



## Appeal Decision

Site Visit made on 16 March 2021

**by Paul Clark MA MRTPI MCMI**

**an Inspector appointed by the Secretary of State**

**Decision date: 19 March 2021.**

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**Appeal Ref: APP/L5240/D/20/3265395**

**50 Dalmeny Avenue, Norbury, LONDON, SW16 4RT**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant approval required under Article 3(1) and Schedule 2, Part 1, Class A, Paragraph A.4 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).
  - The appeal is made by Miss Nuriye Zorlu against the decision of the London Borough of Croydon.
  - The application Ref 20/05378/GPDO, dated 15 October 2020, was refused by notice dated 27 November 2020. The development proposed is a rear extension to the existing extension, total rear extension from the original house 6.0m
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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) (England) Order 2015 (as amended) for a rear extension to the existing extension, total rear extension from the original house 6.0m at 50 Dalmeny Avenue, Norbury, LONDON, SW16 4RT in accordance with the application 20/05378/GPDO made on 15 October 2020 and the details submitted with it (including plan N<sup>o</sup>s E101, E102 and E103), pursuant to Article 3(1) and Schedule 2, Part 1, Class A, paragraph A.4(2).

### Procedural Matters

2. Under Article 3(1) and Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended (the GPDO), planning permission is granted for the enlargement of a dwellinghouse subject to limitations and conditions. Where an application is made for prior approval for development which exceeds the limits in paragraph A.1(f) but is allowed by paragraph A.1(g) to Part 1 and any owner or occupier of any adjoining premises objects to the proposed development paragraph A.4(7) to Part 1 requires the local planning authority to assess the impact of the proposed development on the amenity of all adjoining premises, taking into account any representations received.

### Reasons

3. The sole main issue in this case is the effect of the proposal on the outlook from neighbouring properties on either side, both of which have single storey flat roofed extensions which project beyond the existing single storey pitched roof extension at the appeal site by about 2m on the north side (No52), and by about 1m on the south side (No 48). The proposal would in turn extend beyond the existing single storey extensions on either side by about 1m on the north side and by about 2m on the south side.

4. Both these projections would be less than the 3.5m projection which the Council's Suburban Design Guide finds acceptable for extensions from the rear wall of the original dwelling. The current proposal is not from the rear wall of the original dwelling but from an already existing extension and so would total an extension of 6m overall.
5. But the Suburban Design Guide does not describe a situation in which both properties on either side already have extensions; it describes a situation in which a proposed extension is being evaluated against unextended properties on either side. Its significance lies in the implication that a single storey flank wall extending 3.5m would provide an acceptable outlook.
6. In the current case the single storey extension would provide flank walls on either side of considerably less than that dimension and so, by the criteria of the Suburban Design Guide, may be presumed to provide an acceptable outlook. In any event, only the part of the extension higher than the existing lapboard fencing which stands about 1.65m high on each boundary would affect the outlook; an additional 1.25m or so.
7. These dimensions suggest that the effect of the proposal on the outlook from the already extended properties on either side would be minimal and acceptable. For these reasons, I conclude that the appeal should be allowed and prior approval should be granted.

#### **Other Matters**

8. The appellant is reminded that, under the terms of the GPDO, the development must be carried out in accordance with the details approved by this decision.

*Paul Clark*

INSPECTOR