The Planning Inspectorate

Appeal Decision

Site visit made on 23 September 2019 by C Brennan BAE (Hons) M.PLAN

Decision by Andrew Owen BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 31st October 2019

Appeal Ref: APP/L5240/W/19/3231695
14B Selhurst Road, South Norwood, London SE25 5QF

- 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 Walters against the decision of the Council of the London Borough of Croydon.
- The application Ref 19/01272/FUL, dated 12 March 2019, was refused by notice dated 15 May 2019.
- The development proposed is enlargement of single storey rear extension to improve layout of existing dwelling.

Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Main Issue

3. The main issues are:

   i) the effect of the proposed development on the character and appearance of the site and surrounding area.

   ii) the effect of the proposed development on the living conditions of the occupiers of No. 12, with regard to outlook and privacy.

   iii) whether the proposed development would provide acceptable living conditions for the occupants of the appeal property, with regard to outlook and privacy.

Reasons for the Recommendation

Character and Appearance

4. The appeal site comprises a one-bedroom flat split over basement and ground floor levels towards the rear of No. 14 Selhurst Road, which is accessed from a service road leading from Gloucester Road to the east. No. 12 has been extended by around 2m at first-floor level and by around 8-9m at ground-floor level, such that this ground floor extension extends right up to the rear boundary. No other properties within the terrace of Nos. 4-16 Selhurst Road have been extended to the same extent. Indeed, No. 12 protrudes significantly

beyond the established rear building line of this terrace and due to the scale of this rear extension and its siting beyond the rear building line, it is considered that No. 12 is atypical of the local pattern of development.

5. In combination with a 3m rear extension approved in 2004, the proposal would result in the host building being extended beyond the original rear façade by around 10m. Although it is acknowledged that the proposal would not be overly prominent within public views from Gloucester Road, it is considered that the scale of the proposal would not appear as a subservient addition to the host building. Also, while the proposed extension would be comparable to the development at No. 12, it is considered that the proposal would have a similarly incongruous relationship with the terrace overall and would therefore be an inconsistent addition to the local development pattern.

6. For the above reasons, I conclude that the proposed development would cause an unacceptable level of harm to the character and appearance of the site and surrounding area. The proposal therefore conflicts with Policies 7.4 and 7.6 of the London Plan (2016), which state that development must have regard to the pattern and grain of existing spaces and streets, and that development must make a positive contribution to a coherent public realm. The proposal would also conflict with Policies SP4.1 and DM10 of the Croydon Local Plan (2018), which require that development should contribute positively to public realm, landscape and townscape, and that proposals should respect the development pattern. The proposed development would also fail to comply with the Suburban Design Guide SPD (2018), which states that single-storey rear extensions should be no deeper than 3.5m.

Living Conditions of Occupiers of No. 12

7. The flank wall of the appeal property is separated from the flank wall of No. 12 to the west by around 2.5m, with a wall measuring around 1.5m in height on the boundary. The flank wall of No. 12 includes four windows distributed evenly along its depth, each facing the appeal site. In addition to the existing side-facing bay window, the proposed extension would result in a total of four windows facing towards No. 12. Due to the proximity of the windows in the proposed extension to those at No. 12, it is considered that the proposal would result in an unacceptable level of overlooking between the two properties over the boundary wall, thereby causing unacceptable harm to the living conditions of the occupants of No. 12 in terms of privacy. Furthermore, given the massing of the extension and proximity of the extension to the side-facing windows of No. 12, I consider that the proposed development would cause unacceptable harm to the outlook from No. 12.

8. Though there may already be a level of mutual overlooking, the proposed development would greatly worsen the situation and so this consideration does not provide sufficient justification for the proposal.

9. For the above reasons, I conclude that the proposed development would cause an unacceptable level of harm to the living conditions of the occupiers of No. 12 with regard to their outlook and privacy. The proposal therefore conflicts with Policy 7.6 of the London Plan (2016), which states that development must not cause unacceptable harm to the amenity of surrounding land and buildings, particularly residential buildings. The proposal would also conflict with Policy DM10 of the Croydon Local Plan (2018), which states that the Council will support proposals for development that ensure that the amenity of the

occupiers of adjoining buildings are protected with no overlooking at close range. The proposed development would also conflict with the Suburban Design Guide SPD (2018), which states that extensions should be designed and developed appropriately to ensure that they do not cause harm in terms of light, visual intrusion or privacy.

Living Conditions of Occupants of Appeal Property

10. As noted above, due to the minimal distance between the side-facing windows of the appeal proposal and No. 12, it is considered that the occupants of the proposed development would suffer from an unacceptable degree of overlooking from No. 12 and would therefore suffer an unacceptable level of harm in terms of privacy.

11. Currently, the occupants of the appeal property have an acceptable level of outlook to the south from the living/kitchen area as marked on the plans. However, the proposed development would result in the loss of this southern aspect and this ground-floor habitable room, and indeed all the windows serving this particular property, would only benefit from a western aspect that would extend as far as the flank wall of No. 12 to the west. As such, it is considered that level of outlook for the occupants of the appeal property that would result from the proposed development would be unacceptable.

12. For the above reasons, I conclude that the proposed development would not provide acceptable living conditions for the occupants of the appeal property with regard to outlook and privacy. The proposal therefore conflicts with Policy 7.6 of the London Plan (2016), which states that development should provide high quality indoor spaces and be of the highest architectural quality. The proposal would also conflict with Policy DM10 of the Croydon Local Plan (2018), which states that the Council will support proposals for development that ensure that they do not result in direct overlooking at close range. The proposed development would also conflict with the Suburban Design Guide SPD (2018), which encourages high quality design for residential extensions.

Other Matters

13. In addition to No. 12, the appellant has also drawn my attention to an extension at No. 8 as precedent. However, as the depth of the extension in this case is much shorter than that in this proposal, it is not comparable.

Conclusion and Recommendation

14. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be dismissed.

C Brennan

APPEAL PLANNING OFFICER

Inspector's Decision

15. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is dismissed.

Andrew Owen

INSPECTOR