

Appeal Decision

Site visit made on 5 April 2023

by Martin Andrews MA(Planning) BSc(Econ) DipTP & DipTP(Dist) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12 May 2023

Appeal Ref: APP/L5240/D/23/3317326

Thurlstone, Woodcote Park Avenue, Purley CR8 3NH

- 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 'The Ibiyinka Olusheyi Macaulay Personal Injury Bare Trust 2018' against the decision of the Council of the London Borough of Croydon.
 - The application, Ref. 22/04724/HSE, dated 10 November 2022 was refused by notice dated 6 January 2023.
 - The development proposed is the erection of a part ground floor and rear extension, roof alterations and loft conversion including the formation of dormers in the rear and side roof slopes.
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Decision

1. The appeal is allowed and planning permission is granted for the erection of a part ground floor and rear extension, roof alterations and loft conversion including the formation of dormers in the rear and side roof slopes at Thurlstone, Woodcote Park Avenue, Purley in accordance with the terms of the application, Ref. 22/04724/HSE, dated 10 November 2022 and subject to the conditions in the attached Schedule.

Main Issues

2. The main issues are: (i) the effect of the proposals on the character and appearance of the host dwelling and the street scene, and (ii) the effect on the living conditions for adjoining occupiers as regards privacy.

Reasons

3. On the first issue, I saw on my visit that Woodcote Park Avenue is a road for the most part characterised by 2-storey houses of a substantial scale and individual good quality design on spacious and verdant plots. The appeal building is an exception to this with its single storey height, extensive roof plane and bland front elevation – the only feature of any interest being the 'roof eyebrow' to the attic that was resurrected as a popular architectural feature for a period during the C20th.
 4. In contrast, the proposed front elevation would be greatly improved with the leftward front gable offsetting the currently excessive horizontal emphasis; the larger front gable entrance providing the building with greater legibility, and the higher roof enabling the building to have more balanced proportions.
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5. The Council's main reservations relate to the number of dormers which it is considered would be detrimental to both the visual amenities of the street scene and the character of the existing dwelling. However as already indicated, I consider the existing building to lack character and as such regard it as being out of keeping with the other dwellings in Woodcote Park Avenue.
6. Furthermore, whilst dormer extensions under permitted development or as part of an application are often of a scale that dominates the roof plane, in this case they are part of a co-ordinated re-design tantamount to a redevelopment, including front and rear extensions to the existing footprint and an entirely new and larger roof.
7. This has enabled all the dormers to be proportionate to the roof plane with adequate distances to the ridge, eaves and flanks. Bearing in mind that all the other properties in Woodcote Park Road are individual in appearance I see no reason to reject a roof design that in my view would significantly improve the appearance of the dwelling and would not conflict with Policies SP4.1 & DM10.7 of the Croydon Local Plan 2018('the Local Plan'); Policy D4 of the London Plan 2021, and Section 12: 'Achieving Well-Designed Places' of the National Planning Policy Framework 2021 ('the Framework').
8. Turning to the second issue, the Council considers that the two side facing dormers would overlook Nos. 1 and 4 Woodcote Park Avenue resulting in a loss of privacy for their occupiers. However, I saw on my visit that both these properties are positioned well away from the boundary with the appeal site and in each case separated from it by their garage.
9. The officers' report on the application refers to potential overlooking of the neighbours' private amenity space, but in the conventional linear pattern of residential development along a road it is commonplace for occupiers to have direct views from bedroom windows into their neighbours' rear gardens. In many cases this diminution in privacy is mitigated by boundary planting, as is the case here. In theory this could be removed, but in this verdant area there would appear to be no good reason to take action that would result in the loss of amenity that the private and well-treed rear garden of Thurlstone currently provides.
10. Be that as it may, there is also the fact that because of the orientation of Nos. 1 and 4 and the generous size of their plots, there are unlikely to be harmful close and direct views from the two bedroom windows concerned (the third being an en suite) over the area immediately adjacent to the rear of each property, this being the part of any garden most used for sitting out because of its proximity to indoor facilities.
11. On balance on this issue, I do not consider that the incidence and consequences of the overlooking of neighbours' gardens from the two bedrooms would be such as to have an unacceptable effect on the privacy in harmful conflict with Local Plan Policies SP4.1; 4.2 & DM10.6; London Plan Policy D3 and paragraph 130f) of the Framework.
12. I shall therefore allow the appeal. A condition requiring the development to be carried out in accordance with the approved plans is needed for certainty and is in the interests of proper planning. A condition stipulating the Council's prior approval of external materials will maintain visual amenity.

Martin Andrews

INSPECTOR

Schedule of Conditions

- 1) The development to which this permission relates shall be begun not later than the expiration of three years beginning with the date of this Decision;
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Drawing No. Series 1800: Plan Nos. P01; P02; P03; P06; P14; P15; P16;
- 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall be in accordance with details and samples first submitted to, and approved in writing by, the Local Planning Authority.