

Appeal Decision

Site visit made on 2 February 2021

by Kenneth Stone BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 12 February 2021.

Appeal Ref: APP/L5240/D/20/3264671

49A Abbots Lane, Kenley, Surrey CR8 5JB

- 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 Christopher Paul Cregan and Victoria Marie Cregan against the decision of the Council of the London Borough of Croydon.
 - The application Ref 20/03831/HSE, dated 25 August 2020, was refused by notice dated 27 October 2020.
 - The development proposed is a side extension and internal alterations.
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Decision

1. The appeal is allowed and planning permission is granted for Conversion of double garage to habitable room; erection of a first-floor side extension with habitable roof space; erection of a single-storey rear extension at 49A Abbots Lane, Kenley, Surrey CR8 5JB in accordance with the terms of the application, Ref 20/03831/HSE, dated 25 August 2020 subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 362-00 rev B Site Location Plan, 362-03 rev c Proposed Floor and Roof Plan, 362-03 rev c Proposed Lower Ground and Ground Floor Plan, 362-04 rev c Proposed elevations, 362-05 Proposed Schematic Section and 362-08 rev B Proposed Block Plan.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

Procedural matters

2. The description of development in the formal decision differs from that in the banner heading above which is taken from the Application form. It is taken from the appeal form and decision notice and more accurately reflects the nature of the development proposed.
3. In the approved plans condition there are two plans with the reference 362-03 rev c, as this is how they are labelled in the submitted drawings. They are differentiated by the title of the plans and I have therefore maintained the plan numbers as shown on the drawings and included the title of the plans.

Main Issue

4. The main issue is the effect of the proposed extensions on the character and appearance of the building and the surrounding area.

Reasons

5. The development plan for the area consists of the Croydon Local Plan 2018 (CLP) and the London Plan (consolidated with alterations since 2011) March 2016 (LP). There is an emerging London Plan (eLP) which the Secretary of State has recently confirmed he is content to be published with no further modifications and which is therefore a material consideration to which significant weight can be given due to the advanced stage in plan preparation. The National Planning Policy Framework (the Framework) and the Council's Suburban Design Guide Supplementary Planning Document 2019 (SDG) are also material considerations.

Character and appearance

6. The appeal property is a detached two storey house located on the east side of Abbots Lane. The area is characterised by large detached properties in good sized plots set off their boundaries. The properties on the west side of the road are set well back from the carriage way and at an elevated level. Whilst those on the east side are set lower than the carriage way, and although set back are not as far as those on the west side. The area generally has a pleasant verdant appearance with significant mature soft landscaping contributing to the overall character of the area. There is no particular dominant building style or form with a significant variation in detailing, roof form, overall shape and materials. There are a number of examples of dormer windows and gable features in the area.
7. The proposed extensions and alterations to the building would see the addition of an additional storey above the garage accommodated in a new gable ended roof with front and rear facing gable features to provide a useable space internally. The existing garage would be converted to provide a store area and gym but not add additional space and at the lower ground level a rear extension would increase the accommodation to provide for a games room.
8. The lower ground floor and garage alterations are at a low level and would not be visible in the street scene or significantly affect the properties to the rear given the size and scale of the alterations and the screening and separation available.
9. The new side/ roof addition would be directly over the existing garage and not add to the footprint of the building. The ridge of the roof would be a continuation of the existing house and the gable feature responds to the appearance of the original property. The front and rear facing gabled additions would add additional bulk to the building and would not be set back. However, these would not overwhelm the bulk and scale of the original property and readily be read as part of the coherent design of the property. Given the properties lower level location, set back and nature of the mature landscaping in the street, the property is not overly dominant and the proposed extensions would not substantially alter that relationship. The property would remain in-keeping with the nature and scale of the existing building and those in the area. It would not appear excessively large and the extension would not be excessively prominent in the street.
10. The Council's SDG at chapter 4 provides advice on residential extensions and alterations. In principle 4.17 seeks to ensure extensions do not result in overly wide or poorly proportioned elevations facing the street. The proposal would be

a minor element that does not add to the overall width of the property and the proportions of the elevation which would be reasonably broken up given the design and form of the extension and host building. The SDG also introduces the concept of supplementary or innovative approaches but also notes that these are not the only approaches that would be acceptable. Indeed paragraph 4.3.1 advises extensions should be subservient in order to prevent terracing between and to the rear of properties or to avoid uncharacteristically large additions to the front of the property that would detract from the appearance of the street. Terracing is not an issue and given the nature and character of the area the extension would not have a significant effect on the appearance of the street. I have also had regard to section 4.22 which addresses additional storeys and advises these should only be applied to detached properties not result in unreasonable loss of light etc and be designed to respect the existing building. I am satisfied that the nature of the proposal is in line with this advice.

11. For the reasons given above I conclude that the proposed extensions would not result in material harm to the character and appearance of the building or the surrounding area. Consequently, it would not conflict with policies DM10 or SP4 of the CLP or policies 7.4 or 7.6 of the LP or the eLP which collectively seek to have high quality development that is in-keeping with the character of the area and complements and is in keeping with the local architecture.

Other matters

12. Concerns have been raised regarding loss of sun and daylight and the over development of the surrounding area. This is a modest residential extension that adds a limited addition to the property. There is a small increase in height and bulk of the building but given the separation, layout, orientation and mature landscaping in the area I am satisfied that there would be no material harm to the living conditions of occupiers of surrounding properties. This relates to amenity considerations and the technical issue of right to light is dealt with under other legislation. These conclusions are in line with those of the Council and I see no evidence before me to conclude otherwise.

Overall conclusions and conditions

13. The proposed development would be in accord with the development plan and there are no material considerations that would indicate a decision otherwise was appropriate.
14. I have imposed a condition to identify the approved plans in the interest of clarity and requiring materials to match in the interest of the appearance of the development.
15. For the reasons given above I conclude that the appeal should be allowed.

Kenneth Stone

INSPECTOR