
Appeal Decision

Site visit made on 9 November 2021

by Steven Hartley BA (Hons) Dist.TP(Manc) DMS MRTPI MRICS

an Inspector appointed by the Secretary of State

Decision date: 18 November 2021

Appeal Ref: APP/L5240/D/21/3277204
33 Newark Road, South Croydon CR2 6HR

- 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 Chloe Jacobs-John against the decision of the London Borough of Croydon.
 - The application Ref 21/00716/HSE, dated 15 February 2021, was refused by notice dated 8 April 2021.
 - The development proposed is a front porch extension
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The appeal development has already begun, with its walls and monopitch pantile roof constructed, but with no windowpanes and no door to the side access yet in place. I am therefore considering the proposal on a partly retrospective basis.
3. The reasons for refusal make reference to policies in the emerging local plan 2021. However, the plan has not been subject to Examination, is not adopted and thus cannot be afforded significant weight in the decision-making process.

Main Issues

4. The main issues are the effect of the proposed development upon (i) the character and appearance of the building and area, and (ii) the living conditions of the occupiers of the adjoining property in respect of light and privacy.

Reasons

Character and appearance

5. The appeal property is located within a residential area of two and three storey, mainly terraced properties with clear building lines on either side of Newark Road and mainly with small front amenity spaces with low boundary walls and fences.

6. The appeal property has three stories. The appeal structure is a single storey porch which extends across the front amenity space to within about 1 metre of the footpath to Newark Road. On my site visit, I observed that refuse bins were stored in the gap between the porch and the edge of the pavement.
7. While the appellant refers to other instances of porches in the area, I found on my site visit that there is an absence of similar porches which extend virtually to the back of the pavement along Newark Road.
8. The clear building line to the properties along the road and the general absence of structures within the front amenity spaces, give the buildings a constant and distinctive visual rhythm. The appeal porch unacceptably intercepts the rhythm of the front building line and hence appears as an intrusive and incongruous addition in the street-scene. Furthermore, the roof to the porch intercepts the panel work beneath a window on the front elevation of the building in an unattractive, ill-designed way.
9. While the porch is not fully completed in so far that windowpanes and the door are yet to be added, their completion would not overcome the harm that I have identified above.
10. Therefore, I conclude that the porch conflicts with policies SP4.1, SP4.2 and DM10 of the Croydon Local Plan 2018 (LP) and with the Suburban Design Guide Supplementary Planning Document 2019 (SPD), all of which stress the need for good design which reflects and enhances local character and appearance.

Living conditions

11. The local planning authority considers that the porch intersects a straight line when drawn from the middle of windows of adjoining properties at a 45-degree angle and as such has an adverse impact upon the light levels received by the occupiers of the adjoining properties.
12. However, the porch faces south and is limited in both its footprint and height. Even if it were the case that the porch intersects a line at a 45-degree angle drawn from adjoining windows, I consider that the porch, by its dimensions and orientation, would not have a significantly adverse impact upon light levels to adjoining properties.
13. For the same reason, I consider that there would be no significant overshadowing or any significant impact upon outlook. Whilst there is a door on one side of the porch, its use would be intermittent and would not lead to any material overlooking of the adjoining property.
14. Therefore, I conclude that the proposed development would not conflict with policies SP4.1, SP4.2 and DM10 of the LP which aim to protect the amenities of the occupiers of adjoining properties including overlooking, adequate daylight and general well-being, and with the SPD which also aims to protect the amenities of the occupiers of adjoining properties

Conclusion

15. While I have found that the porch does not significantly harm the living conditions of the occupiers of adjoining properties in respect of light and privacy, I have concluded that it adversely affects the character and appearance of the area. Consequently, the appeal should be dismissed.

Steven Hartley

INSPECTOR