

Appeal Decision

Site visit made on 6 September 2016

by Timothy C King (BA Hons) MRTPI

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

Decision date: 19 September 2016

Appeal Ref: APP/L5240/D/16/3153843

35 Woodplace Lane, Coulsdon, Croydon, CR5 1NE

- 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 Mr Lewis Conte against the decision of the Council of the London Borough of Croydon.
 - The application Ref 16/01343/P, dated 16 March 2016, was refused by notice dated 26 May 2016.
 - The development proposed is '*Demolition of conservatory, erection of new part two storey, part single storey rear extension; porch; driveway alterations.*'
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Decision

1. The appeal is allowed and planning permission is granted for the erection of a part single/part two-storey rear extension, front porch and alterations to driveway at 35 Woodplace Lane, Coulsdon, Croydon, CR5 1NE in accordance with the terms of the application Ref 16/01343/P, dated 16 March 2016, subject to the following conditions:
 - i) The development hereby permitted shall begin not later than three years from the date of the decision.
 - ii) The development hereby permitted shall be carried out in accordance with the following approved plans: PLN 01, PLN 02, PLN 03, PLN 04, PLN 05, PLN 06, PLN 07, PLN 08, PLN 09, PLN 10, PLN 11, and PLN 12.
 - iii) The materials to be used in the construction of the external surfaces of the extensions hereby permitted shall match those used in the existing building.
 - iv) No additional windows to those shown on the approved plans shall be installed in the rear extension hereby permitted without the prior consent of the local planning authority.

Procedural Matters

2. Although Woodplace Lane is a residential street the site lies within the designated Metropolitan Green Belt. In its Reason for Refusal the Council has omitted any mention of the Green Belt framing its objections, instead, on the design and appearance of the proposed extensions. Certain of the policies cited in the decision notice do, however, relate to the protection of the Green Belt. Nonetheless, in accordance with advice contained within the National
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Planning Policy Framework (the Framework), due to the site's location it is necessary that I weigh up the proposal on the basis of a more formulaic assessment.

3. I have slightly altered the proposal's description to more closely focus on the development involved. No objections have been raised to the minor driveway alterations proposed and I agree with this approach.

Main Issues

4. The main issues in this case are:

- i) whether the proposal would be inappropriate development in the Green Belt for the purposes of the National Planning Policy Framework (the Framework);
- ii) the effect of the proposal on the openness of the Green Belt;
- iii) the effect of the proposal on the character and appearance of the surrounding area; and
- iv) if it is inappropriate development whether the harm by reason of inappropriateness and by reason of any other harm is clearly outweighed by other considerations so as to amount to the very special circumstances necessary to justify the development.

Reasons

Whether the proposal is inappropriate development

5. The appeal property is a two-storey, inter-war, dwellinghouse with a shallow, partial width conservatory attached to its rear, running along the common boundary with No 33. Otherwise it has not been extended. Similar to its neighbour the dwelling, as originally built, has a characteristic, partial width, two storey, gabled projection, which gives an additional 1.7m depth to its open, flank, and this feature covers approximately one third of the width of the rear elevation.
6. Given the age of the Council's Croydon Replacement Unitary Development Plan (UDP), adopted in 2006, in terms of proposals for development within the Green Belt I must attach considerable weight, instead, to the more contemporary advice given in the National Planning Policy Framework (the Framework), published in 2012. The Framework states that inappropriate development is, by definition, harmful to the Green Belt. All development is inappropriate unless, in the case of any new building constructed, it falls within one of the exceptions referred to in paragraph 89 of the Framework. This would include the extension of an existing building which, provided that it does not result in disproportionate additions over and above the size of the original building, would not necessarily amount to inappropriate development.
7. The Framework provides no clear guidance over what may, or may not amount to disproportionate additions. In this particular instance the proposal would involve the removal of the existing small rear conservatory, and its replacement with a rear extension to a depth of some 5m, single-storey in height at the common boundary with No 33. Overlain by a pitched roof, this would rise to

meet the two-storey element projecting some 3.2m rearwards from the opposite flank wall. The angle of pitch would follow that of the existing two-storey gable feature, which would be subsumed into the development, although the new gable's central ridgeline would be to a higher point on the dwelling's main roofplane.

8. A partial width, front porch feature to a depth of some 2.3m is also proposed but, nonetheless, taken together, the total additional floorspace would not represent a disproportionate addition over and above the size of the original building. Indeed, given the existence of the original two-storey projection, and taken along with the existing conservatory's consequential removal, I am satisfied that the proposal does not constitute inappropriate development for the purposes of the Framework. Indeed, this approach would also be consistent with Policy RO2 of the UDP.

Openness

9. The Framework states that an essential characteristic of Green Belts is their openness and that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land within them permanently open.
10. The appeal property has a rear garden to an approximate depth of 58m and, when taking into account the dwelling's contextual setting, the proximity to the two immediate neighbouring properties, and the particular factors involved in the proposal I am satisfied that the limited degree of physical encroachment into the Green Belt would be relatively insignificant. Accordingly, I conclude that the proposal would not impact on the Green Belt's openness.

Character and appearance

11. The Council, in its reason for refusal mentions that the development would be detrimental to the visual amenity of the street scene and surrounding area yet the case report comments that the front porch would be considered acceptable. Considering that the proposed rear extension would be relatively imperceptible to persons passing along Woodplace Lane I am unclear as to the Council's justification in this regard.
12. The terms design, size, scale bulk and excessive depth are also cited in the reason for refusal yet I do not consider that the Council has sufficiently amplified or illustrated its concerns with regard to these matters. Indeed, the existing single storey rear extension at No 33 is deeper than the ground floor element of the appeal proposal, and the additional depth of the proposal's first floor element is not excessive given the existing two-storey, rear gable feature.
13. On this main issue I have concluded that the proposal would not be harmful to the character and appearance of the surrounding area and there would be no material conflict with Policies 7.4 and 7.6 of the London Plan (LP), Policies SP1.2 and SP4.1 of the Croydon Local Plan (CLP), UDP Policies UD2 and UD3, nor the advice provided in the Council's Supplementary Planning Document 2 (Residential Extensions and Alterations).

Inappropriateness

14. Given that I do not consider the proposal to amount to inappropriate development in the Green Belt there is no requirement for the appellant to

demonstrate very special circumstances to justify the development in this regard.

Conclusion and Conditions

15. I have not found that the proposal would cause harm with regard to any of the main issues. Notwithstanding my findings that the proposal would not be inconsistent with the aims and requirements of the various design and built environment policies mentioned neither do I consider that the proposal is in conflict with LP Policy 7.16, CLP Policy SP7.2 or UDP Policies RO1 and RO2.
16. For the above reasons, and having had regard to all matters raised, the appeal succeeds. In terms of conditions, apart from the statutory time limit, in the interests of good planning and for the avoidance of doubt, I impose a condition requiring that the development be implemented in accordance with the approved plans. A condition is also imposed requiring for the use of matching external materials to ensure a satisfactory standard of development. Finally, in order to safeguard the privacies of neighbouring occupiers I have added a condition prohibiting the installation of any additional windows in the rear extension without the prior written consent of the local planning authority.

Timothy C King

INSPECTOR