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# Appeal Decision

Site visit made on 7 February 2023

**by A Hunter LLB (Hons) PG Dip MA MRTPI**

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

**Decision date: 3 April 2023**

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**Appeal Ref: APP/L5240/D/22/3313645**

**8 Cheltenham Villas, Stanley Road, Croydon CR0 3QA**

- 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 Sugitha Mathanaruban against the decision of the Council of the London Borough of Croydon.
  - The application Ref 22/03751/HSE, dated 7 September 2022, was refused by notice dated 19 October 2022.
  - The development proposed is a single storey rear and infill extension.
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## Decision

1. The appeal is allowed and planning permission is granted for a single storey rear and infill extension at 8 Cheltenham Villas, Stanley Road, Croydon CR0 3QA in accordance with the terms of the application, ref 22/03751/HSE, dated 7 September 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 submitted plans: drawing no. PL-000 – location plan; drawing no. PL-002 – proposed site plan; drawing no. PL-007 – proposed ground floor plan; drawing no. PL-008 – proposed first floor and roof plan; drawing no. PL-009 – proposed front and rear elevations; and drawing no. PL-010 – proposed side elevations.
  - (3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used on the existing building.

## Main Issue

2. The main issue is the effect of the proposed extension upon the living conditions of neighbouring occupiers, with particular regard to its effect upon outlook for the occupiers of No. 9 Cheltenham Villas.

## Reasons

3. No. 8 Cheltenham Villas is a mid-terraced two-storey dwelling located in a row of similar properties; all having paired two-storey rear projections. The immediate area is largely residential and includes a row of terraced housing on the opposite side of the road. The appeal property adjoins both No. 7 and No. 9 Cheltenham Villas.

4. The appeal property shares its two-storey projecting rear part with No. 7, the gable of the two-storey rear part runs along the boundary between the two properties, and in an identical form No. 9 shares its two-storey rear part with No.10. The rear two-storey parts do not cover the entire rear elevations, consequently, both the appeal property and No. 9, each have an enclosed narrow space immediately adjoining their rear elevations, which is separated by a tall close boarded fence.
5. No. 9 has a glazed door on its rear elevation, closest to the boundary between it and the appeal site, which faces into its rear garden, along with a ground floor window on the side elevation of its rear two storey part, that faces towards the appeal site. The tight-knit arrangement of these terraced properties and their two-storey rear parts provides a sense of enclosure for the side window and rear glazed door on No.9.
6. The proposed extension would project beyond the rear elevation of both the host property and its two-storey rear part, and it would abut the boundary with No.9. However, its flat roof design would result in its roof height being kept relatively low, and it would not be significantly higher than the existing tall boundary fence. As such, whilst it would be visible from the rear glazed doors and side window of No 9, the proposal would not be intrusive or overbearing or have an unacceptable tunnelling effect. The outlook from the rooms that these openings serve would not be harmfully affected by the proposal.
7. I note there is no day lighting or sun lighting assessment provided, however, given the orientation of the properties and the existing tight-knit arrangement of buildings, the proposal would be unlikely to result in a noticeable reduction of either daylight or sunlight to the rear of No 9.
8. I therefore conclude that the proposed extension would preserve the living conditions of neighbouring occupiers and would meet the requirements of Policy D3 of The London Plan, The Spatial Development Strategy for Greater London, adopted March 2021, and Policy DM10 of the Croydon Local Plan, 2018 (CLP), which amongst other things, requires new development to deliver an appropriate outlook and amenity for adjoining occupiers.
9. The Council has referred to the proposal being contrary to Policy SP4 of the CLP. That policy is concerned with the effect of development upon local character. I did not find that policy to be relevant to the main issue in this appeal.

### **Conditions**

10. I have imposed a standard implementation condition, along with a condition listing the approved plans to provide certainty over what has been approved. A materials condition is also necessary to ensure the appearance of the extension harmonises with the host property and to protect the appearance of the area.

### **Conclusion**

11. For the reasons given above, considering the development plan as a whole and all relevant material considerations, the appeal is allowed.

*A Hunter*

INSPECTOR