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## Appeal Decision

Site visit made on 12 March 2021

**by S Poole BA(Hons) DipArch MPhil MRTPI**

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

**Decision date: 13 April 2021.**

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**Appeal Ref: APP/L5240/D/20/3265858**  
**31 Hawkhurst Road, Kenley CR8 5DN**

- 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 Simon Wermig against the decision of the Council of the London Borough of Croydon.
  - The application Ref 20/03779/HSE, dated 19 August 2020, was refused by notice dated 19 October 2020.
  - The development proposed is the erection of a two storey side extension to create a new annex with internal alterations.
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### Decision

1. The appeal is dismissed.

### Main Issues

2. The main issues are the effects of the proposal on:
  - (i) the character and appearance of the surrounding area; and
  - (ii) the living conditions of the occupiers of 33 Hawkhurst Road, with particular regard to outlook and natural light.

### Reasons

#### *Character and appearance*

3. The appeal property is a 2-storey detached house. It is situated in a residential road that includes a mix of detached houses and bungalows on one side and woodland on the other. The road is on the side of a valley and the dwellings are set back from it on lower ground with their gardens falling away further. The road has a spacious and relatively verdant character, a key aspect of which is the gaps between the houses which allow views towards mature trees and the other side of the valley beyond.
4. The proposal would comprise the removal of the element at the side of the appeal property and the erection of a 2-storey addition with a pitched roof. This would be significantly taller than the element it would replace and would extend a significant distance beyond the rear building lines of both the appeal property and its neighbour, 33 Hawkhurst Road. The proposal would further infill the gap between the main part of the appeal property and No.33 leading to a terracing effect and the interruption of views between these two properties towards the trees beyond. This would be detrimental to the spacious pattern of

development in this part of Hawkhurst Road and the verdant character of the area.

5. For these reasons I conclude that, due to its siting and height, the proposal would have an unacceptable effect on the character and appearance of the surrounding area. It therefore fails to comply with Policies SP4.1 and DM10 of the Croydon Local Plan (2018) (CLP) which, amongst other matters, require development to respect the pattern, layout, scale, height and massing of the surrounding area. It is also contrary to the aims of Croydon's Suburban Design Guide Supplementary Planning Document (2019) (SPD).

#### *Living conditions*

6. The appeal proposal would extend a significant distance beyond the rear building line of No.33, which includes a rear-facing ground floor window close to the boundary between the two properties. No.33 is on higher ground than the appeal property and, as a consequence, the ground floor window is in an elevated position compared to the appeal property. By virtue of this fact, and the high level of openness to the rear of No.33, I am satisfied that adequate levels of outlook and natural light would be maintained within No.33 with the proposal in place.
7. I therefore conclude that the proposal would not have an unacceptable effect on the living conditions of the occupiers of No.33 and it accords with the CLP Policies SP4.1 and DM10 and the SPD in this respect.

#### **Conclusion**

8. For the reasons set out under the first main issue, and having regard to all other matters raised, I conclude that the appeal should fail.

*S Poole*

INSPECTOR