

Appeal Decision

Site visit made on 12 December 2016

by Helen Hockenhull BA(Hons) B.PI MRTPI

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

Decision date: 06 January 2017

Appeal Ref: APP/L5240/D/16/3158852

15 Convent Hill, Upper Norwood, London SE19 3QY.

- 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 Caetano Gouveia against the decision of the Council of the London Borough of Croydon.
 - The application Ref 16/02873/P, dated 5 June 2016, was refused by notice dated 11 August 2016.
 - The development proposed is the demolition of outbuilding; erection of single storey detached granny annex at rear.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues in this case are:
 - the effect of the development on the character and appearance of the area;
 - the effect of the development on the living conditions of the occupants of neighbouring dwellings with particular regard to outlook.

Reasons

Character and appearance

3. The appeal site forms a two storey semi-detached house on a corner plot at the junction of Convent Hill and Beaumont Road. It has a long rear garden of around 30 metres in length enclosed by a timber panel fence. The garden area lies at a higher level to Beaumont Road. There is an existing small outbuilding to the end of the garden. The area is residential in character.
 4. The appeal proposes the erection of a single storey detached granny annex following the demolition of the existing outbuilding. The building would have dimensions of approximately 8 metres by 6 metres and would have a height of around 2.67 metres with a flat roof. I note that a previous application for a similar proposal, refused by the Council was for a building with a larger footprint and a higher pitched roof.
 5. I noted on my site visit that the existing outbuilding which is smaller than the appeal proposal and set further back in the garden is visible from Beaumont
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- Road. The proposed building would be much larger and sited forward of the building line of neighbouring properties. It would be particularly visible above the wall to the side of the driveway to No.1 Beaumont Road.
6. Many dwellings in the locality have small sheds or outbuildings in rear gardens. However the appeal proposal would introduce a much larger residential building to a rear garden. This would be out of keeping with the existing pattern of development in the area, with only small ancillary domestic buildings in rear amenity areas.
 7. The submitted plans do not show the floor level of the proposed building set at a lower level than the existing garden. The annex would therefore be at existing ground level which is higher than Beaumont Road. Whilst the flat roof design would keep the height of the proposed annex to a minimum, this level difference would increase the prominence of the proposal. It would result in the building appearing as a dominant structure in the street scene adversely affecting the character and appearance of the area.
 8. I acknowledge that the proposed annex building would not be subdivided from the rear garden of the host property. The overall plot size of the appeal dwelling would therefore be unaltered. However, the proposed development would be sited approximately 3 metres from the rear boundary wall, about a metre from the side boundary with Beaumont Road and at the minimum around 1.4 metres from the side garden boundary with 11a Convent Hill. This would give little space around the northern or southern elevations of the building. The proposed annex would therefore have a cramped appearance and the garden would appear overdeveloped.
 9. I therefore consider that the appeal proposal would cause harm to the character and appearance of the area. It would be contrary to Policies 3.5, 7.4 and 7.6 of the London Plan 2011(as consolidated with alteration), Policies SP4.1 and SP4.2 of the Croydon Local Plan Strategic Policies 2013 (CLP1) and Saved Policies UD2, UD3, UD14, H2 and H5 of the Croydon Replacement Unitary Development Plan (The Croydon Plan) 2006. Amongst other things these policies aim to ensure that new development reinforces the existing pattern of development, is of a high quality of design and respects the character of residential areas.

Living conditions

10. At its closest the building would be sited around 1.4 metres from the common rear garden boundary with No 11a Convent Hill. The Council have raised concern that the building would result in a loss of outlook for the occupants of this property especially from the rear garden area. I noted on my site visit the presence of a timber outbuilding at the rear of the garden to the neighbouring property, which whilst being smaller, would be sited parallel to the appeal proposal. Having regard to the overall length of the rear garden and the distance between the annex and the rear elevation of No. 11a, over 20 metres, I do not consider that the proposal would have a significant overbearing effect on this property causing material harm to the living conditions of the occupants.
11. With regard to No 1 Beaumont Road, the appeal building would be sited forward of the front elevation of the house and cover much of the side boundary to the driveway. The property has two ground floor windows serving

habitable rooms on the front elevation one of which is a bay window. I consider that as a result of the siting, size and height of the appeal building, it would have an enclosing effect to the front of the neighbouring dwelling which would adversely affect the outlook from the windows in the front elevation of the property.

12. I therefore consider that the proposal would cause harm to the living conditions of the occupants of the neighbouring property, No.1 Beaumont Road, and would fail to comply with Policy 7.6 of the London Plan, Policy SP4.2 of the CLP1 and Saved Policy UD8 of the Croydon Plan 2006. These policies amongst other objectives aim to protect the amenity to surrounding land and buildings especially residential properties.

Other matters

13. I acknowledge that the appeal proposal would be in a sustainable location and provide a new unit of residential accommodation which would contribute to the supply and mix of housing in the Borough having regard to differing needs and future demographic and market trends. The development would also seek to optimise the potential of the site to accommodate development. Whilst these benefits provide support to the proposal they do not outweigh the harm I have identified to the character and appearance of the area and the living conditions of the occupants of the neighbouring dwelling.

Conclusion

14. For the reasons given above and having regard to all other matters raised, I dismiss this appeal.

Helen Hockenhull

INSPECTOR