



Appeal Decision

Site visit made on 24 September 2019

by Robert Hitchcock BSc DipCD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 14th October 2019

Appeal Ref: APP/L5240/D/19/3236538

10 Kitchener Road, Thornton Heath CR7 8QL

- 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 J Solomon against the decision of the Council of the London Borough of Croydon.
 - The application Ref 19/02836/HSE, dated 18 June 2019, was refused by notice dated 14 August 2019.
 - The development proposed is a ground floor rear extension with flat roof.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. The external envelope of a development similar to that shown on the appeal plans was substantially complete at the time of my site visit. Some deviations were apparent between the development and the submitted plans. For the avoidance of doubt, this appeal is determined on the basis of the plans as submitted with the planning application.

Main Issue

3. The main issue is the effect of the proposed development on the living conditions of neighbouring occupiers at 12 Kitchener Road, having particular regard to outlook and sense of enclosure.

Reasons

4. No.10 is a mid-terrace property. The terrace is staggered such that the rear elevation of no.12 is set back by about 2.4 metres. Consequently, part of the original two-storey side elevation of the appeal dwelling sits alongside the nearest ground and first floor window openings of the neighbouring dwelling. The proposed extension would be located to the rear of this and project an additional length of about 3.65 metres at single storey height. This would result in a continuous projection of about 6 metres beyond the rear elevation of no.12 on, or close to, the common boundary.
5. The Council's recently adopted Suburban Design Guide (April 2019) supplementary planning document includes guidance on acceptable forms of development in relation to their effect on neighbouring living conditions. For terraced properties this specifies that single storey extensions should project

rearward by no more than 3.5 metres where adjacent to the boundary with an adjoining neighbour. It is suggested that the proposed extension would only exceed this limit by 150 mm and therefore would not materially affect no.12 any more than at the 3.5 metre allowance. However, neither of these scenarios account for the original staggered arrangement of the terrace and the combined effect of development rearward of no.12.

6. The scale of the development would result in a significant length of featureless rendered walling on, or very close to, the shared boundary. Visually, this would be unavoidable and dominate the outlook from both the nearest ground floor habitable room window of no.12 and the patio area immediately behind it. Whilst it is acknowledged that a previous development on the site also breached the guideline limit, a further addition of some 1.2 metres would result in development along about a third of the length of the rear boundary of the neighbouring property; this would result in an excessive sense of enclosure.
7. The combined depth, height and proximity of the proposed rear extension to the neighbouring property's habitable window and patio area would therefore have a significant adverse impact on the living conditions of neighbouring occupiers, having particular regard to outlook and sense of enclosure. For these reasons the proposed single storey rear extension would conflict with policies SP4.2 and DM10.6 of the Croydon Local Plan (2018) and the Suburban Design Guide which seek, amongst other things, to protect the living conditions and wellbeing of occupiers of adjoining properties.

R Hitchcock

INSPECTOR