



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

Appeal Ref: APP/L5240/D/22/3302522
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: 22/01068/HSE dated 13 March 2022, was refused by notice dated 5 May 2022.
 - The development proposed is single storey front & double storey side and part rear.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. A separate appeal is also before me at the same property, under the Appeal Ref: APP/L5240/D/22/3302523 for the erection of single storey front side and rear extension.

Main Issues

3. 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

4. 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. 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.
5. The proposal would create a single storey front extension across part of the width of the house before returning along the side as a two storey side

extension and wrapping round at two storeys along part of the rear. The side extension would be set back from the frontage under a hipped roof, set down from the main roof ridge.

6. 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. Taken on its own, I consider that the single storey front extension would respect the character and appearance of the existing property.
7. However, when taken with the two storey side extension I consider that the extensions would overwhelm the scale and proportions of the existing dwelling. I have taken into account the set back of the two storey side extension together with the lower roof level, but these would not offset the impact of the two storey development in relation to the proportions of the existing dwelling.
8. Although there are different styles of properties in the vicinity resulting in different open gaps between properties, there is a regular rhythm to the houses of this same style, with generous open gaps at first floor level and above. The introduction of development over two storeys across most of the width of the site would be out of step with the predominant pattern of development. As a result it would be visually intrusive and detract from the character and appearance of the local area.
9. I therefore conclude that the proposal would not respect and would harm the character and appearance of the existing property and of the local area. This would 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.
10. The Appellant has drawn my attention to a number of other two storey side extensions that have been permitted, including further along Devonshire Way. Each proposal must be considered on its individual merits but in so far as the information has been made available to me, I have taken these other examples into account. However, they do not persuade me to a different conclusion, given the harm I have identified.
11. I have sympathy with the family related reasons for seeking the additional accommodation, but they do not override the harm I have found.

Issue b) Fire Safety

12. 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.

Conclusion

13. I have concluded that there would be no reason to refuse the proposal on fire safety grounds, but this does not outweigh the harm I have concluded to the character and appearance of the property and of the local area.
14. For the reasons given above and having regard to all other matters raised, I conclude that the appeal should be dismissed.

L J Evans

INSPECTOR