



Appeal Decision

Site visit made on 20 May 2021

by G Ellis BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 25 June 2021

Appeal Ref: APP/L5240/D/21/3269049

87 Sandown Road, South Norwood, London SE25 4XD

- 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 Mrs Anna Kouma against the decision of the London Borough of Croydon
 - The application Ref 20/05665/HSEL, dated 23 October 2020, refused 22 January 2021.
 - The development proposed is a ground floor wrap around extension and associated changes.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the development on the living conditions of the occupiers of 89 Sandown Road (No.89) with regards to outlook.

Preliminary Matters

3. Since the submission of the appeal, a new London Plan (2021) has been adopted and policy 7.6 of the previous London Plan (2016), cited by the Council in the reason for refusal, now carry no weight. The Council have not advised if any policies in the new London Plan are relevant to this appeal, and so the only development plan policies I have had regard to are those in the Croydon Local Plan (the 'local plan').
4. This proposal is a revised scheme following a dismissed appeal for a similar extension in 2019 (appeal reference APP/L5240/D19/3229496).

Reasons

5. No.87 Sandown Road is a mid terrace Victorian property with a two storey outrigger to the rear offset from the boundary with No.89. No.89 is of the same form with the outrigger to the other side and has a ground floor window in the rear elevation close to the shared boundary. The gardens gradually slope down to the rear and the boundary with No.89 is currently formed of an approximately 1.8m fence adjacent to the house but which steps down in height.
6. The proposed single storey extension would infill the area to the side of the outrigger and extends approximately 3m beyond. The depth of the extension along the boundary with No.89 would be substantial, exceeding the guidance in

the Council's Supplementary Planning Document (SPD) (Suburban Design Guide – April 2019) which indicates that single storey extensions to terrace properties should be designed to be no deeper than 3.5m.

7. The previous Inspector found that the scheme would result in a significant increase in the tunnelling effect and sense of enclosure when viewed from the rear window of No.89. While the height of the extension has been reduced from the earlier scheme the depth is unchanged. In my view it is the depth of the extension which would significantly contribute to the oppressive form of development. As such, whilst the eaves would be marginally below permitted boundary treatment, due to the limited width of the space to the side of the outrigger and the sloping ground, in my view, the massing of the building would still result in an increased sense of enclosure and have an overbearing impact.
8. I accept, as indicated by the appellant, that the outlook and light to this rear window is currently constrained by the existing outrigger, but this would be compounded further by the presence of built form immediately to both sides.
9. The appellant indicates that extensions could be built at a greater height under permitted development rights off the rear elevation and outrigger. However, there is no indication that this is a realistic alternative and I also note, unlike the depth of the appeal scheme, that it is a form of development which is generally supporting in the SPD. There is no evidence before me which leads me to take a different view to that of the previous inspector in relation to the fallback, which would not be more harmful, or the effect of No.89 having an open plan layout. Thereby, these matters do not alter my findings on the adverse impact of the development on the outlook from No.89.
10. In conclusion, I find that the proposal would have a harmful effect on the living conditions of neighbouring residents at No 89 Sandown Road. It would be contrary to the advice in the Council's SPD and policies SP4.1 and DM10 of the Croydon Local Plan which, amongst other things, require high quality design, and to protect the amenity of the occupiers of adjoining buildings.

Other Matters

11. I acknowledge that the appellant has sought to address the previous concerns, and that the development would provide enhanced family accommodation, however these matters do not outweigh the identified harm.
12. I also accept that the SPD is guidance and there is some flexibility. The appellant has drawn my attention to other similar extensions approved by the Council which extend beyond 3.5m. I do not have the full background to these cases but there are some differences in terms of the relationships and scale of development. Moreover, whilst I understand the appellant's concern regarding consistency having regard to the site-specific circumstances and in particular the relationship with the neighbouring property these other developments do not alter my decision.

Conclusion

13. Having regard to the matters set out above, and with due regard to all other matters, I conclude that the proposal conflicts with the development plan as a whole, and that the appeal should be dismissed.

G Ellis

INSPECTOR