The Planning Inspectorate

Appeal Decision

Site visit made on 11 April 2017

by Simon Warder MA BSc(Hons) DipUD(Dist) MRTPI

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

Decision date: 13 April 2017

Appeal Ref: APP/L5240/D/17/3171032
72 Addington Road, Croydon CR0 3LU

- 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 Junia Charlton against the decision of the Council of the London Borough of Croydon.
- The application Ref 16/04405/HSE, dated 24 August 2016, was refused by notice dated 16 February 2017.
- The development proposed is a single storey rear extension.

Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposal on the living condition of the occupiers of 70 Addington Road with particular regard to outlook.

Reasons

3. The appeal property is a two storey terraced dwelling which has a single storey projection extending across part of the rear of the building. The proposed extension would project 6m from the rear wall of the building and span the full width of the property. As such, the 2.9m high side walls of the proposed extension would be hard up against the boundaries of both neighbouring dwellings.

4. The single storey extension to No 70 is almost as long as the proposed extension. However, it is set back from the common boundary by some 2m and the wall facing the boundary has a glazed door and two windows serving rooms likely to be used for significant periods of the day. The rear wall of the main building has a further glazed door close to the boundary. By virtue of its proximity, length and height, I consider that the side wall of the proposed extension would have an overbearing effect on the outlook from these doors and windows. It, would, therefore, be harmful to the living conditions of the occupiers of No 70.

5. The existing extension to No 74 presents a blank flank wall to the boundary with the appeal site. Therefore, notwithstanding that the proposed extension would be slightly longer, it would not have an overbearing effect on the outlook from that property.

6. Nevertheless, in view of the harm to the living conditions of the occupiers of No 70, the proposed would conflict with Policy UD8 of the Croydon Replacement Unitary Development Plan 2006, Policy SP4.2 of the Croydon Local Plan Strategic Policies 2013 and Policy 7.6 of the London Plan 2016. Amongst other things, these policies require proposals to enhance social well-being and protect the amenity of the occupiers of surrounding buildings. Nor would the proposal accord with the Council's Supplementary Planning Document on Residential Extensions and Alterations (adopted December 2006) to the extent that it advises that single storey rear extensions should be limited to 3m in depth in order to avoid being visually intrusive for surrounding neighbours.

Other Matters

7. The appellant has expressed concern regarding the length of time it took the Council to determine the application. The National Planning Policy Framework encourages Councils to approach decision-making positively. Nonetheless, my decision is based on the planning merits of the proposal.

8. It has also been suggested that the proposal could be re-submitted using the permitted development procedure. It is open to the appellant to make such an application. However, the current appeal follows the refusal of planning permission and I must consider it in accordance with the relevant development plan policies and any other material considerations. It is not for me to determine whether or not the proposal would benefit from permitted development rights.

Conclusion

9. For the reasons set out above, the appeal should be dismissed.

Simon Warder

INSPECTOR