
Appeal Decision

Site visit made on 15 June 2021

by J Ayres BA Hons, Solicitor

an Inspector appointed by the Secretary of State

Decision date: 23 JUNE 2021

Appeal Ref: APP/L5240/D/20/3264258
7 Leicester Road, Croydon CR0 6EB

- 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 Chan against the decision of the Council of the London Borough of Croydon.
 - The application Ref 20/03531/HSE, dated 7 August 2020, was refused by notice dated 2 October 2020.
 - The development proposed is erection of a single storey rear/side extension that would wrap around the outrigger.
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Decision

1. The appeal is allowed and planning permission is granted for erection of a single storey rear/side extension that would wrap around the outrigger at 7 Leicester Road, Croydon CR0 6EB in accordance with the terms of the application, Ref 20/03531/HSE, dated 7 August 2020, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Site Plan; Existing and Proposed Plans Section and Elevations AL_JULY 17_7LEI_01 Rev Q; Existing and Proposed Plans Sections and Elevations AL_JULY 17_7LEI_02 Rev Q
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

Main Issue

2. The main issue is the effect of the proposal on the living conditions of neighbouring occupiers, with particular regard to light and outlook.

Reasons

3. The appeal property is two-storey terraced dwelling, with a three storey outrigger to the rear. The outrigger element is repeated within the properties along the road. The rear elevation of the property is set back slightly from No 5 Leicester Road in a staggered position, between the two properties a tall garden fence runs along the boundary.

4. The proposal would include a single storey extension along part of the length of the outrigger, leaving a small courtyard element immediately to the rear of the dining room. The side element would have an eaves height of approximately 2.20 metres, which would be a marginal increase above the existing fence line. The roof would then pitch away from the boundary very gently towards the host property. The element of the extension that would extend beyond the outrigger would incorporate a flat roof design which would maintain the approximate 2.20metre height. Cumulatively these factors would ensure that, when viewed from the habitable rooms of the neighbouring property or the space immediately outside of the neighbouring property, the proposal would have a negligible impact on the outlook from the neighbouring property.
5. With regards to loss of light, it was clear at my site visit that the rear elevations of the properties are within the shadow of the bulk of the buildings themselves. Therefore, I am satisfied that the proposal, which would have a limited height, would not exasperate any current light issues.
6. A previous scheme was dismissed at appeal on the site¹. I have had regard to that decision and note that the proposed scale of the extension submitted as part of that scheme was excessive in height and mass. However, the scheme before me is materially different with regard to the height and roof detailing, such to lead me to a different conclusion with regards to its effect. In any event, I have determined this appeal on the basis of its own merits.
7. I find that the proposal would Policies SP2 and DM10 of the Croydon Local Plan (2018). Collectively these policies identify a presumption in favour of development where such development complies with the relevant policies, including DM.10 which specifically identifies development will be support provided the amenity of occupiers of adjoining buildings are protected. The proposal would not accord with the Suburban Design Guide Supplementary Planning Document (2019) due to the length of the extension. However, the Design Guide provides guidance, having regard to the staggered element of the dwellings, and the particular layout of the scheme, I reduce the weight of the conflict with the design guide.

Conclusion and Conditions

8. I have found that the proposal would comply with the policies within the development plan when taken as a whole and therefore the appeal should succeed.
9. I have specified the plans for certainty. I have also included a condition relating to materials to ensure that the development sits comfortably in the setting of the host dwelling.
10. For the reasons above I conclude that the appeal is allowed.

J Ayres

INSPECTOR

¹ APP/L5240/D/19/3225327