



Appeal Decision

Site visit made on 17 November 2020

by Michael Evans BA MA MPhil DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 01 December 2020

Appeal Ref: APP/L5240/D/20/3252287

52 Keston Avenue, Coulsdon CR5 1HN

- 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 Jacek Wieckowski against the decision of the Council of the London Borough of Croydon.
 - The application Ref 19/05835/HSE, dated 11 December 2019, was refused by notice dated 14 February 2020.
 - The development proposed is a ground and first floor extension.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues in this appeal are:
 - The effect on the character and appearance of the host dwelling.
 - The effect on the living conditions of the occupiers of the adjacent dwelling at 50 Keston Avenue, with regard to daylight, sunlight and whether the development would appear overbearing.

Reasons

3. The appeal concerns one of a pair of two storey semi-detached dwellings. These both have two storey additions at the rear. There are single storey structures to each side between them and the mutual boundary, with the gap between the properties largely at first floor level. This recessed area mitigates the bulk of the additions and gives some visual interest. The two storey extensions give the pair of properties a degree of balance at the back, while that at no. 52 does itself have a fairly symmetrical appearance because of the pair of fairly similar hipped end roofs.
4. The proposal would result in two storey enlargement across the full length of the rear of the double storey part of the dwelling, extending as far as the boundary between the attached properties. In consequence, there would be no gap to the boundary at first floor level. The hipped roof of the two storey part of the proposed extension would be noticeably wider than that of the existing feature at the other end. Moreover, the fairly extensive flat top would be at the same height as the ridge of the main roof, while contrasting with its pitched

form and that of the hipped end at the other side of the rear elevation. As a result, the extension would appear overly dominant and excessive in bulk and scale, while also being unsympathetic to the host dwelling and unbalancing the pair of properties.

5. For the above reasons, it is concluded that the proposal would harm the character and appearance of the host dwelling. The development would fail to achieve the high quality of design sought by Policies SP4.1 and DM10.1 of the Croydon Local Plan 2018 and Policies 7.4 and 7.6 of the London Plan.
6. The development would fail to respond to the character of the dwelling and due to its excessive scale fail to be subservient to it. In consequence, there would be conflict with advice found in the Council's Suburban Design Guide, Supplementary Planning Document (SPD), 2019.
7. It is indicated in the SPD that two storey rear extensions should generally be no deeper than 45 degrees in plan as measured from the nearest habitable room window on neighbouring properties. In this case the two storey part of the extension would be unduly close to a first floor window in the rear of the attached property that faces down the garden. Moreover, it would clearly project to a significant degree beyond a 45 degree line from the centre of the opening. In my experience such a guideline is often a good indicator of a potentially adverse impact.
8. The proposed addition would have its eaves at the same height as that above the adjacent window at no. 50, while also having its first floor flank significantly closer than that of the existing rear addition. Furthermore, the roof above the extension would slope down fairly steeply towards the boundary from the top of the main roof.
9. Due to these factors, the proximity, bulk, height and rearward projection of the addition would result in a particularly oppressive sense of enclosure, causing it to appear overbearing from the adjacent window. This would be exacerbated by the presence of the extension at no. 50 to the other side, giving rise to a tunnelling effect. The relationship with the window would also cause an undue loss of daylight. Furthermore, because the backs of the dwellings face south the extension would result in a significant loss of sunlight to the opening in the earlier part of the day.
10. The Appellant refers to higher ground levels in the gardens at the appeal site and no. 50. I saw at my site visit that these rise towards the end of the back garden at no. 52. However, the adverse effects I have described would occur regardless of such matters. This is especially so as the eaves line linking the properties across the boundary at the back is level and that to the side and rear of the proposed extension would also be at this height.
11. The Appellant indicates that the adjacent window serves a bedroom which has a double aspect. However, the front window to this room would face north towards the street and receive no appreciable sunlight. The affected opening provides a more private, fairly open and sunny outlook over the rear garden. In any event, I consider that despite the double aspect, the impact would be sufficiently detrimental in itself to justify rejecting the appeal.
12. The first floor flank window at the neighbouring property appears to serve a landing rather than habitable accommodation and faces directly towards the

first floor side wall at the appeal site. I am not, therefore, concerned about the effect in relation to this window.

13. Nevertheless, for the above reasons, it is concluded that the living conditions of the occupiers of the adjacent dwelling would be harmed. The proposal would therefore be contrary to Local Plan Policy DM10.6 and London Plan Policy 7.6, as well as the SPD, which, among other things, seek to prevent such detrimental effects.
14. The National Planning Policy (The Framework) indicates that the creation of high quality buildings and places is fundamental to what the planning and development process should achieve and good design is a key aspect of sustainable development. It also indicates that planning decisions should ensure that developments create a high standard of amenity for existing users. In this case, due to the failure to achieve a suitable standard of design and resulting poor amenity for adjacent occupiers, there would also be conflict with Government policy in the Framework.
15. Taking account of all other matters raised, because of the harm that I have found it is determined that the appeal fails.

M Evans

INSPECTOR