
Appeal Decision

Site visit made on 12 December 2016

by Helen Cassini BSc(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 22 December 2016

Appeal Ref: APP/L5240/D/16/3157399
16 Lynton Road, Croydon CR0 3QX

- 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 Miss Juanita Forbes against the decision of the Council of the London Borough of Croydon.
 - The application Ref 16/01570/P, dated 31 March 2016, was refused by notice dated 10 June 2016.
 - The development proposed is described on the application form as a 'proposed single storey rear extension'.
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Decision

1. The appeal is allowed and planning permission is granted for a single storey rear extension at 16 Lynton Road, Croydon CR0 3QX in accordance with the terms of the application, Ref 16/01570/P, dated 31 March 2016.

Procedural Matter

2. At the time of my site visit, the single storey rear extension had been completed. On this basis I will deal with the appeal as a retrospective application. I shall therefore consider the appeal accordingly.

Main Issue

3. The main issue is the effect of the proposal on the living conditions of the neighbouring occupiers at 14 Lynton Road, with particular regard to visual intrusion and enclosure.

Reasons

4. The appeal site is located in a residential area and consists of predominately two-storey terraced houses. The appeal site is located on the north-eastern side of Lynton Road and is a two storey, end of terrace dwelling. It was evident from my site visit that a number of other dwellings on Lynton Road have undergone alterations and extensions to the rear, including the installation of single storey extensions, dormer windows and conservatories.
 5. When taken together Policy UD8 of the Croydon Replacement Unitary Development Plan, The Croydon Plan 2006 (the UDP) and Policy 7.6 of The London Plan 2016 (TLP) seek, amongst other things, to ensure that new development does not have a negative impact on the amenity of neighbouring land uses. Further detailed guidance is provided in the Croydon Council Residential Extensions and Alterations, Supplementary Planning Document
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- No. 2 (the SPD), which indicates that single storey rear extensions should be designed as not to cause an unreasonable loss of amenity to neighbouring residents.
6. The neighbouring dwelling at 14 Lynton Road is separated from the appeal site by a side access gate, which results in a distance of approximately 1.2 metres between the two dwellings. In addition, from my observations on site, and from the evidence submitted by the appellant, I note that No 14 is also located on slightly higher ground.
 7. I acknowledge that the extension has replaced part of the wooden fencing which formed the original boundary treatment between the two dwellings and consequently now forms part of the boundary. Although not part of the appeal scheme before me, I also note that the remaining original fencing, which the appellant has confirmed was approximately 1.8 metres high, has also been replaced by a fence of a similar design but at a lower height.
 8. Despite the relative proximity of the scheme to both the ground floor rooms and outside space of No 14, I do not find that the extent of the visible rendered block work of the single storey extension is so significant or of such depth as to loom large in neighbours' views. In addition, due to the reduction in height of the boundary treatment and the fact that No 14 is located on slightly higher ground, I also do not consider the extension results in any material harm by way of resulting in an increased level of enclosure.
 9. I accept that the guidance within the SPD in relation to single storey rear extensions states that the maximum acceptable projection beyond the rear of the neighbouring building for terraced dwellings is usually 3 metres. As the extension would project to a depth of approximately 5.5 metres, the criteria would be technically breached.
 10. Nevertheless, the appeal scheme does not result in a significant sense of enclosure or visual intrusion. As such, I do not consider that the scheme has a materially harmful effect on the living conditions of neighbouring occupiers of No 14.
 11. In addition, I accept that the rendered block work does not match the brick work of the dwelling. Nonetheless, the finish matches the previous render on the ground floor which was in-situ prior to the construction of the scheme. As such, I consider that the finish is appropriate and does not result in any visual intrusion.
 12. Thus, despite the technical breach of the SPD criteria, the scheme accords with the overall amenity protection aims of Policy UD8 of the UDP, Policy 7.6 of TLP and guidance contained within the SPD.
 13. I have noted the suggested conditions provided by the Council in light of guidance within the National Planning Policy Framework and Planning Policy Guidance. As the development is already in place a condition in relation to the plans is not necessary.
 14. Moreover, as I have found that the scheme complies with the relevant development plans and the SPD, I do not consider that any additional conditions are necessary in this instance.

Conclusion

15. I therefore conclude that, having had regard to all other matters raised, the appeal should be allowed.

Helen Cassini

INSPECTOR