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## Appeal Decision

Site visit made on 24 July 2023

**by John D Allan BA(Hons) BTP MRTPI**

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

**Decision date: 15.08.2023**

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**Appeal Ref: APP/L5240/D/23/3324301**

**30 Littleheath Road, South Croydon, CR2 7SA**

- 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 Mr Benson against the decision of the Council of the London Borough of Croydon.
  - The application Ref 23/00360/HSE, dated 28 January 2023, was refused by notice dated 25 April 2023.
  - The development proposed is the erection of a side extension, double storey over existing side ground floor, a rear extension and with loft conversion using rooflights only.
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### Decision

1. The appeal is dismissed.

### Main Issue

2. The main issue is the effect of the proposal upon the living conditions at 32 Littleheath Road, with particular regard to daylight, sunlight and outlook.

### Reasons

3. The appeal property is a two-storey, semi-detached dwelling within a residential sub-urban setting comprising broadly similar style dwellings. Due to the topography of the area, and in common with other properties to the north-east side of Littleheath Road, the dwelling is raised above the levels of the adjoining highway. Even more pronounced is the gradient of the road, which rises fairly steeply from the north-west to the south-east. As a consequence, there are significant stepped levels differences between neighbouring pairs of semi-detached properties.
4. No 30 has a single-storey side extension and attached to it a forward projecting garage that follows the contours of the land and which is built below the threshold of the dwelling. These side elements are built up to the plot's common boundary with No 32. There is a conservatory extension to the rear that projects along the line of the dwelling's original side elevation and is therefore set away from the boundary with No 32. The unattached property to the side is set on significantly lower ground levels to the extent that the eaves height of the single-storey side addition to No 30 exceeds the two-storey eaves height of the flank wall to No 32 by a noticeable margin. In addition to this, the properties are built on staggered building lines, with the appeal property



- extending beyond the rear elevation of No 32 by an estimated distance of around 3m.
5. The proposal would extend the dwelling sideways at first-floor level over the existing single-storey side addition and up to the boundary with No 32. In addition, the conservatory would be replaced with a 3m deep, flat roof extension that would span the full width of the plot.
  6. No 32 is un-extended to the rear nearest to the common side boundary with the appeal property. The external space immediately adjoining the neighbour's rear garden at this point is already heavily enclosed by parts of the side retaining wall to the appeal site and the scale and height of the existing dwelling at No 30 where it extends beyond the rear elevation of No 32. The addition of a first-floor extending up to the common boundary would have a significant additional enclosing effect, imposing itself at close quarters and looming large over the adjoining enclosed rear garden space. Its visual impact would be exaggerated by the levels difference, akin in many ways to the height of a three-storey building when viewed from No 32. The addition of a further 3m deep single-storey extension, perceived in height and bulk from the rear outlook and adjoining garden space at No 32 as a two-storey scale of building, would add further visual harm by appearing overbearing and dominant.
  7. I am not persuaded by any substantive evidence that levels of daylight or sunlight affecting the rear garden or living spaces at No 32 would be impacted to any significant degree. Nevertheless, due to the depth of extensions proposed, their proximity to the boundary with No 32, and the overall perceived height as a result of levels changes between both properties, the side and rear extensions proposed would be harmful to the living conditions at No 32. The failure of the proposal to display a design-led approach appropriate to the specific context of the site and which would ensure protection of the adjoining occupier's amenity means that there would be conflict with Policies SP4.2 and DM10.6 of the Croydon Local Plan (2018), and Policies D3 and D4 of The London Plan 2021. By failing to achieve a high standard of amenity for existing and future users at No 32, the proposal would also fail to satisfy the aims and objectives of the National Planning Policy Framework for achieving well-designed places. As such it would not represent a sustainable form of development.
  8. The appellant has referred to examples of side/rear extensions at Nos 24, 26 and 28 Littleheath Road. However, their relevance to the appeal proposal has not been explained. There is no information to enable me to draw any meaningful comparisons. Extensions at these, or any other nearby properties, do not alter my findings as far as they relate to the impact of the appeal proposal upon the living conditions at No 32. Neither does the absence of any objection from the neighbouring occupiers.

## **Conclusion**

9. For the reasons given, I find that the proposal would be harmful to the living conditions at 32 Littleheath Road. Accordingly, and having regard to all other matters raised, the appeal is dismissed.

*John D Allan* INSPECTOR