



Appeal Decision

Site visit made on 11 June 2018

by C Victory BA (Hons) BPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 9 July 2018

Appeal Ref: APP/L5240/W/17/3190044
75A Wellesley Road, Croydon CR0 2AJ

- 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 BPL Building Services against the decision of the Council of the London Borough of Croydon.
 - The application Ref 17/00905/FUL, dated 22 February 2017, was refused by notice dated 30 June 2017.
 - The development proposed is rear extension/erection of single storey side/rear extension at ground floor level to form a one bedroom flat.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The development is described on the application as “proposed rear extension” but the parties are now describing it as “single storey side/rear extension at ground floor level to form one bedroom flat”. I have used this description in the banner heading since it more accurately describes the proposal.
3. The appellant has requested that I consider the updated layout plan 17/005.01 Rev A submitted with the appeal rather than the layout plan submitted with the application. The former shows the extension would be built some 50mm from the common boundary with No 73 Wellesley Road rather than partly straddling the boundary and partly stepped in by a similar distance to that shown on the revised layout. Although this alteration has not been consulted on it is minor in nature and would take the extension further away from the boundary than the original proposal, and so I do not consider any party would be prejudiced by my consideration of the appeal on the basis of the updated layout.
4. Further to the above, the appellant has stated that the lower ground floor planning permission¹ has been implemented. I do not have details of this scheme before me and therefore make no comment on this matter, but saw at the site visit that a ground floor rear and side extension has been built which appeared to be noticeably greater in height than the proposal subject of this appeal. For the avoidance of doubt I have determined the appeal on the basis of the revised layout plan submitted with the appeal, not the extension as built.
5. The Croydon Local Plan (CLP) was adopted on 27 February 2018. This supersedes the saved Unitary Development Plan policies, and the Croydon

¹ Ref. 14/00606/P granted permission on 28 May 2014

Local Plan: Strategic Policies (2013) along with Detailed Policies and Proposals have been consolidated (including partial review) into the CLP. Draft CLP policies were referred to on the Decision Notice and I have had regard to the relevant adopted policies in reaching my decision.

Main Issues

6. The main issues are:

- The effect of the proposal on the living conditions of neighbouring occupants in respect of outlook; and
- Whether the development would preserve or enhance the character or appearance of the Wellesley Road (North) Conservation Area.

Reasons

Living conditions

7. The Council's Supplementary Planning Document note 2 on Residential Extensions and Alterations (2006) states that rear single storey extensions should not normally exceed 3 metres in depth. The proposed rear extension would be approximately 3 metres in height with a flat roof and about 5.45 metres in depth, and would be sited very close to the common boundary with No 73.
8. The extension would be north of No 73, which has been divided into four flats. As such, there would be no worsening of sunlight levels experienced by these property occupiers. The daylight and sunlight report submitted by the appellant concludes there would be a slight reduction in daylight to the nearest window panel of the bay window at the lower ground floor facing the extension, but overall the amount of daylight received by this window would not be materially reduced. In the absence of compelling evidence to the contrary, and based on my observations on site, I consider there would be no material loss of light to the adjacent flats.
9. Nevertheless, due to the excessive height and depth of the brick extension and its proximity to the side boundary, it would appear as a visually dominating and overbearing feature when viewed from the rear windows and gardens of No 73, particularly at lower ground floor level, and would therefore cause significant harm to the living conditions of the adjacent occupiers.
10. I conclude that the proposal, by reason of its height, depth and position close to the shared boundary, would harm the living conditions of the occupants of the rear lower ground floor and ground floor flat at No 73 Wellesley Road. It would be contrary to CLP Policy DM10 insofar as it requires developments to protect the amenity of the occupiers of adjoining buildings, and the Residential Extensions and Alterations SPD.

Effect on Wellesley Road (North) Conservation Area

11. The site lies within the Wellesley Road (North) Conservation Area which is located on the northern edge of Croydon town centre, between Wellesley Road and the main railway line from West Croydon to London Bridge. The heritage significance of the conservation area lies in the Victorian properties built mostly of London brick with stucco or stone detailing and slate roofs. Many of the properties have been renovated and repaired since the designation of the

conservation area in 2008, and their group value makes a positive contribution to its heritage significance.

12. Nos 73 and 75 Wellesley Road are a pair of semi-detached villas with three storeys plus basement, and two storey side projections, set back from the principal elevation. The extension would be largely obscured behind the two storey side projection and the use of matching materials for the extension would enable it to blend satisfactorily with the host property. It would also be set well back from the street. In this way the form and scale of the development would not disrupt the symmetry of the semi-detached villas or appear out of place within the street scene.
13. The rear garden, which is of a relatively generous length, backs onto the railway line and contains a number of trees and shrubs that provide screening around the site boundaries. Consequently views into the conservation area from beyond the railway line would be limited.
14. For these reasons I conclude that the proposal would preserve the character and appearance of the Wellesley Road (North) Conservation Area. Thus it would accord with policy DM18 of the CLP which requires developments to preserve and enhance the character, appearance and setting of heritage assets including Conservation Areas.

Other Matters

15. I have had regard to concerns relating to the negative impact of the proposal on property values in the area and builders leaving mess, but these lie outside the scope of the appeal and therefore attract little weight.

Conclusion

16. The proposal would preserve the character and appearance of Wellesley Road (North) Conservation Area. However I have found that there would be material harm to the neighbouring occupiers at No 73 Wellesley Road with regard to outlook. The proposal would therefore conflict with the development plan.
17. I have taken into account all the other points raised, including the expanded and enhanced living accommodation, but for the reasons I have set out, I conclude that the appeal is dismissed.

C Victory

INSPECTOR