
Appeal Decision

Site visit made on 4 October 2016

by Thomas Hatfield BA (Hons) MA MRTPI

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

Decision date: 11th October 2016

Appeal Ref: APP/L5240/D/16/3155269

29 Brighton Road, Coulsdon, CR5 2BF

- 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 Chris Costello against the decision of the Council of the London Borough of Croydon.
 - The application Ref 16/02661/P, dated 24 May 2016, was refused by notice dated 19 July 2016.
 - The development proposed is a ground floor side and rear extension.
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Decision

1. The appeal is allowed and planning permission is granted for a ground floor side and rear extension at 29 Brighton Road, Coulsdon, CR5 2BF in accordance with the terms of the application, Ref 16/02661/P, dated 24 May 2016, and the plans submitted with it, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan; 16171/03; 16171/04; 16171/05; 16171/14; 16171/15; 16171/16.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.
 - 4) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no window shall be placed in the side elevation of the extension hereby approved facing the boundary with No 31 Brighton Road.

Preliminary Matter

2. At the time of my site visit, the rear garage to No 29 had already been demolished. However, its footprint was clearly visible and I was able to assess its impact on the adjacent property based on this and the submitted plans and documents.

Main Issue

3. The main issue is the effect of the development on the living conditions on No 31 Brighton Road with regard to visual intrusion and an overbearing impact.
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Reasons

4. The proposed rear extension to No 29 would be single storey in height. Part of the extension would occupy a similar footprint to the recently demolished garage, and would be constructed along the boundary with No 31. This part of the extension would be in close proximity to an existing ground floor rear window to No 31.
5. The recently demolished garage occupied a similar footprint to the proposed extension along the boundary to No 31. It was also similar in height, albeit it had a pitched roof. The proposed extension would have a mono-pitched roof, with the tallest elevation facing the boundary. This would have a slightly greater impact on the adjacent property than the previous garage, although the difference would be modest. The extension would also be partly obscured by the shed in the garden to No 31. For these reasons, the impact on the rear window to No 31, over and above the recently demolished garage, would not be unduly harmful.
6. In addition, this rear window appears to serve a kitchen. This would be a less sensitive room than a lounge or living room window, where occupiers would be expected to spend a greater proportion of their time.
7. I conclude that the development would not unacceptably harm the living conditions of No 31 Brighton Road with regard to visual intrusion and an overbearing impact. It would therefore be in accordance with Policy UD8 of the Croydon Replacement Unitary Development Plan (The Croydon Plan 2006) Saved Policies 2013, Policy 7.6 of the London Plan, and Supplementary Planning Document No 2 on Residential Extensions and Alterations.

Conditions

8. In addition to the standard time limit condition, I have imposed a condition that requires the development to accord with the approved plans. This is necessary for clarity and to ensure a satisfactory development. I have also imposed a condition that requires the construction materials to match those used in the existing building. This condition is necessary to protect the character and appearance of the host building and the wider area. I have imposed a further condition that removes permitted development rights to install new windows in the side elevation of the extension facing No 31 Brighton Road. This is necessary to protect the privacy of the occupiers of that property.

Conclusion

9. For the reasons given above I conclude that the appeal should be allowed.

Thomas Hatfield

INSPECTOR