



Appeal Decision

Site visit made on 22 August 2019

by Roy Curnow MA BSC(Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27th September 2019

Appeal Ref: APP/L5240/D/19/3229718

41 Wilhelmina Avenue, Coulsdon, CR5 1NL

- 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 Mrs Kinza Dunn against the decision of the Council of the London Borough of Croydon.
 - The application Ref 18/05990/HSE, dated 22 November 2018, was refused by notice dated 9 May 2019.
 - The development proposed is first floor extension, single storey side extension & rear extension.
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Decision

1. The appeal is allowed and planning permission is granted for first floor extension, single storey side extension & rear extension at 41 Wilhelmina Avenue, Coulsdon, CR5 1NL in accordance with the terms of the application, Ref 18/05990/HSE, dated 22 November 2018, and the plans submitted with it, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan, at a scale of 1:1250; Site Plan, at a scale of 1:500; Proposed Ground Floor Plan; Proposed First Floor Plan; Existing and Proposed Roof Plan; Existing and Proposed Front and Rear Elevations; Existing and Proposed Side Elevations;
 - 3) The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those used in the existing building.
 - 4) Prior to any storage of building materials relating to the approved development in the garden to the rear of 41 Wilhelmina Avenue, full details of the means of protecting trees to the rear of this property, and to the rear of 43 Wilhelmina Avenue, shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be put in place prior to the use of the garden for the storage of these building materials and shall not be removed until the use of the garden for these purposes has ceased.

Preliminary Matter

2. There is a difference in the description of development on the application form and decision notice. I have used the former in my header and decision.

Reasons

3. Wilhelmina Avenue and The Netherlands, into which it runs, form a small residential estate. Development here is characterised by detached, two-storey houses that are set back from the road with good-sized gardens and result in a spacious street scene. Although the form and scale of the dwellings is fairly uniform, there are differences in their designs and the manner in which they are positioned along the road. Wilhelmina Avenue undulates and number 41 lies above it on the outside of a bend, and is fairly characteristic of the form of development on the estate.
4. The Council has adopted design guidance¹ (SDP) which, amongst other things, provides advice on the addition of dormer windows on properties' front elevations. It does not state that these should not be allowed, in essence their position is, rather, that they should only be allowed where they would relate well to the host building and the wider streetscape.
5. There is an encouragement to adhere to the terms of the SDP amongst the terms of Policy DM10 of the Croydon Local Plan 2018 (LP). The overall aims of this policy, LP Policy SP4 and Policies 7.4 and 7.6 of the London Plan, March 2016, are to ensure that the design of proposed developments is of a high standard that is appropriate to its setting.
6. There are two elements to the proposed development, single storey extensions to the side and rear and a dormer window in the cat slide roof. The Council found that the proposed single storey extensions would be acceptable, in terms of their design and effect on neighbours living conditions. From my assessment on site, I find no reason to disagree with this.
7. The design and pattern of the windows on the property's front elevation varies. This reflects the manner in which the dwelling steps down the slope. The proposed dormer would have a position roughly commensurate with a first-floor window serving a flight of stairs and would be directly above the garage door. As such, I find that it would relate well to these openings and would appear as a logical part of the composition of the front elevation.
8. Although No 41 sits slightly above the road, the proposed dormer, which is of a simple design, would not be a prominent feature in the street scene. Its scale and massing would be appropriate to the property, which it would not dominate.
9. As a result of the bend in the road and the changes in levels, the gaps between dwellings in the vicinity of No 41 varies. This, together with the varying design and character of properties close to No 41, which is acknowledged in the Officer's report, means that the rhythmic qualities of the road here are less well-pronounced and would be unaffected by the proposal.
10. There are other dwellings on the estate that have been built to a design that is similar to that of No 41. I saw that a number of these had dormers like that

¹ Supplementary Planning Document – Suburban Design Guide & Supplementary Planning Document No2 - Residential Extension and Alterations

which is proposed in this appeal. Whilst there may be no planning history for these, I found that they sat comfortably on the host dwellings and had no adverse effect on the wider street scene. Given this, the proposed dormer would not be seen as an incongruous feature in the street scene.

11. For the above reasons, I find that the proposed development represents high quality design that would be appropriate to the host dwelling and the wider street scene. It would, therefore, accord with the terms of LP Policies SP4 and DM10, Policies 7.4 and 7.6 of the London Plan and the SPD.

Conditions

12. I have attached a condition requiring the works to be undertaken in accordance with the approved plans, in the interests of certainty. As none of the submitted drawings were numbered, my condition refers to their titles. I have also attached a condition requiring the use of matching materials to protect the appearance of the resultant building.
13. A Tree Protection Plan (TPP) was submitted with the original application. Amongst other things, this showed the root protection area of a tree in the rear garden to 43 Wilhelmina Avenue to be protected by a fence should the rear garden to No 41 be used for the storage of building materials. On the same plan, a separate annotation stated that the fence would be erected prior to the commencement of the development. A detail of the proposed fence was also shown on this drawing, but was at a small scale and indistinct. In the light of this, I wrote to both parties asking for their views on the matter of omitting the TPP from my list of approved drawings and the use of a tree protection condition. The appellant had no objection to this, but the Council did not respond. I find that this condition is necessary in the interests of protecting these trees.

Conclusion

14. Having taken all matters raised into account, the appeal should succeed, and planning permission granted subject to conditions.

Roy Curnow
INSPECTOR