



Appeal Decision

Site visit made on 23 December 2022

by D J Barnes MBA BSc(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 20th January 2023

Appeal Ref: APP/L5240/D/22/3307727

43 Grecian Crescent, Upper Norwood, London SE19 3HJ

- 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 Maxie Pinto against the decision of the Council of the London Borough of Croydon.
 - The application Ref 21/05596/FUL, dated 7 November 2021, was refused by notice dated 7 September 2022.
 - The development proposed is the erection of a one storey rear extension, two storey side extensions and loft conversion with dormer roof.
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Decision

1. The appeal is allowed and planning permission is granted for the erection of a one storey rear extension, two storey side extensions and loft conversion with dormer roof at 43 Grecian Crescent, Upper Norwood, London SE19 3HJ in accordance with the terms of the application, Ref 21/05596/FUL, dated 7 November 2021, 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: C133-B/(SI) 900 Rev P01; C133-B/(GA) 110 Rev P01; C133-B/(GA) 113 Rev P01; C133-B/(GA) 131 Rev P05; C133-B/(GA) 130 Rev P06; C133-B/(GA) 132 Rev P02; C133-B/(GA) 133 Rev P02; C133-B/(EL) 150 Rev P02; C133-B/(GA) 151Rev P02 and C133-B/(GA) 152 Rev P02
 - 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.

Main Issue

2. It is considered that the main issue is the effect of the proposed development on the living conditions of the occupiers of 312 and 314 Beulah Hill.

Reasons

3. The proposed development includes a 2-storey side extension to a semi-detached property located within a primarily residential area. This proposed side extension would project beyond the existing rear elevation of the appeal property. Although the property fronts Grecia Crescent, its side elevation is located adjacent to boundaries with the rear gardens of 312 and 314 Beulah

Hill. Within the rear garden of No. 314 is a single storey garage sited adjacent to the shared boundary with the property.

4. Within the flank wall of the proposed side extension there would not be any openings which would otherwise result in overlooking and an associated loss of privacy for the occupiers of Nos. 312 and 314. By reason of orientation and a separation distance of some 14 metres, the appeal scheme would be unlikely to materially reduce levels of sunlight and daylight reaching the rear gardens and elevations of these neighbouring properties.
5. By reason of siting there would be a 2-storey flank wall sited closer to the shared boundary than the existing appeal property's side elevation. Further, with its increased depth, the overall size and massing of the proposed extension's flank wall would be greater than the existing side elevation.
6. However, because of the separation distance the change in outlook for the occupiers of Nos. 312 and 314 would not be so materially different so as to reach a point whereby the appeal scheme would represent an overbearing form of development. For the same reason, the appeal scheme also would not create an unacceptable sense of enclosure along the shared boundary. The occupiers of Nos. 312 and 314 would retain a sense of openness in their outlooks across their rear gardens.
7. For the reasons given, it is concluded that the proposed development would not cause unacceptable living conditions for the occupiers of 312 and 314 Beulah Hill and, as such, it would not conflict with Policy DM10 of the Croydon Local Plan (CLP) and Policy D3 of the London Plan. Amongst other matters, these policies require development to ensure that the amenity of the occupiers of adjoining buildings is protected, including delivering appropriate outlook, privacy and amenity. CLP Policy SP4 is not considered to be of direct relevance to the main issue because it concerns urban design and local character.

Conditions

8. The Council has suggested several conditions in the event this appeal succeeds which have been assessed against the tests in the National Planning Policy Framework and the Planning Practice Guidance. For reasons of clarity, a condition is necessary for the proposed development to be constructed in accordance with the approved plans. A condition to require the use of external materials matching those of the host property is necessary to enable the appeal scheme to respect the character and appearance of the property and the surrounding residential area. Accordingly, and for the reasons given, it is concluded that this appeal should be allowed.

D J Barnes

INSPECTOR