
Appeal Decision

Site visit made on 29 November 2017

by D J Barnes MBA BSc(Hons) DipTP MRTPI

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

Decision date: 15 December 2017

Appeal Ref: APP/L5240/D/17/3181432
113 Lansdowne Road, Croydon CR0 2BN

- 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 Fatjon Kryeziu against the decision of the Council of the London Borough of Croydon.
 - The application Ref 16/06112/HSE, dated 4 November 2016, was refused by notice dated 2 June 2017.
 - The development proposed is the erection of a rear extension with a flat roof.
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Decision

1. The appeal is dismissed.

Main Issue

2. It is considered that the main issue is the effect of the proposed development on the living conditions of the occupiers of neighbouring properties.

Reasons

3. The appeal property is a 3-storey mid terrace dwelling (within a terrace of 6 dwellings) with a roof extension and is situated within a street frontage that is predominantly residential in character. The properties fronting the road are a mix of houses and apartments. The proposed development includes a 3-storey rear extension with a flat roof which would extend across the full width of the property. An existing single storey addition which occupies half the property's width would be replaced. The proposed extension would not be seen from the road.
4. Either side of the property the adjoining dwellings have single storey additions. There is a full width conservatory to the rear of No. 115 and a half width addition to the rear of No. 111. To the rear of No. 109, which is an end of terrace dwelling abutting a contemporary apartment building, there is a 2-storey half width addition with a pitched roof and fenestration which does not complement the design of this dwelling. Other properties within the terrace possess single storey additions.
5. Although of a similar depth, the proposed extension would be materially taller, wider and bulkier than the other rear additions to the properties that are part of this terrace. When their size is coupled with the lack of any details about their planning circumstances, these other additions do not establish a precedent for the proposed extension which would be of a larger scale.

6. By reason of scale, the proposed extension would not be subordinate in scale to the appeal property, even taking into account the altered roof, and would be a visually dominant and overbearing addition, especially when viewed from the neighbouring gardens and the conservatory to the rear of No. 115. The siting of the appeal scheme would have a modest adverse effect on the levels of sunlight and daylight reaching the rear windows and conservatory of No. 115 during the morning. This matter alone would not be a reason for this appeal to fail but does add to my concerns about the significant and demonstrable harm associated with the visual intrusion of the proposed extension because of its scale and siting.
7. The appellant claims that there are benefits and other matters which support this appeal succeeding, including the proposed development being an effective use of previously developed land, the extension not being visible from the road, improvements to the level of residential accommodation, the shortage of housing, the creation of construction jobs during the erection of the proposal and the scheme sustaining local business. However, these matters, whether considered individually or collectively, are outweighed by the significant and demonstrable harm which has been identified.
8. For the reasons given, it is concluded that the proposed development would cause unacceptable harm to the living conditions of the occupiers of neighbouring properties and, as such, it would conflict with Policies UD2 and UD8 of the Croydon Replacement Unitary Development Plan (UDP) and Policy 7.6 of the London Plan. No specific conflict has been identified with UDP Policy H2. Amongst other matters, the conflicted policies require development not to cause unacceptable harm to the amenity of surrounding land and buildings, especially residential buildings, including by reason of overshadowing, visual intrusion and not maintaining adequate levels of daylight and sunlight. These policies are consistent with the National Planning Policy Framework's core principle of securing a good level of amenity for all existing and future occupants of land and buildings. Accordingly, and taking into account all other matters, it is concluded that this appeal should be dismissed.

D J Barnes

INSPECTOR