



Appeal Decision

Site visit made on 6 July 2021 by C Glaister BSc (Hons)

Decision by Katie McDonald MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 14 July 2021

Appeal Ref: APP/L5240/D/21/3271644

4 Hartley Hill, Purley CR8 4EL

- 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 Petrus Maria Theodorus Sijmons and Jennifer Sijmons against the decision of the London Borough of Croydon.
 - The application Ref 20/06496/HSE, dated 16 December 2020, was refused by notice dated 12 March 2021.
 - The development proposed is a single-storey rear / side extension and internal alterations.
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Decision

1. The appeal is allowed and planning permission is granted for a single-storey rear / side extension and internal alterations at 4 Hartley Hill, Purley CR8 4EL in accordance with the terms of application Ref 20/06496/HSE, dated 16 December 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: 398-00 Revision A, 398-03 Revision C, 398-05 Revision C, and 398-06 Revision P.
 - 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.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Main Issues

3. The main issues are the effect of the development on:
 - the character and appearance of the area; and
 - the living conditions of the occupiers of 6 Hartley Hill, with particular regard to outlook.

Reasons for the Recommendation

Character and Appearance

4. The property is a 2-storey detached house which has been previously extended by a double dormer. It has a hipped roof garage to the right side, and a small porch on the left. Buildings along this section of Hartley Hill are varied in appearance and style, along with plot size and spacing, rising in topography as the road progresses southwards. The distance between dwellings is inconsistent, and many buildings contain subservient side extensions that are visible within the street scene.
5. The proposal is for a single-storey extension that would wrap around the southern left side and rear of the dwelling. To the side, the extension would be partly built on an oblique angle following the boundary of the property, narrowing at the front. Due to the position of 4 and 6 Hartley Hill on the bend of the road, there is limited space between the properties at the front. To this end, the existing porch is only visible from the road when facing the site head-on.
6. Thus, although the width of the side extension would increase towards the back of the house and it would be closer to the front, views of the proposed development would be similarly limited, such that it would have a minor effect upon the existing rhythm of the street and development pattern. Moreover, a gap between the properties would also be maintained owing to No 6's side pathway. Likewise, No 4 would also retain access to the rear from the pathway adjacent to the garage. Furthermore, given its modest scale and limited projection to the side, the proposal would also have a modest and sympathetic effect upon the appearance of the existing building.
7. For these reasons, the development would have an acceptable effect upon the character and appearance of the area. This would accord with Policies SP4.1, DM10.1, and DM10.7 of the Croydon Local Plan 2018 (CLP), and Policies D1 and D4 of The London Plan (March 2021) (LP) which together seek to ensure development is of a high quality and respects and enhances local character. It would also conform with the single-storey side extensions guidance given in the Suburban Design Guide Supplementary Planning Document (SPD).

Living Conditions

8. The section of Hartley Hill along which the site is located is particularly steep, and as a result, there is a significant difference in ground levels between Nos 4 and 6. The proposal would be located at a much lower ground level relative to the ground floor of No 6. Indeed, the eaves height is unlikely to project above the ground floor level of No 6 and the roof plane would angle away from No 6.
9. Therefore, the development would result in no unacceptable loss of outlook, sunlight or daylight towards the windows which are present on the northern elevation and rear elevation of No 6. Consequently, despite the Council's assertions, the need for further assessment as to whether the 45-degree rule is met would be unnecessary given the site-specific circumstances of the changes in levels.
10. For these reasons, the development would have an acceptable effect upon the living conditions of the occupiers of No 6. This would accord with Policies SP4.1,

and DM10 of the CLP which together seek to protect the amenity of the occupiers of adjoining buildings. There would also be compliance with the SPD.

11. The Council has referred to Policies D1 and D4 of the LP in the second reason for refusal. These Policies are not directly relevant to the appeal in the context of living conditions, though the development would nonetheless accord with the LP in this respect.

Conditions

12. Standard conditions relating to the commencement of the development and compliance with the plans, to provide certainty, are recommended. A condition ensuring the external materials match the existing building would be necessary in the interests of the character and appearance of the area.

Conclusion and Recommendation

13. The proposal is therefore seen to conform with the development plan as a whole. Based on the above, and having regard to all matters raised, I recommend that the appeal should be allowed.

C Glaister

APPEAL PLANNING OFFICER

Inspector's Decision

14. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is allowed.

Katie McDonald

INSPECTOR