



Appeal Decision

Site visit made on 4 February 2020

by Paul Cooper MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27 February 2020

Appeal Ref: APP/L5240/D/19/3239684

132 Brancaster Lane, Purley CR8 1HH

- 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 & Mrs Morley against the decision of the Council of the London Borough of Croydon.
 - The application Ref 19/01147/HSE, dated 11 March 2019, was refused by notice dated 19 September 2019.
 - The development proposed is side extension / new raised roof with side gables and dormers.
-

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues in this case are the effect of the development on the character and appearance of the area and the effect of the development on the living conditions of adjacent residents.

Reasons

Character and appearance

3. The appeal property is a detached single storey dwelling, on an elevated site above Brancaster Lane. The area is predominately residential in nature, and the appeal property has a similar detached single storey dwelling to one side (No 134) and a pair of semi detached properties to the other (Nos 128 and 130).
4. The appeal proposals would see the raising of the roof in order to accommodate dormers to both sides of the revised roof profile. The existing front gable feature would remain, but a side extension would be added to allow for the insertion of the dormers.
5. The insertion of dormers to both sides and the gables erected toward the rear would create an incongruous feature which, by nature of the design, would not retain the simple character of the appeal property and would give the property a bulky and unwieldy appearance, with a massing that would appear intrusive within the street scene and introduce a very cluttered roof profile, at odds with the wider locality.
6. I find the appeal proposals would be contrary to policies SP1, SP4 and DM10 of the Croydon Local Plan (2018) (the CLP), policies 3.5, 7.1, 7.4 and 7.5 of the London Plan (2016) and the advice given in the Suburban Design Guide (2019)

which collectively seek development to be of a high quality, respecting the development pattern, the scale and massing of the locality and the character of the local area.

Effect on living conditions

7. The introduction of the side dormers and gables would cause overlooking to the properties at both sides. I have taken into consideration that No 130 has side facing windows, but the comparative siting of the properties would mean that the proposed windows toward the rear would overlook those side windows as well as the rear private amenity space of that property. Collectively, I find that would cause harm to the living conditions of that property, with a greater focus on the loss of privacy to the amenity space. I also note the appellant indicating that the windows could be obscurely glazed in some form; however, this would affect the living conditions of the appeal property, and also acknowledges that there would be a problem with privacy for the adjacent property.
8. In addition, I find the additional windows proposed on the side elevation toward No 134 would cause additional harm to the living conditions of the residents of that property, although there is an existing privacy with the current arrangements, this would be compounded considerably by the additional windows proposed to that elevation.
9. In summary, the appeal proposals would cause material harm to the living conditions of the residents to both sides of the appeal property and would be contrary to Policy DM10 of the CLP and policy 7.6 of the London Plan, as well as the guidance set out in the Suburban Design Guide, which collectively, amongst other matters, states that development should ensure that the amenities of adjacent buildings are protected, and do not result in the overlooking at close range of habitable room and the direct overlooking of private outdoor space.

Other Matters

10. I have noted the comments of the appellant in their Statement of Case with regard to other properties with similar relationships, and those that have received planning approval. I do not have full details of those cases in front of me, however the examples appear to have different development and locational characteristics to the appeal scheme. In any event, I am required to deal with this proposal on its own merits, and as such, I accord them limited weight.
11. I have also taken into consideration that the appellant wishes to adapt the property in order to create a reasonable sized family dwelling. However, whilst I have some sympathy with that position, I find that the significant harm that I have identified with the appeal proposals outweighs any justification or weight that I could attach to that argument.

Conclusion

12. For the above reasons, the appeal is dismissed.

Paul Cooper

INSPECTOR