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## Appeal Decision

Site visit made on 15 June 2018

**by Gary Deane BSc (Hons) DipTP MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 25<sup>th</sup> June 2018**

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**Appeal Ref: APP/L5240/D/18/3200784**

**14 Hartley Down, Purley CR8 4EA**

- 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 Duncan Hayton against the decision of the Council of the London Borough of Croydon.
  - The application Ref 18/00308/HSE, dated 19 January 2018, was refused by notice dated 15 March 2018.
  - The development proposed is the demolition of existing garage structure and construction of two-storey side extension, with single-storey side extension below, and single-storey rear extension.
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### Decision

1. The appeal is allowed and planning permission is granted for the demolition of existing garage structure and construction of two-storey side extension, with single-storey side extension below, and single-storey rear extension at 14 Hartley Down, Purley CR8 4EA in accordance with the terms of the application Ref 18/00308/HSE, dated 19 January 2018, subject to the following conditions:
  - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
  - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Refs 17034-001, 17034-002, 17034-003, 17034-004, 17034-005 Revision A and 17034-006 Revision A.
  - 3) The materials to be used in the construction of the external surfaces of the extensions hereby permitted shall match those used in the existing building.

### Main issues

2. The main issues are the effect of the proposed development on the character and appearance of the local area and on the living conditions of the occupiers of 12 Hartley Down with regard to the potential for noise and disturbance.

### Reasons

#### *Character and appearance*

3. The appeal property is a detached mainly 2-storey house that addresses Hartley Down within a predominantly residential area wherein dwellings vary in

size, style and general appearance. There is, therefore, some variety to the built form in the street scene and the local area to which No 14 belongs.

4. The new 2-storey side extension would introduce a welcome sense of balance to the principal elevation, which is currently distorted by the set back to one side of the front façade and the prominence of the single storey garage. In doing so, the 2-storey forward projection and gable, which are distinctive aspects of the main building, would become central features in the front elevation. Both changes, coupled with the removal of the dilapidated garage, would significantly improve the overall appearance of the dwelling and enhance its contribution to the character and qualities of the streetscape. Having regard to the overall size and mass of the finished dwelling, the new side extension would be a proportionate addition. The external materials would match those of the host building and the pattern of window openings would be in keeping with the existing dwelling. Overall, this element of the proposal is consistent with scheme's overall design approach, which is to extend the host building and give it a homogenous appearance.
5. The Council is critical of the appeal scheme because there would be no set back from the main front wall as recommended in its Supplementary Planning Document No 2, *Residential Extensions and Alterations* (SPD). The SPD notes that when assessing 2-storey side extensions 'the most important considerations are the effect on the street scene and on the neighbouring property'. The SPD seeks to maintain the original integrity of the design of the dwelling, and says this is usually achieved by 'setting extensions back from the main front wall so that they become subordinate elements in the street elevation'. While a minimum set back distance of 1.5m is then stated, the SPD also notes that 'in some special circumstances there may be a case that this setback can be reduced'.
6. In this instance, the submitted design and the scale of the proposal respond well to the host property and the wider area. The appeal scheme has been carefully designed to have consideration to the effect on the street scene and the neighbouring properties. It retains the original integrity and improves the appearance of the dwelling. As a result, the proposal would meet the underlying aims of the SPD. That the side extension could not reasonably be described as 'subordinate' due to its considerable scale is therefore insufficient in itself to withhold planning permission.
7. The Council raise additional concern that the inclusion of a garage door at the rear would not complement the existing house. However, this element of the appeal scheme would not be evident beyond the back garden of the appeal dwelling. It would not look out of place given the varied fenestration in the new rear façade. Consequently, no visual disharmony would result.
8. To sum up, the house once enlarged would have been significantly changed although the integrity of the property would remain intact and its overall appearance would be enhanced. The finished building would be in keeping with the qualities, character and appearance of a detached dwelling of individual design. It would stand comfortably along with the properties along the same side of Hartley Down, taking into account the notable difference in ground levels. The completed dwelling would not appear out of place among the varied built form that characterises the local area.

9. On the first main issue, I conclude that the proposed development would not materially harm the character or appearance of the local area. Accordingly, it does not materially conflict with Policies SP4.1 and DM10 of the Croydon Local Plan: Strategic Policies (CLP), Policies 7.4 and 7.6 of The London Plan (TLP) or the Council's SPD. These policies and guidance broadly aim to ensure that development achieves a high standard of design and positively contributes to local character and distinctiveness based on an understanding and evaluation of its defining characteristics.

#### *Living conditions*

10. The use of the new garage has the potential to cause noise and disturb the occupiers of 12 Hartley Down because this neighbouring property has windows and a door that face towards and are close to its rear opening door. However, the garage to be replaced also has a rear opening door and a very similar relationship to No 12 to that proposed. There is nothing to indicate that the use of the new garage or any associated activities would be any more intense or different to its existing counterpart. In those circumstances, I am not convinced that the potential to create noise and disturbance would be materially greater than the current arrangement.
11. On the second main issue, I conclude that the proposed development would not materially harm the living conditions of the occupiers of No 12. Of the policies cited by the Council that are most relevant to this issue, the proposal does not conflict with CLP Policies DM10 and DM23 or the Council's SPD insofar as they aim to safeguard residential amenity.

#### **Conditions**

12. In addition to the standard time limit condition, it is necessary to impose a condition that requires the development to be carried out in accordance with the approved plans for certainty. To ensure the satisfactory appearance of the development, it is necessary to attach a condition that requires the use of external materials to match those of the existing dwelling.

#### **Conclusion**

13. For the reasons set out above, I conclude that the appeal should be allowed.

*Gary Deane*

INSPECTOR