



Appeal Decision

Site visit made on 15 August 2017

by Timothy C King BA(Hons) MRTPI

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

Decision date: 30/08/17

Appeal Ref: APP/L5240/D/17/3174510

4 Tall Trees, Pollards Hill South, London SW16 4NE

- 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 Bernard against the decision of the Council of the London Borough of Croydon.
 - The application Ref 16/06121/HSE, dated 30 November 2016, was refused by notice dated 17 March 2017.
 - The development proposed is described as '*Retrospective application for change to consent 15/01581/P dated 5 June 2015.*'
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Decision

1. The appeal is allowed and planning permission is granted for a detached two-storey building at 4 Tall Trees, Pollards Hill South, London SW16 4NE in accordance with the terms of the application Ref 16/06121/HSE, dated 30 November 2016.

Preliminary Matters

2. Planning permission was granted in June 2015 for a two-storey building with garage accommodation at ground floor level and a playroom on the first floor. The approved scheme is for a predominantly two-storey building with a single-storey section towards the rear. Development was subsequently commenced, but the building was constructed to full two-storey height with other, lesser variations including a rear ground floor window and a shallow concrete ramp leading up to the garage door. Permission is now sought in an attempt to regularise the planning position.
3. I have re-worded the proposal's description to clarify the development now proposed.

Main Issue

4. The main issue is the development's effect on the living conditions of neighbouring occupiers.

Reasons

5. The gable-roofed building is sited close to the common boundary with the rear gardens of residential properties in Wharfedale Gardens. The building has been rendered and clad with tiles to match the dwelling's appearance.
6. The site lies to the north west of Wharfedale Gardens, and the building's flank wall runs alongside the boundary with three of its properties' rear gardens.

However, due to the length of these gardens the dwellings themselves are positioned some distance away. Given the modest scale of development concerned, particularly that over and above that of the previously approved scheme, combined with the development's distance from surrounding dwellings, and notwithstanding its proximity to the site boundary, it does not have a significant effect on the living conditions of neighbours. I do not consider it as overbearing or visually intrusive.

7. At my site visit I also noted a two-storey side extension attached No 3 Tall Trees, the dwelling directly opposite, whose projected side wall occupies a similar line to the appeal building, relative to the corresponding rear gardens beyond its own common boundary. Although I have no knowledge as to this extension's planning status it would appear to have been recently built. Physically, and in terms of the extension's positioning, I consider that it acts as something of a parallel to the appeal development.
8. Given the extant planning permission and the current circumstances I do not consider that the variations in the building's form are of such significance as to constitute an unneighbourly development. I therefore conclude that the development is not harmful to the living conditions of neighbouring occupiers and there is no material conflict with either the aims of Policies UD2 and UD8 of the Croydon Replacement Unitary Development Plan, Policy SP4.2 of the Croydon Local Plan or Policy 7.6 of the London Plan with its 2015 amendment.
9. For the above reasons, and having had regard to all matters raised, the appeal succeeds. The Council has requested the imposition of two planning conditions. However, given that the application is retrospective, and any alternative use of the building other than that as ancillary to the dwellinghouse would require planning permission, it is not necessary for me to impose any conditions in this instance.

Timothy C King

INSPECTOR