
Appeal Decision

Site visit made on 8 May 2018

by H Lock BA(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 30 May 2018

Appeal Ref: APP/L5240/D/18/3196177

15 Cheston Avenue, CROYDON, CR0 8DE

- 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 Johnny Cheung against the decision of the Council of the London Borough of Croydon.
 - The application Ref. 17/06339/HSE, dated 21 December 2017, was refused by notice dated 13 February 2018.
 - The development proposed is to alter the existing roof structure, raising external walls and construct new roof at higher level with rooms in the new area.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. On 27 February 2018, and since the determination of the application, the Council adopted the Croydon Local Plan 2018. This supersedes the Croydon Local Plan: Strategic Policies (2013) [SP] and the Saved Policies of the Unitary Development Plan (2006) [UDP]. As such, SP Policy SP3 and UDP Policies UD2, UD3 and UD8 referred to in the decision notice are no longer in force. The Council has confirmed that these policies have been replaced by Policies SP4 and DM10 of the Croydon Local Plan 2018, and I have therefore determined this appeal accordingly.

Main Issues

3. The main issues are the effect of the proposal on (1) the character and appearance of the appeal property and wider area; and (2) the living conditions of neighbouring residents, with particular reference to access to light and outlook.

Reasons

Character and Appearance

4. The appeal property is a detached single-storey dwelling with dormer windows and roof lights serving rooms in the roof space. The property has a deep footprint and its width is greatest towards the rear of the building. It is set back from the road, but is nevertheless visible across the expanse of open driveway. Cheston Avenue comprises a mix of dwellings in terms of size, scale and form, including single- and two-storey detached and semi-detached

dwelling, and a nearby block of three-storey flats. As such, there is no defining character to the street scene.

5. The proposal involves the raising of walls and the creation of full-height first-floor accommodation, to create a two-storey house. With the exception of an existing conservatory, glazed canopy and store, it is proposed to raise all of the existing walls. Given the generous footprint of the dwelling, this would create a substantial building that would fill much of the width of the site at that point¹. Despite including a central flat-roofed area, the proposed height of the dwelling would be significant as a result of spanning such a large footprint. The extended dwelling would appear unduly prominent and bulky in the streetscene, and incongruous alongside the more traditionally proportioned dwellings either side.
6. The submission does not include any streetscene elevation, but my assessment is that the extended dwelling would be taller than the two-storey house, No.17, but that the transition would be more marked next to the single-storey property at 13 Cheston Avenue. Moreover, the excessive two-storey depth of the extended dwelling would be perceived in views across the open frontages of the neighbouring properties. Whilst there are landscaped boundaries, the extended dwelling would not be fully screened from view due to its height and depth.
7. I note that there are a range of dwelling styles in Cheston Avenue, including some extended two-storey houses. However, none appeared to be of comparable size and scale as the building which would result from this proposal. The nearby block of flats is of greater scale than the general pattern in the street scene, but this would appear to be on a much larger site and with more generous spacing to its boundaries and neighbouring properties. No information has been supplied regarding any planning permission granted for the flats or the rationale for the decision, but in any case it is a materially different development to that the subject of this appeal. As such it does not justify acceptance of this proposal.
8. I appreciate the appellant's aim to secure a more acceptable layout to the property, but in the form and scale proposed this would not be secured without adversely affecting the setting.
9. I therefore conclude that the size, scale and form of the proposal would detract from the character and appearance of the appeal property and the wider street scene, contrary to the aims of Policy DM10 of the Croydon Local Plan 2018 (LP), which amongst other criteria seeks high quality proposals which respect the scale, height, massing, and appearance of the surrounding area; and contrary to LP Policy SP4, which also seeks high quality development which respects and enhances Croydon's varied local character and contributes positively to public realm, landscape and townscape; and contrary to the guidance set out in section 6 of Supplementary Planning Document No.2 (Residential Extensions and Alterations)[SPD2].

Living Conditions

10. The existing property extends beyond the rear of both neighbouring properties, Nos. 13 and 17 Cheston Avenue. The submitted plans do not provide any

¹ The application site tapers, and is wider beyond the rear of the building.

analysis of the proposal in the context of the neighbouring properties. However, given the depth, height, siting and proximity of the proposed two-storey element relative to those properties, my assessment is that the proposal would appear overbearing and visually intrusive, and with the potential to materially diminish the outlook for occupants of the adjacent properties. Although there is boundary planting to the garden with No.13, this screening effect would be seasonal, and its longevity cannot be guaranteed.

11. In the absence of any technical data to the contrary, I consider that the proposal has the potential to affect light to the neighbouring dwellings in varying degrees, given the orientation, relationship between buildings, and the depth of the proposal.
12. I therefore conclude that the proposal would diminish the living conditions of neighbouring residents, contrary to the aims of LP Policy DM10, which seeks to ensure that the amenity of the occupiers of adjoining buildings are protected and that proposals do not result in significant loss of existing sunlight or daylight levels; and contrary to Policy 7.6 of The London Plan, which seeks to secure development that does not cause unacceptable harm to the amenity of surrounding buildings; and contrary to the advice in section 6 of SPD2.

Conclusion

13. The National Planning Policy Framework establishes a presumption in favour of sustainable development, and part of its environmental strand is to contribute to protecting and enhancing the built environment. A core planning principle of the Framework is to always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings, but for the reasons given above the proposal would not comply with this principle and would not be sustainable development supported through the Framework. As a consequence, I conclude that this appeal should be dismissed.

H Lock

INSPECTOR