



Appeal Decision

Site visit made on 22 October 2024

by John D Allan BA(Hons) BTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 05 November 2024

Appeal Ref: APP/L5240/D/24/3348153

36 Georgia Road, Thornton Heath, Croydon, CR7 8DQ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Quyyum against the decision of the Council of the London Borough of Croydon.
 - The application Ref is 24/00761/HSE.
 - The development proposed is the erection of a single-storey rear extension.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The application was made retrospectively. At the time of my visit I saw that the extension had already been constructed and was complete.

Main Issues

3. The main issues are the effect of the development upon the character and appearance of the area, and upon the living conditions of neighbouring occupiers at Nos 34 and 36A Georgia Road with particular regard to visual impact.

Reasons

4. The appeal property is a two-storey, semi-detached dwelling within a residential neighbourhood. The dwellings to this side of Georgia Road share an original rear common building line. The attached property at No 34 has a modest, single-storey addition to the rear adjacent to the shared common side boundary with the appeal site. No 36A to the opposite side is a detached dwelling with a single-storey lean-to projection across its full width to the rear. The plans which accompanied the application include drawings entitled 'Existing Plans' and 'Existing Elevations'. These show the dwelling's rear dormer window extension and a flat-roof, single-storey extension to a depth of 4.3m across the full width of the dwelling and which wraps around the side elevation, filling the width of the plot. This is understood to have been built as permitted development following prior approval by the Council in 2014 (Ref 14/01903/GPDO). The further extension to the rear and subject to this appeal leap-frogs the existing addition and spans the full width of the plot at single-storey with a flat roof. It projects 5m beyond the original extension giving a combined depth of 9.3m.

Character and Appearance

5. The appeal property sits fairly central within a wider residential estate where the street pattern is arranged in a grid formation. Five roughly parallel streets are bisected mid-way along their length by Brickfield Road. Whilst the dwellings tend to display a continuous façade to their respective road frontages set behind fairly shallow gardens, the return frontages along Brickfield Road are undeveloped. Consequently, the properties' deep rear gardens that back on to each other are openly perceived from the public domain and impart a very distinctive sense of spaciousness to the area, with the rear elevations of dwellings open to clear view. The appeal property is separated from Brickfield Road by just the plot width of No 36A. As such, its rear garden setting strongly contributes to the area's wider character.
6. I observed for myself that the combined depth of extensions to the rear of No 36 can be openly seen from Brickfield Road over the side boundary wall to 36A and across its rear garden. I cannot agree with the appellant's assertions that the resulting extensions to No 36 are subordinate to the original dwelling. I saw that the extent of built form to the rear is overtly out of keeping with the scale of the property and its immediate neighbours, appearing disproportionately elongated and incongruous within its garden setting. Notwithstanding the amount of garden space that remains, its excessive size has encroached deep into land that was originally open. As such, the development is detrimental to the area's spacious qualities.
7. By failing to appear sympathetic to the character of its local context, the extension fails to display the quality of design that is required by Policies SP4 and DM10 of the Croydon Local Plan 2018 (CLP) and Policy D3 of The London Plan 2021 (LP).

Living Conditions

8. The addition extends deep into the plot's garden along both side boundaries and projects significantly taller than the conventional 2m high fence which separates the site from both neighbouring properties. According to undisputed figures provided by the Council, the extension projects 7.3m beyond the rear extension at No 34 and 6.3m beyond the extended rear elevation of No 36A.
9. In my assessment it imposes itself upon the outlook from the ground floor rear facing windows of both neighbouring properties, and from the immediately adjoining rear garden spaces, as an overbearing and dominant presence that is both visually intrusive and harmful to the spacious qualities of the rear garden settings the neighbours may reasonably expect to enjoy. Although the degree to which the neighbouring gardens may be overshadowed is likely to be limited, by failing to protect the amenity of the neighbouring occupiers the development further conflicts with CLP Policies SP4 and DM10, and LP Policy D3.

Other Matters

10. The appellant has argued that the new addition represents a more coherent form of building compared with that which pre-existed. It is stated that prior to the erection of the appeal scheme, a lean-to structure with a maximum depth of 9.3 metres from the original rear wall occupied space adjacent to the boundary with No 34. This is evidenced by a photograph. However, this is not

shown on the 'existing' plans which accompanied the planning application. Regardless, the appellant acknowledged that this former structure did not benefit from planning permission, and in any event, it no longer exists. Its former presence does not lend any weight in support of the existing development.

11. Reference has been made to other rear extensions to other properties. These vary in depth but I have been presented with no substantive evidence to show that any comparable extensions have been given planning permission within the vicinity. The appellant points to a specific example at 41 Carolina Road and has provided a photograph which shows a continuous line of structures filling the depth of the garden along the return boundary to Brickfield Road. I do not know the planning history to this property but at the time of my visit there was a gap between what appeared to be a rear extension to the property and an outbuilding at the foot of the garden. I recognise that the extension to the rear of No 41 is deep, but to my mind it serves to further demonstrate the harm unsympathetic additions can cause. Neither the example at 41 Carolina Road nor the extension at the appeal property are truly reflective of the area's character or appearance.

Conclusion

12. For the reasons given, I find the development at 36 Georgia Road to be harmful to the character and appearance of the original dwelling and the wider area. Furthermore, there is harm to the living conditions of both neighbouring occupiers at Nos 34 and 36A, respectively. The harm that I have identified and the conflict with development plan policy means that the development does not satisfy the National Planning Policy Framework's objective for achieving sustainable development. Accordingly, and having regard to all other matters raised, the appeal is dismissed.

John D Allan

INSPECTOR