



Appeal Decision

Site visit made on 14 November 2022

by G Sylvester BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 24th February 2023

Appeal Ref: APP/M3645/W/22/3291372

211A Croydon Road, Caterham CR3 6PH

- 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 Niranjana Kandasamy against the decision of Tandridge District Council.
 - The application Ref. TA/2021/1591, dated 2 September 2021, was refused by notice dated 4 November 2021.
 - The development proposed is rear first & second floor extension to flat.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposed development on:
 - the living conditions of the occupiers of the adjacent flat, having particular regard to outlook; and
 - the character and appearance of the host property and area.

Reasons

Living conditions

3. The proposed extension would project from the rear wall of the building and in close proximity to the nearest windows in the adjacent flat, serving a kitchen at first floor level and a bathroom on the second floor. Although not shown on the submitted drawings, I saw that a canopy type structure has been built around the kitchen window in the adjacent flat. There is also a large canopy supported by a timber frame that projects out from the rear wall of the appeal property at first floor level.
4. Despite the presence of these canopies, occupiers of the adjacent flat have relatively expansive views out of the kitchen window and over the roof of the two storey rear projecting wing of the appeal property. The height, depth and closeness of the flank wall of the proposed extension to this window, would dominate the outlook of the occupiers of the neighbouring flat when in their kitchen. Although the floor plans show the kitchen as part of a larger space served by a second window, I find that the dominance of the proposed extension would significantly harm the occupiers' living conditions.
5. I conclude that the proposal would have a significantly harmful effect on the living conditions of the occupiers of the adjacent residential unit, contrary to

Policy CSP18 of the Tandridge District Core Strategy (2008), Policy DP7 of the Tandridge District Local Plan Part 2: Detailed Policies 2014-2029 (Adopted 2014), which require development to avoid significant harm to the living conditions of neighbouring occupiers.

Character and appearance of the host property and area

6. The appeal property sits at the end of a long terrace, which displays a strong sense of uniformity to its appearance and proportions, with a rhythmic pattern of shop fronts, window openings, roof dormers and chimney stacks. These features give the terrace a distinctive character and appearance within an area that is otherwise characterised by residential buildings of varied architectural styles, fronting onto Croydon Road.
7. Positioned at the rear of the building, the proposed extension would not be especially prominent in public views from Croydon Road. The adjacent semi-detached houses, which are set further back from the road than the appeal property, would provide a good level of screening of the flank wall of the proposed extension in longer distance views from the road.
8. In shorter distance views, the height and depth of the extension would not be significant in relation to the relatively tall and wide gable end of the terrace. The set back of its flank wall would maintain the visual integrity of the appeal property's gable and its massing would be broken up by using different materials for its walls and hip style roof. A gap would remain between the appeal property and neighbouring buildings. Whilst narrow, this would not materially affect public views and so not affect the character and appearance of the area.
9. In private views from adjacent properties, the proposed extension would erode the uniformity of the generally flat rear elevation of the terrace. However, it would not be an unduly dominant feature when seen against the substantial massing of the terrace itself and alongside the adjacent semi detached house, which is set further back in its plot. In this context, the effect of the proposal on private views would not be unacceptably harmful.
10. For these reasons, I find that the proposed extension would not appear as an unduly dominant feature. Furthermore, the position, scale and massing of the proposed extension would not erode the distinctive uniformity and proportions of the façade of the terrace, which I find to be an important characteristic of the appearance of the locality, and its distinctiveness.
11. I conclude on this issue that the proposed extension would respect the locally distinctive appearance of the host terrace and its positive contribution to the character and appearance of the streetscape. It therefore complies with the relevant objectives of Policy CSP18 of the Tandridge District Core Strategy (2008), Policy DP7 of the Tandridge District Local Plan Part 2: Detailed Policies 2014-2029 (Adopted 2014), and Policies CCW4 and CCW5 of the Caterham, Chaldon and Whyteleafe Neighbourhood Plan 2018-2033 (Adopted 2021), which require development of a high standard of design that respects its context and the character of an area, and contributes positively to local distinctiveness.

Other Matters

12. I note that the appellant is seeking to enlarge the living space within the flat. However, I am mindful of the advice contained in the Planning Practice Guidance that planning is mainly concerned with the use of land in the public interest, and it is probable that the harm I have identified will persist long after the appellant's circumstances cease. I therefore find that this matter carries limited weight.
13. The site is located close to services and has good transport links. The proposal could meet 'Secured by Design' principles and building materials could be sourced locally and from sustainable sources. Consideration has been given to the development's carbon footprint and construction wastes could be minimised. These matters carry limited weight and they do not lead me away from my conclusions on the main issues.

Conclusion

14. I have found that the proposal would not result in harm to the character and appearance of the host property and area, and I have identified other matters in support of the proposal. However, these are not sufficient to outweigh the harmful effect the proposed development would have on the living conditions of the occupiers of the neighbouring property. Given that this results in conflict with the development plan policies, I conclude that the proposal would be contrary to the development plan as a whole. As such, I conclude that the appeal should be dismissed.

G Sylvester

INSPECTOR