



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: 10 July 2019

Appeal Ref: APP/L5240/D/19/3222881
50 Strathyre Avenue, London, SW16 4RG

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant approval required under a development order.
 - The appeal is made by Ms Zertashia Masood against the decision of the Council of the London Borough of Croydon.
 - The application Ref 18/05444/GDPO, dated 7 November 2018, was refused by notice dated 7 December 2018.
 - The development proposed is: proposed single storey rear extension with flat roof.
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Decision

1. The appeal is allowed and prior approval is granted under the provisions of Article 3 (1) and schedule 2, Part 1 Class A, paragraph A.4 of the Town and Country Planning (General Permitted Development Order) 2015 for the erection of a proposed single storey rear extension with flat roof at 50 Strathyre Avenue, London, SW16 4RG in accordance with the terms of the application Ref 18/05444/GDPO, dated 7 November 2018, and the details submitted shown on the following plans: 1:1250 scale location plan; existing ground floor plan drwg ref TP10; proposed ground floor plan drwg ref TP11; proposed extension roof plan drwg ref TP12; existing rear elevation drwg ref TP13; proposed rear elevation drwg ref TP14.

Procedural Matter

2. The provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended, under Article 3(1) and Schedule 2, Part 1, Class A, Part A.4(7) require the local planning authority to assess the proposed development solely on the basis of its impact on the amenity of any adjoining premises, taking into account any representations received. My determination of this appeal has been made on the same basis.

Main Issue

3. The main issue is the effect of the development on the living conditions of all neighbours.

Reasons

4. The appeal property is a terrace dwelling situated within the residential suburb of Norbury. It is proposed to extend the property at ground floor with a flat roof extension to provide an additional kitchen-dining area. The materials used in proposal will match the existing building.

5. In response to consultation, an objection was received from the occupier of the house to the rear of the property on St Stephens Crescent, on grounds that the proposed extension would block out daylight.
6. On my site visit, I noted that should the proposal proceed a significant distance would remain between the rear elevation of the extension and the boundary with the neighbour to the rear. Therefore, there would be no significant loss of daylight to the neighbour. The other concern raised relates to accessed during the building work. That is a private matter and not something which affects my decision.
7. The Council considers that the length of the extension would not be in accordance with its supplementary guidance¹ on residential extensions due to the loss of light and sense of enclosure which would result for the occupiers of the properties to either side. Policy DM10 of the Croydon Plan² states that adherence to the supplementary guidance will be encouraged.
8. That may be the case, however the General Permitted Development Order allows extensions of the length and height proposed, subject to consideration of the effect on amenity. I can see no exceptional circumstances in this case which outweigh the principle that the householder should be allowed to exercise the permitted development rights granted by Parliament.
9. I therefore conclude that the proposal would not result in unacceptable living conditions for neighbours and would comply with Policy DM10 of the Croydon Plan.

Conclusion

10. For the reasons given above, I conclude that the appeal should be allowed and prior approval should be granted.

Tim Wheeler

INSPECTOR

¹ Residential Extensions and Alterations Supplementary Planning Document No 2

² Adopted 2018