



Appeal Decision

Site visit made on 20 June 2019

by A Thompson BSc BTP MRTPI MRICS

an Inspector appointed by the Secretary of State

Decision date: 11th July 2019

Appeal Ref: APP/L5240/D/19/3227327

196 Norbury Crescent, Norbury, London, SW16 4JY

- 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 Moshud Uddin against the decision of the Council of the London Borough of Croydon.
 - The application Ref 18/05642/HSE, dated 19 November 2018, was refused by notice dated 11 February 2019.
 - The development proposed is construction of a single storey extension on the ground floor at the rear of the property.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposed extension on the living conditions of the occupants of the adjoining properties, with particular reference to outlook, daylight and sunlight.

Reasons

3. The proposed rear extension would be some 8 metres deep and around 3.6 metres high. It would extend across almost the full width of the plot and project some 6 metres further than the existing extension. This depth of extension would substantially exceed the 3 metres that is identified, in the Council's Residential extensions and alterations - Supplementary Planning Document No.2 (the SPD), as the maximum depth of single storey rear extension that is generally acceptable in relation to terraced and semi-detached dwellings.
4. I do not consider that the exceptions identified in the SPD, which might allow a longer extension, apply in this case. I note that there are existing close boarded boundary fences on both sides of the garden, but the extension would be significantly higher than these fences.
5. Indeed, the bulk, proximity, depth and height of the extension above the existing boundaries would result in an overly intrusive and overbearing form of development that would tangibly diminish the outlook from, and enjoyment of, the ground floor rooms nearest to the boundary in both adjoining properties, and their respective gardens. This would be particularly the case in the garden areas nearest the dwellings, where the extension would create a sense of

enclosure and confinement that would detract from the enjoyment of these spaces.

6. Furthermore, although the rear of the properties are south west facing, there would be a high probability of the extension materially affecting daylight and sunlight conditions in the nearest ground floor rooms of both adjoining properties, albeit at different times of the day for each property.
7. As such, I find that the development would have an unacceptable impact on the living conditions of neighbouring occupants. Accordingly, there would be conflict with policies SP4.2 and DM10.6 of the Croydon Local Plan 2018 (the local plan), the SPD and policy 7.6 of the London Plan (2016) in so far as these policies and guidance seek to protect the amenity of those occupying surrounding development and require development to enhance well-being.

Other matters

8. I have taken particular note of the reasons for seeking to replace the existing extension, and further extend the dwelling, to improve the living conditions of the occupiers of the appeal property. While these factors add weight in favour of development, they do not outweigh the harm that I have identified and the resultant conflict with the development plan.
9. I have also had regard to the evidence submitted about rear extensions of nearby properties. Given the limited information I have before me, for example, in relation to the dimension of the extensions, the impact these extensions have on neighbouring occupiers and whether, or not, planning permission was obtained for these extensions, I do not consider they provide a basis for justifying the appeal proposals.

Conclusion

10. For the reasons set out above, and having regard to all other matters raised, I conclude the appeal should be dismissed.

Anthony Thompson

INSPECTOR