



Appeal Decision

Site visit made on 30 July 2019

by P Wookey BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15th August 2019

Appeal Ref: APP/L5240/W/19/3229103

34 Donald Road, Croydon, CR0 3EP

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a grant of planning permission subject to conditions.
 - The appeal is made by Miss Michelle Hinds against the decision of the Council of the London Borough of Croydon.
 - The application Ref 18/04489/FUL, dated 11 September 2018, was approved on 11 January 2019 and planning permission was granted subject to conditions.
 - The development permitted is described as proposed loft conversion with rear dormer to first floor flat and alteration.
 - The condition in dispute is No 1 which states that: Unless otherwise previously agreed by the Local Planning Authority in writing the development shall be carried out entirely in accordance with the following drawings and other documents submitted with the application: PP/LC/34DR/101B 9 Rev B (Dated September 2018 Received 4/1/19), PP/LC/34DR/100 (Dated September 2018 Received 11/9/18)
 - The reason given for the condition is: To ensure an acceptable standard of development.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The appellant is seeking modification to condition 1, due to changes in the planning guidance provided to development by the Council, subsequent to permission being granted.

Main Issue

3. The main issue is what effect varying the condition for the roof extension would have on it being an acceptable standard of development.

Reasons

4. The development proposed would erect a dormer extension in the roofspace at the rear of the terraced property No 34 Donald Road (No 34).
5. The Council imposed condition 1 in order that the proposed dormer extension was implemented in accordance with policies SP4.1 and DM10 of the Croydon Local Plan (2018) and Policy 7.4 of the London Plan (2016), which when read together seek to ensure development proposals respect their surrounding area and are designed to a high quality and to ensure it complied with the guidance provided in the Supplementary Planning Document (SPD) 2: Residential Extensions and Alterations (2006), in respect of roof extensions.

6. The SPD guidance required that the dormer extension should not extend more than two thirds of the roof space and the approved plans met that requirement. I note that the appellant states that the plans submitted with the application showed a full width dormer extension but was amended in order to comply with the guidance in the SPD.
7. Subsequent to permission being granted, the Council modified its SPD guidance and dormers were permitted to extend across the full width of the roof scape. The appellant is seeking to vary the condition in order that the original plans which would propose the dormer spans across the full width of the roof scape now complies with the modified Suburban Design Guide SPD (2019). The Council has stated that the appellant should make a new application as it would accord with the latest guidance provided in the SPD.
8. On the basis of the evidence before me, the Council states that the proposed full width dormer extension would comply with the most recent SPD. However, the appellant has not submitted as evidence, copies of the plans which were originally submitted with the application and to which the Council has referred to during the appeal process. Further, I have not been provided with a copy of the updated SPD.
9. Therefore, I conclude that a condition would be required to ensure that the dormer extension is erected to acceptable standards and which would comply with the aforementioned policies and SPD guidance. However, there is insufficient information on which to determine whether the amended plans referred to by the appellant, would meet the necessary tests, to justify varying the condition and whether they would comply with the guidance provided by the SPD.
10. I therefore conclude, for the reasons set out above, the appeal is dismissed.

Paul Wookey

INSPECTOR