounds of inadequate parking would not be justified.

21. My attention has been drawn to the willow tree on the site which provides some relief from the harshness of the built environment. The tree is not protected by a Preservation Order and whilst nearby residents would no doubt wish to see it retained I consider that it is not of sufficient amenity value to justify the refusal of permission for the proposal.

Framework balance and conclusion

22. The appeal site is unused previously-developed land within an inner-urban area. An appropriate development here would improve the physical fabric of the area and would represent a vote of confidence in the area creating the potential for more investment in the future. The carrying out of the development would be a boost to the local economy and the people attracted to the area by the hotel would be likely to benefit other nearby businesses. These positive factors arising from redevelopment are consistent with the underlying economic and social roles of planning system that are set out in the Framework. However the planning system also has an environmental role that includes the protection and

enhancement of the built environment and safeguarding heritage assets, in this case the adjacent CA.

23. Much of the architecture within the CA south of the railway is undistinguished but on three sides of the crossroads next to the appeal site the scale of its buildings is two-storey. In my view the appeal site could successfully accommodate a larger scale building; however I consider that the bulk of the proposal would be excessive and that as a result it would be unacceptably harmful to the overall character and appearance of the area; including the views into and out of the CA.
24. The economic factors weigh heavily in favour of the proposal and I have noted the evolution of the scheme in discussion with the Council Officers that resulted in the Officer recommendation of approval; however taking account of all matters I have concluded that the benefits that would arise from the development would not outweigh the harm to the character and appearance of the area including the adjacent South Norwood Conservation Area. I have therefore concluded that the appeal should not succeed.

Clive Tokley

INSPECTOR

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