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## Appeal Decision

Site visit made on 16 November 2022

**by Lynne Evans BA MA MRTPI MRICS**

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

**Decision date: 19 December 2022**

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**Appeal Ref: APP/L5240/D/22/3302523**

**104 Devonshire Way, Croydon CR0 8BS**

- 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 Ms Ana Jiminez against the decision of the Council of the London Borough of Croydon.
  - The application Ref: 22/01069/HSE dated 13 March 2022, was refused by notice dated 5 May 2022.
  - The development proposed is erection of single storey front side and rear extension.
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### Decision

1. The appeal is allowed and planning permission is granted for erection of single storey front side and rear extension at 104 Devonshire Way, Croydon CR0 8BS in accordance with the terms of the application, Ref: 22/01069/HSE dated 13 March 2022, 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: 1 1 A and 1 2 A.
  - 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.

### Preliminary Matters

2. A separate appeal is also before me at the same property, under the Appeal Ref: APP/L5240/D/22/3302522 for a single storey front & double storey side and part rear extension.
3. The Council amended the description of development to *erection of single storey front side and rear extension*. I agree that this better describes the proposal and the Appellant has used this description at the appeal stage; it is therefore the description I have also used.

### Main Issues

4. The main issues in this appeal are:
  - a) The effect of the proposal on the character and appearance of the existing building and on the local area, and

- b) Whether the proposal would be acceptable in terms of fire safety.

## **Reasons**

### ***Issue a) Character and Appearance***

5. The appeal property is a two storey semi detached property on the southern side of Devonshire Way and within a predominantly residential area. The road slopes up from east to west. There are a variety of detached and semi-detached houses and single storey properties in the vicinity of the appeal property. Whilst they appear to date from a similar period, there are a number of different styles and a number of the properties have been subsequently altered. As a result, there is a variety to the pattern of development in the street scene, including in terms of gaps to the side and forward projections.
6. The proposal would create a single storey front, side and rear extension which would therefore wrap around the property. The front extension would be some 1.5m in depth and would incorporate a porch to the front door and continue to the side before returning along the side of the property, leaving a 0.8m gap to the boundary with the adjoining semi-detached house at No 104. The front extension would have a pitched roof and this would extend part way along the side before reverting to a flat roof across the rest of the side extension and the rear extension.
7. The Council's SPD No 2\_19: Suburban Design Guide (SPD) provides detailed guidance on various types of extensions. Paragraph 4.14.1 indicates that front extensions should generally be no more than 1.5 m deep and avoid being full width. The proposal would respect both these criteria in terms of depth and not being full width. The Council raises a concern that the extension would be overly wide but I consider that given its modest depth and as it would not affect the existing bay window, it would not appear overly large in relation to the existing property.
8. There would remain a 0.8m space to the boundary with No 104. Contrary to the views of the Council, a number of surrounding properties, of a similar design to the appeal property, have garages to the side, which result in narrow margins to the side boundaries. I do not therefore consider that this would appear out of character with the pattern of development in the local street scene.
9. It would introduce a difference with the adjoining semi-detached property but there is some variety at ground floor level in many of the semi-detached pairs in terms of side garages and porches and I do not therefore consider that the proposal would be harmful to the pair and to the general street scene.
10. I am satisfied that the proposal would respect the character and appearance of the existing property and of the local area. There would be no conflict with Policy D3 of the London Plan 2021, Policies SP4 and DM10 of the Croydon Local Plan 2018 and the SPD as well as the National Planning Policy Framework and in particular Section 12, all of which amongst other matters seek a high quality of design which respects the local context.

### ***Issue b) Fire Safety***

11. Policy D12 of the London Plan seeks to ensure that all development proposals achieve the highest standard of fire safety and sets out criteria to be taken into

account. The development does not fall into the category of a major development proposal for which a Fire Statement is required, but nonetheless at the appeal stage the Appellant provided a Fire Statement Form which addressed a number of the criteria under Policy 12 A. Whilst it does not provide all the details set out under Policy D12 A of the London Plan, the policy is directed to all forms of development. The submitted statement confirmed that there is emergency vehicle access off Devonshire Way and public water hydrants available. I do not therefore consider that there is any reason to withhold planning permission in this regard. Further consideration would be required under Building Regulations.

### **Conditions**

12. In terms of conditions, matching materials to the existing house are required to respect the character and appearance of the existing house and local area. A condition to list the approved plans is also required for the avoidance of doubt and in the interests of proper planning.
13. The Council has also requested a condition to require further details of the fire strategy. As the Appellant has submitted a Fire Statement Form at the appeal stage, I do not consider that such a condition is necessary and furthermore such matters would be addressed at the building control stage of development. The Council has also requested a condition to require a water butt to be provided. Whilst I agree that this provision would be good practice, and have noted that property is in an area identified to be at a high risk of surface flooding, I have not been referred to any policy basis which would justify its imposition.

### **Conclusion**

14. For the reasons given above and having regard to all other matters raised, I conclude that the appeal should be allowed.

*L J Evans*

INSPECTOR