



Appeal Decision

Site visit made on 21 October 2019

by William Cooper BA (Hons) MA CMLI

an Inspector appointed by the Secretary of State

Decision date: 16th January 2020

Appeal Ref: APP/L5240/D/19/3233326

18 Oaks Road, Croydon, CR0 5HL

- The appeal is made under section 78 of the Town and Country Planning Act 1990 as amended against a refusal to grant planning permission.
 - The appeal is made by Mr Peter Waterman against the decision of the Council of the London Borough of Croydon.
 - The application Ref: 19/01451/HSE, received 27 March 2019, was refused by notice dated 15 May 2019.
 - The development proposed is a two-storey side extension and single-storey side extension.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - a) whether the proposal would be inappropriate development in the Green Belt, having regard to the National Planning Policy Framework (the Framework) and any relevant development plan policies
 - b) the effect of the proposal on the openness of the Green Belt,
 - c) the effect of the proposal on the character and appearance of the area, and
 - d) if the development is inappropriate, whether the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations so as to amount to the very special circumstances necessary to justify development.

Reasons

Whether inappropriate development

3. The appeal site comprises a detached two-storey dwelling and its garden areas. It is located within a row of large detached dwellings, with an adjoining golf course to the rear and woodland across the road to the south. The site is located within the Metropolitan Green Belt.
4. Paragraph 145 of the Framework sets out a small number of exceptions to inappropriate development in the Green Belt. One such exception is the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building.

5. Policy SP7 of the Croydon Local Plan (2018) (CLP) seeks to protect the extent of the Metropolitan Green Belt and Policy 7.16 of the London Plan (2016)¹ (LP) requires protection of London's Green Belt in accordance with national guidance. In the interests of ensuring that extensions to buildings in the Green Belt are proportionate, Policy DM26 of the CLP sets a maximum size for extensions of the smaller of 20% of existing floor space, or 100msq.m, unless exceptions which do not apply to the appeal case are engaged. As such, in respect of the matters described above, the above policies are broadly consistent with the Framework.
6. The proposed development would entail an increase in the mass of the western wing of the dwelling at ground floor and first floor level, and an increase in the mass of its eastern wing at first floor level. It is not disputed that the proposal would, along with the previous garage extension, result in a cumulative increase in the building mass of almost three quarters of the dwelling's original floor space. In combination, the proposed extensions would amount to a substantial expansion of the bulk and width of the building.
7. The proposal would also extend the two-storey core of the host building, to full height and depth, to within 1m of the site's eastern boundary. Viewed from the street on Oaks Road, from within the site and from neighbouring properties, this would disrupt the balance of built form and surrounding space on the site and within the area.
8. Taking the above together, I conclude that the proposal would entail a disproportionate addition within the Green Belt, which would substantially exceed the threshold in Policy DM26 of the CLP. Therefore, the proposal would not fall within the exceptions listed in paragraph 145c) of the Framework. Accordingly, in this respect, the proposal would be inappropriate development in the Green Belt and would conflict with the Framework and Policies SP7 and DM26 of the CLP and Policy 7.16 of the LP. Together the policies require strict control over inappropriate development in the Green Belt.

Openness of the Green Belt

9. The Framework states that an essential characteristic of Green Belts is their openness and that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land within them permanently open.
10. Openness has both a spatial and a visual dimension. The proposed increase in the building's total footprint and volume would clearly have an adverse spatial impact on openness.
11. The proposal would result in loss of much of the full-height separation gap on the western side of the building, along with loss of most of the first-floor level gap to the east. This would substantially fill the visual gap between the sides of the dwelling and the site's boundaries, and erode the space between built form within the host row of detached properties. The above effects would be noticeable, viewed from Oaks Road, from within the appeal site and from neighbouring properties. In combination with the proposed increased bulk of the building, the above factors would adversely impact on the openness of the site.

¹ The London Plan: The Spatial Development Strategy for London, Consolidated with Alterations since 2011, March 2016.

12. I note the appellant's view that, as the proposed development would not be higher than the ridge line of the existing dwelling, the vista towards Croydon would be uninterrupted, and so the open character of the Metropolitan Green Belt would be respected. However, due to the factors I have identified, as described above, I consider that the proposed outbuilding would be of sufficient scale and visibility to attract attention, and would result in harm to openness of the Green Belt. This must be regarded as some additional harm to add to the harm by reason of inappropriateness.

Character and appearance

13. The appeal property is within an area of large detached houses set in spacious grounds, which extends in an easterly direction from neighbouring property No 20 Oaks Road. The above area is characterised by a variety of separation gaps between the buildings and their site boundaries, with typically full-height gaps on at least one side, and in some cases both. This prevents a terracing effect and contributes to the spaciousness of the area.
14. The proposed first-floor, eastern side extension above the existing garage extension would be flush with the main front elevation and ridge height of the original building. It would extend the full-height width of the original building by over half. The extent of the additional mass, combined with the loss of most of the eastern separation gap at first-floor level would result in the building appearing awkwardly 'stretched', and overly bulky and dominant within its plot. Moreover, this would detract from the spaciousness of the area. The above effects would be noticeable viewed from the street, the site, and the neighbouring properties. As such, the proposal would be detrimental to the appearance of the building, and the character of the streetscene and area.
15. I recognise that the proposed use of materials and fenestration to match the existing building, and setback of the proposed ground floor extension would go some way to moderate the impact of the proposal, I also acknowledge that some of the separation gap to the boundary with No 20 would remain. However, these factors would not override the adverse effects described above.
16. To conclude on this main issue, the proposal would harm the character and appearance of the area. As such, it would conflict with Policies SP4 and DM10 of the CLP, and Policies 3.5, 7.4 and 7.6 of the LP. Together the policies seek to ensure that development complements local character. Furthermore, the proposal would also not accord with the guidance in Section 4.17 of the Croydon Suburban Design Guide Supplementary Planning Document (2019) that, to avoid two-storey side extensions being overly wide or poorly proportioned, setbacks can be deployed.

Other considerations

17. The proposal would result in additional living accommodation. Given the modest scale of benefit, I attach limited weight to it.

Planning Balance and Conclusion

18. The proposal would be inappropriate development in the Green Belt which is, by definition, harmful. There would also be loss of openness of the Green Belt. The Framework establishes that substantial weight should be given to any harm to the Green Belt.

19. In conclusion, and on balance, the substantial weight to be given to Green Belt harm arising from the development, along with the harm to the character and appearance of the area would not be clearly outweighed by other considerations sufficient to demonstrate very special circumstances. The proposal would therefore fail to accord with the Green Belt aims of Policy SP7 of the CLP, Policy 7.16 of the LP and the Framework.
20. Consequently, and taking into account all other matters raised, I conclude that the appeal should be dismissed.

William Cooper

INSPECTOR