

Appeal Decision

Site visit made on 12 October 2021

by Mrs H Nicholls FdA MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 01 November 2021

Appeal Ref: APP/L5240/D/21/3277557

Hillside, Gloucester Road, Croydon CR20 2DA

- 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 Nayeeb Chowdhury against the decision of the Council of the London Borough of Croydon.
 - The application Ref 20/06461/HSE, dated 11 December 2020, was refused by notice dated 22 April 2021.
 - The development proposed is single storey rear extension.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The single storey rear extension had been constructed and was in use as a kitchen and dining room at the time of my site visit. What had been constructed appeared to be broadly consistent in size and form with the submitted 'proposed' plans though details such as the windows and door arrangements were not. I have determined the appeal on the basis of the submitted details.

Main Issues

3. The main issues are:
 - the effects of the proposal on the character and appearance of the host dwelling and surrounding area; and
 - the effects on the living conditions of neighbouring occupiers at Dendrobium and Clovelly, in terms of outlook, daylight and sunlight.

Reasons

Character and appearance

4. The appeal property is a mid-terraced dwelling, which is two storeys at street level but has a large flat roof dormer to the rear serving rooms in the roof. It has a small front garden and large rear garden with an outbuilding at the end.
5. The rear extension that has been constructed projects approximately 6 metres from the rear wall of the house, spans the width of the house, approximately 5 metres, and has a flat roof, 3 metres high. It has a painted render finish to the rear but the side elevations on the boundaries with the neighbouring dwellings have been left as exposed concrete blockwork.

6. The extension projects a full 6 metres from the original rear wall and the appeal property sits adjacent to two dwellings that have retained their original rear walls. This degree of projection results in a bulky scale and mass. The Suburban Design Guide Supplementary Planning Document (SPD) (2019)¹ (section 4.11) indicates that single storey rear extensions should project no more than 3.5 metres from the rear wall, which the appeal proposal exceeds to a large degree. This exceedance of the guideline parameters results in the property having a particularly dominant appearance relative to those elsewhere in the street, particularly when viewed in combination with the flat roof dormer extension on the rear. Despite claims by the appellant that precedent examples exist for such a large extension in the locality, none were visible whilst at, or in the vicinity of the site, and nor does the three storey scale of the rear part of the dwelling indicate that the substantial projection of the extension is appropriately subordinate.
7. In view of the above, the proposal conflicts with Policies SP4 and DM10 of the Croydon Local Plan (2018) which seek to ensure that development is of high quality. For similar reasons, it also fails to adhere to guidance in the SPD which seeks to avoid rear extensions being visually intrusive.

Effects on neighbouring occupiers

8. Both adjoining neighbouring dwellings, Clovelly and Dendobrium, maintain their original form without notable rear extensions. The extension has been built the full width of the plot and so sits adjacent to both shared boundaries. On the Dendobrium side, the boundary treatment is largely open with a low post-and-rail type fence. On the Clovelly side, a continuous timber fence of around 2 metres in height exists along the full length of the garden.
9. Whilst window openings in adjoining dwellings are not directed towards the appeal dwelling, due to the height and projection of the extension from the rear wall relative to the rear wall positions of both neighbouring properties, the proposal would limit the views from the rear windows of neighbouring dwellings, appearing domineering and oppressive. It would also appear difficult to retrospectively apply the render finish to the exposed blockwork external walls on the respective side elevations as detailed in the plans, meaning that the views are not only of a significant length of wall directly on the boundary, but that that wall is of a rough, unfinished quality.
10. In addition to the above, I have limited evidence in relation to the effects of the extension on the daylight and sunlight received by occupiers of the adjoining properties. The degree of impact in this regard is unclear on the basis of any related study at least based on the SPD guidance in section 4.11
11. In view of the above, the proposal is harmful to the living conditions of neighbouring occupiers at Dendobrium and Clovelly, in terms of outlook and the availability of sunlight and daylight. The proposal therefore conflicts with, in particular, Policy DM10 of the Local Plan which seeks to ensure developments that protect the amenity of occupiers of adjoining buildings. The proposal would also fail to adhere with guidance in the SPD (section 4.11) which also seeks to avoid adverse impacts on neighbouring occupiers.

¹ Suburban Design Guide Supplementary Planning Document (2018)

Other Matters

12. Though the Council has cited Policy D3 of the London Plan 2021 in its reasons for refusal, as a policy relating to densification and optimisation of sites, I do not consider it relevant to the appeal proposal which would extend a single dwelling in use as a single household.
13. I note that the appeal dwelling would still benefit from sufficient external amenity space to serve its occupants even if the extension were to remain in situ. However, this factor does not outweigh the identified harms.

Planning balance and conclusion

14. Insofar as it is harmful to the character and appearance of the host dwelling and surrounding area, and harms the living conditions of neighbouring occupiers, the proposal conflicts with the development plan, when considered as a whole.
15. There are no public benefits or considerations of sufficient materiality, including the National Planning Policy Framework, to indicate that a decision should be taken other than in accordance therewith.
16. For the above reasons, the appeal is dismissed.

Hollie Nicholls

INSPECTOR