
Appeal Decision

Site visit made on 4 June 2019

by T A Wheeler BSc (Hons) T&RP MRTPI

an Inspector appointed by the Secretary of State

Decision date:

Appeal Ref: APP/L5240/D/19/3225327

7 Leicester Road, Croydon CR0 6EB

- 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 Simon Chan against the decision of the Council of the London Borough of Croydon.
 - The application Ref 18/05677/HSE, dated 21 November 2018, was refused by notice dated 22 February 2019.
 - The development proposed is: Erection of a single storey rear/side extension that would wrap around the outrigger.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The application form describes the proposal as 'planning application for two single storey rear extensions (Rev Q)'. The Council changed the description to that which I have used in the banner, this is also used in the appeal form, and is appropriate to the proposal.

Main Issue

3. This is the effect of the extension on the living conditions of the occupiers of dwellings adjoining the property.

Reasons

4. The appeal property (the property) is situated within a suburban street in East Croydon. The property forms one of a row of 2 storey terrace Victorian dwellings with slate roofs and rendered front elevations. To the rear the property has a back garden which abuts the rear gardens of other properties on Vincent Road.
5. The proposal is to erect a ground floor kitchen extension around the existing 2 storey projection to the rear. This would have full length glazed doors opening onto the rear garden, and would have side elevations, containing no windows, along the boundaries with the properties to either side. The extension would have a pitched roof, be finished in slate, and contain rooflights. A small open area would be retained between the extension and the rear elevation of the property, which would allow light into the existing dining room.
6. The focus of the dispute between the Council and the appellant is the effect that the extension would have upon the adjoining neighbour at no 5. There is a

stagger between the properties, so that the rear elevation of no 5, excluding rear outriggers, projects beyond the rear wall of no 7. This would result in the creation of a blank wall approximately 7.6m in length along the boundary with the neighbouring property.

7. The extension would lead to a cramped arrangement between the 2 properties. There is a door and 2 windows at ground floor in the side elevation of no 5, which would face towards the proposed extension. These appear to serve a kitchen area. In the rear elevation there is a ground floor window which appears to be a habitable room. This window would be particularly affected by the proposal as it would have a very restricted outlook due to the presence of the existing outrigger to no 5 to one side, and the side elevation of the proposal to the other.
8. The view of the appellant is that the proposed extension would project no further to the rear along the boundary with no 5 than the existing outrigger to that property, and in view of this would not affect outlook unduly. In addition, the existing boundary fence already results in restricted outlook and daylight for the ground floor windows of the neighbour. These points do not overcome the concern that the space retained between the proposal and the neighbouring property would be cramped and oppressive. Whilst the proposal seeks to minimise the eaves level of the extension in comparison with the existing fence, it would be higher and would therefore increase the effect on the neighbour.
9. With regard to daylight, I have no specific evidence before me of the exact effect of the extension, nor was I able to enter no 5 to gain an impression of how much sky would be lost from the affected windows. There would be some loss of daylight were the extension to proceed, however I am not in a position to judge whether that would be unacceptable compared with the current situation.
10. The Council's supplementary planning guidance¹ advises that the length of rear extensions should generally be 3m although on well separated detached dwellings larger extensions may be permissible. I acknowledge that this is guidance and that the circumstances at the property are unusual due to the stagger and presence of the existing projections. However this does not outweigh my concerns regarding the effect of the proposal on living conditions.

Conclusion

11. For the reasons given, I conclude that the extension would harm the living conditions of the occupiers of dwellings adjoining the property, contrary to Policies SP4.2 and DM10.6 of the Croydon Plan 2018 and Policy 7.6 of the London Plan² which seek, amongst other things, to ensure a high quality of development which does not harm amenity.
12. For the above reasons and taking account of other matters raised, the appeal is dismissed.

Tim Wheeler

INSPECTOR

¹ Residential Extensions and Alterations Supplementary Planning Document No 2

² Adopted 2016