

Appeal Decision

Site visit made on 15 November 2016

by J C Clarke BSc(Hons) BTP MRTPI

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

Decision date: 29 November 2016

Appeal Ref: APP/L5240/D/16/3156757

26 Mapledale Avenue, Croydon CR0 5TD

- 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 and Mrs Nicholas Stretton against the decision of the Council of the London Borough of Croydon.
 - The application Ref 15/05502/P, dated 7 December 2015, was refused by notice dated 26 May 2016.
 - The development proposed is Construction of 2 storey side extension, 1 storey side extension and 1 storey rear extension with 1st floor extension over.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposed development on:
 - (a) the character and appearance of the host property and the surrounding area; and
 - (b) the living conditions of the occupiers of neighbouring dwellings.

Reasons

Character and appearance

3. 26 Mapledale Avenue is a substantial 2 storey house which is prominently located on a corner plot. Whilst dwellings in the area are varied in their design, they are mostly large detached houses, many of which are of a similar scale to the appeal dwelling. The houses are mainly arranged along well defined building lines facing towards their respective highway frontages, from which they are set back within extensive plots. The estate has a verdant and spacious character.
 4. The appeal dwelling is orientated at an angle of about 45 degrees to the houses on either side of it and 'turns the corner' in visual terms between the street scene on Mapledale Avenue and Grimwade Avenue. The plot narrows significantly towards the rear and there are 'pinch points' between the appeal dwelling and the boundaries with the 2 adjacent properties.
 5. The proposed 2 storey extension on the south eastern side of the appeal dwelling would be set back by about 2 metres at first floor level from the adjacent front facing gable. It would have a hipped roof which would be at a
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slightly lower level than, and reflect the design of, that on the existing house. However, it would be much higher and wider than the existing single storey garage in this location. It would occupy almost the entire width of the space between the appeal dwelling and the boundary with 28 Mapledale Avenue and require the removal of an existing tree¹. It would also project, particularly at ground floor level, in front of the building line which is defined by the front corners of the appeal dwelling and that at number 28.

6. The single storey extension on the north western side of the dwelling would be of limited size but would result in the building projecting further towards Grimwade Avenue than it does at present. The proposed side extensions would both be very close to respective plot boundaries, as would the extension to the rear, and have an awkward angular layout which would reflect the physical constraints of the plot. Whilst day and sunlight would penetrate through the gaps between the appeal dwelling and neighbouring houses this would rely substantially on land within these neighbouring plots.
7. Although other dwellings in the area have been extended, not all of the other examples relate to corner plots. No substantive information concerning any relevant planning history of other cases has been provided and no examples which precisely replicate the layout and design of the appeal proposal and site have been drawn to my attention. I have in any event considered the appeal, as I must, on its own merits having regard to relevant current policies.
8. As stated by the Appellant, individual elements of the proposals would accord with points in the Residential Extensions and Alterations Supplementary Planning Document (SPD). However, this SPD provides only generic guidance. In addition the effects of the proposals must be considered as a whole, also taking account of the existing 2 storey side extension to the appeal dwelling.
9. I acknowledge that new planting is proposed, the building is not listed or in a Conservation Area, and that the proposals would use materials and period details to match those on the existing dwelling. However, these points do not mean that the design, scale and massing of the proposals would be satisfactory.
10. The proposed extensions would result in the dwelling having a cramped appearance which would dominate the width of this corner plot. Due to the prominence of the plot, this would cause substantial harm to the character and appearance of the host property and the surrounding area. As a result, the proposals conflict with relevant provisions of: Saved Policies UD2 and UD8 of the Croydon Replacement Unitary Development Plan (CRUDP) 2006; Policies SP4.1 and SP4.2 of the Croydon Local Plan: Strategic Policies (CLPSP) 2013; Policies 7.4 and 7.6 of the London Plan; and section 7 of the National Planning Policy Framework (the 'Framework').

Living Conditions

11. The proposed rear extension would project about 4 metres to the rear of the appeal dwelling, and its sizeable 2 storey element would be immediately next to the boundary with 1 Grimwade Avenue. This and the 2 storey side of the existing dwelling would in combination present a continuous long and high wall alongside this adjacent property.

¹ Shown on drawing 0615-P02/B

12. The side of the house at 1 Grimwade Avenue which faces the appeal dwelling is occupied by a garage. Views towards the proposed extensions from a side facing kitchen/dining room window in 1 Grimwade Avenue would be at an oblique angle and over a considerable distance. The first floor window in the rear extension which would be closest to 1 Grimwade Avenue, and 2 first floor windows which would be inserted into the existing side wall facing 1 Grimwade Avenue, would be obscure glazed. Further privacy could be provided by adding to the landscaping between the rear gardens of the two houses. 1 Grimwade Avenue is a large property with areas which would not be affected by the appeal proposals.
13. Despite these positive points, however, the proposed rear extension would, due to its size and positioning, cause some loss of morning sunlight within and have an overbearing effect on views from the side garden of 1 Grimwade Avenue. This would be sufficient to cause a degree of harm to the living conditions of the occupiers of this neighbouring dwelling.
14. The proposed 2 storey side extension, the single storey part of the proposed rear extension and the proposed balcony would all be located close to the dwelling at 28 Mapledale Avenue. Whilst the side of number 28 which faces towards the appeal dwelling contains windows, these would not directly face the 2 storey side extension. A proposed first floor window facing towards number 28 would be obscure glazed and any overlooking of number 28 from the proposed balcony would be satisfactorily mitigated by a proposed screen on its side.
15. As the proposed extensions would be located to the north west of 28 Mapledale Avenue, they would cause no substantive loss of daylight or sunlight for its occupiers.
16. I conclude that, whilst the proposals would not cause substantive harm to the living conditions of the occupiers of 28 Mapledale Avenue, they would cause some harm to the living conditions of occupiers of 1 Grimwade Avenue. This would be sufficient to cause a degree of conflict with Saved Policy UD8(ii) of the CRUDP and Policy 7.6(B)(d) of the London Plan.

Other Considerations

17. Whilst Council officers recommended that permission be granted, the Council is not obliged to follow this advice and this point does not outweigh my earlier findings. Due to the policy conflicts which I have identified above, the presumption in favour of sustainable development in the Framework does not justify the granting of permission in this instance.

Conclusions

18. I have found that the appeal proposals would cause substantial harm to the character and appearance of the host property and the surrounding area, and some harm to the living conditions of the occupiers of 1 Grimwade Avenue. There are no other considerations which outweigh these findings.
19. I therefore dismiss the appeal.

Jonathan Clarke

INSPECTOR