



Appeal Decision

Site visit made on 18 July 2023

by G Powys Jones MSc FRTPI

an Inspector appointed by the Secretary of State

Decision date: 09 August 2023

Appeal Ref: APP/L5240/D/23/3320626

7 Sylvan Close, South Croydon, CR2 8DS

- 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 Nagla Stevens against the decision of the Council of the London Borough of Croydon.
 - The application Ref 22/05051/HSE, dated 5 December 2022, was refused by notice dated 16 February 2023.
 - The development is single storey rear extension, rear dormer extension and hip to gable roof alterations.
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Decision

1. The appeal is allowed and planning permission is granted for single storey rear extension, rear dormer extension and hip to gable roof alterations at 7 Sylvan Close, South Croydon, CR2 8DS in accordance with the terms of the application, Ref 22/05051/HSE, dated 5 December 2022, subject to the conditions set out in the attached Schedule.

Procedural matters

2. Since it more accurately describes the development, the description provided in the Council's decision notice has been utilized in preference to that in the application form.
3. The works involved in altering and extending the roof are substantially complete. However, I note that since the submission of this appeal the Council has granted a Certificate of Lawfulness¹ for these works namely: *'Hip to gable loft conversion, erection of rear dormer and installation of one rooflight on the front roofslope following demolition of existing dormers. Alterations of fenestration*. This ranks as a material consideration in my determination attracting substantial weight.
4. I note that the Council did not object to the single storey ground floor extension. A full assessment of this aspect of the proposal is provided in the officer report. I have no reason to disagree with the views expressed in the officer report or the conclusions reached.

Main issue

5. The main issue is the effect of the alterations and additions to the roof on the character and appearance of the host property and surrounding area.

¹ Ref 23/01543/LE dated 15 June 2023 granted on the basis that the works comprised permitted development.

Reasons

6. The appeal property is a semi-detached dwelling, being one of several similarly designed pairs in this quiet cul-de-sac. The alterations to the roof are not particularly noticeable given the property's secluded position at the end of one of the cul-de-sac's two arms. Additionally, that part of the roof subject to change is screened to a significant extent by the branches and leaves of a copper beech growing in the street outside. To my mind, the development has had very little impact on either the host property or its surroundings when viewed from the public realm.
7. I therefore conclude that the development, as built, taking account of the permitted development rights accruing, as acknowledged formally by the Council, has not materially or harmfully affected the character and appearance of the host property or its surroundings. Accordingly, I find no conflict with the thrust of those provisions of policies SP4 and DM10 Croydon Local Plan policy DM10, directed to achieving high quality design and respecting local character or the objectives of policy D3 of the London Plan directed to optimising site capacity through the design-led approach.

Conditions

8. The Council's suggested conditions regarding the date of commencement, materials, and that the development shall be carried out in accordance with the approved plans do not take account of the fact that most of the development is substantially complete. They are not therefore necessary in the form presented, but amended versions of two of the suggested conditions shall be imposed in the interests of certainty and amenity.
9. The appellant did not submit a Fire Safety Strategy with the original application, but the Council considered that this could be subject of a condition were planning permission granted. To ensure compliance with Policy D12 of the London Plan (LP), a condition is imposed in the interests of safety. It is an amended version of that suggested by the Council, taking account of the comments made by the appellant in the grounds of appeal.
10. To safeguard neighbouring privacy, the condition suggested by the Council in respect of the loft's side window is imposed.

Other matters

11. All other matters referred to in the representations, including the comments made by a neighbouring resident have been taken into consideration. This has been addressed by the imposition of the condition designed to safeguard neighbouring privacy.
12. No other matter is of such strength or significance as to outweigh the considerations that led me to my conclusions.

G Powys Jones

INSPECTOR

Schedule of Conditions

1. 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.
2. The development hereby permitted shall be completed in accordance with the following approved plans: NS/OS11; NS/P1; NS/P2; NS/P3 & NS/P4.
3. Within 2 months of the date of this permission, a Reasonable Exception Statement which outlines that the proposed development will not alter the fire safety of the building, or a Planning Fire Safety Strategy in the event that the fire safety of the building will be altered, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be completed strictly in accordance with the details thus approved.
4. The side facing loft window shown on Drawing Number NS/P3 shall be obscurely-glazed, and non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor taken from a point immediately below the centre of the window upwards to the opening part of the window. Such measures shall be provided within 2 months of the date of this permission, and thereafter retained for the lifetime of the development.