
Appeal Decision

Site visit made on 27 November 2020

by Michael J Muston BA(Hons) MPhil MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18 December 2020.

Appeal Ref: APP/L5240/D/20/3254451

3 High View Road, Upper Norwood, London SE19 3SS

- 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 Martin O'Malley against the decision of the Council of the London Borough of Croydon.
 - The application Ref 20/001273/HSE, dated 16 March 2020, was refused by notice dated 12 May 2020.
 - The development proposed was originally described as a rear roof dormer.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The development was described on the application form as set out in the heading above. This was amended by the Council, to "*Alterations; erection of dormer extension in rear roofslope*". The appellant states on his appeal form that the description has changed from that stated on the application form, to the description used by the Council. I have therefore used this amended description as the basis for my decision.

Main Issue

3. The main issue is the impact of the development on the significance of heritage assets, including whether it preserves or enhances the character or appearance of the Harold Road Conservation Area, and the effect on a locally listed building.

Reasons

4. The appeal site is within the Harold Road Conservation Area. The Conservation Area (CA) covers an area characterised by late Victorian villas, linked to the wider expansion of the area, which occurred following the arrival of The Crystal Palace and the expansion of the railways. Its significance stems in large part from significant groupings of substantially sized, late Victorian, elaborately detailed villas, laid out on wide sweeping roads and tree lined slopes.
5. The Council adopted the Harold Road Conservation Area Appraisal and Management Plan as a Supplementary Planning Document in 2015. This looks in detail at the roads within the CA. It says that High View Road has a spacious feel due to the nature of the properties being detached houses with views between the houses, and that the houses are a strong group of modest

Victorian residential houses of two storeys high and three bays across. It also notes that modern unsympathetic additions have occurred with uPVC replacement windows and front elevations skylights, as well as various designs of dormer windows, which break the uniformity of the roof line.

6. The appeal property has been designated by the Council as a locally listed building, as has its neighbour at 1 High View Road.
7. No 3 is the first of five well-preserved detached Victorian villas set on the western side of High View Road. They contribute significantly to the character of the CA when seen from High View Road. These houses follow the curve in the road and the slope to the south. Because No 3 and its neighbour at No 5 are set on the inside of the curve, the distance between their front elevations is greater than would otherwise be the case, meaning that their side elevations are visible within the street scene.
8. The proposed dormer window would come very close to the southern edge of the roof and would 'wrap around' the original chimney, which is also positioned close to the edge of the roof. The dormer window would be clearly visible from the road, when seen from between Nos 3 and 5. Because of its size, its location close to the edge of the roof, and its relationship with this chimney, it would appear as an awkward feature, out of keeping with the character of the house as a locally listed building, and harming the appeal property's contribution to the significance of the CA.
9. The Council has adopted Conservation Area General Guidance as a Supplementary Planning Document (SPD). In paragraph 5.3.7 it says that roof extensions are unlikely to be considered acceptable where they are visible from the public highway. It gives more detailed guidance in paragraph 5.10.5, where it advises that dormers should "*be set in from the edge of the building*". The appeal proposal is contrary to these elements of the SPD. This SPD is not cited in the reason for refusal, although the alleged conflicts with it are set out in the Council's delegated report. Given the site's location in a CA, its advice seems particularly relevant to this case, more so than the Suburban Design Guide SPD, which is cited in the reason for refusal.
10. I noted on my site visit that it would be very difficult, if not impossible, to see the proposed dormer window from any public viewpoint other than the one I identified above. I also saw that there are a number of large box-style dormer windows on the rear of properties fronting Rockmount Rd, clearly visible from the rear of the appeal site, which now form part of the established character of the CA. However, it is also very difficult to see these other examples of large dormer windows from the public domain. Their existence is not a good reason for allowing the appeal proposal, which would be visible from High View Road, and which would cause harm. The same is true for the existence of other dormer windows within the CA, which were brought to my attention by the appellant.
11. The Council comments in its delegated report that the use of zinc panels in the construction of the dormer window would be successful and would enhance the character of the existing dwelling. I agree that there is no reason why zinc as a material should not work in this setting and do not consider that a larger dormer window than exists now is necessarily unacceptable. However, the size, width and location of the proposed dormer would cause harm to the significance of the CA and of the appeal property as a locally listed building.

12. In my opinion, the proposed dormer window would cause less than substantial harm to the significance of the CA and to a locally listed building. I am required by Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) to pay special attention to the desirability of preserving or enhancing the character or appearance of the CA. The appellant has not drawn my attention to any public benefits that might outweigh the harm that I have identified, and to which I must attach considerable weight.
13. I accordingly conclude that the proposed development would harm the significance of the CA and locally listed building as heritage assets, and would neither preserve nor enhance the character or appearance of the CA. This would be contrary to Policies SP4.1, DM10 and DM18 of the Croydon Local Plan 2018, and Policies 7.4 and 7.6 of the London Plan, which seeks, amongst other things, development that respects the appearance and built features of the surrounding area, that has regard to the form of surrounding buildings, and that preserves the significance of heritage assets.

Other Matters

14. A number of local residents objected to the application on grounds that included overlooking of their rear gardens. The Council did not refuse the application for this reason, and in its delegated report commented that the overlooking caused by the dormer window would not be significant enough to warrant a refusal on these grounds.
15. I saw on my site visit that nearby rear gardens are already overlooked from No 3, including from its small rear garden and the existing small dormer window at second floor level. Although the increase in size of the proposed dormer might increase the perception of being overlooked, I agree with the Council that it would not materially alter the impact on privacy in neighbours' gardens that already takes place.

Conclusion

16. For the reasons given above, I conclude that the appeal should be dismissed.

Michael J Muston

INSPECTOR