



Appeal Decision

Site visit made on 4 July 2023

by J Wellstead BA(Hons) MA MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 25 August 2023

Appeal Ref: APP/L5240/D/22/3290559

243 Tithepit Shaw Lane, Warlingham CR6 9AW

- 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 Qamar Rehman against the decision of London Borough of Croydon.
 - The application Ref 21/04518/HSE, dated 27 August 2021, was refused by notice dated 25 October 2021.
 - The development proposed is a single storey rear/side extension including alterations to roof form, loft conversion and formation of a dormer in the rear roof slope.
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Decision

1. The appeal is dismissed insofar as it relates to alterations to the roof form, loft conversion and formation of a dormer in the rear roof slope. The appeal is allowed insofar as it relates to the single storey rear/side extension and planning permission is granted for a single storey rear/side extension at 243 Tithepit Shaw Lane, Warlingham CR6 9AW in accordance with the terms of the application, Ref 21/04518/HSE, dated 27 August 2021, and the plans submitted with it, so far as relevant to that part of the development hereby permitted and 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, insofar as it relates to the single storey rear/side extension, shall be carried out in accordance with the following approved plans: 1858_P04 Rev A and 1858_P05 Rev 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. The Suburban Design Guide 2019 was revoked by Croydon Council in July 2022 and is no longer a material consideration in the determination of planning applications. I have not taken this document into account in my consideration of this appeal.

Main Issue

3. The main issue is the effect of the proposal on the character and appearance of the host property and the surrounding area.

Reasons

4. No.243 Tithepit Shaw Lane is one of a pair of two storey, semi-detached residential properties within a row of similar properties on the northern side of Tithepit Shaw Lane. The property currently benefits from a two-storey side extension, which features a hipped roof to match the host dwelling.
5. There is some variety in dwelling types and styles along Tithepit Shaw Lane, but those properties along this part of the lane, on its north side, retain their original hipped roof form. The rhythm of hipped roofs contributes positively to the character of the area.
6. The Council has raised no objections to the proposed single storey rear and side extension and the evidence indicates that the proposal would not harm the living conditions of nearby occupiers. The design of this addition would be sympathetic to the host property, and it would not cause harm to the living conditions of neighbouring occupiers. I therefore agree with the local planning authority that this part of the scheme is acceptable. The main issue in dispute is the effect of the proposed roof alterations, including the proposed dormer, on the character and appearance of the host building and the surrounding area.
7. The proposed hip-to-gable enlargement would harm the symmetry of roof form and imbalance this pair of dwellings. This aspect of the development would appear at odds with the other dwellings in the row.
8. Although on the rear roof slope, the proposed dormer would be visible from the street, partly as a result of the generous spacing between the individual pairs of semi-detached houses. The boxy form of the dormer would draw attention to the incongruous nature of this roof alteration and further disrupt the rhythm and harmony of dwellings in the row.
9. The submitted plans show a new rooflight on the front facing slope roof. This would be a modest feature and similar to the rooflights that have been installed at other nearby properties. As such, it would not be harmful in and of itself.
10. I conclude that the proposed roof alterations and dormer would cause material harm to the character and appearance of the host property and the surrounding area. There is conflict with Policies DM10.1 and DM 10.7 of the Croydon Local Plan 2018, and Policies D1 and D4 of The London Plan¹. Amongst other things, these seek to create a high-quality built environment that is sympathetic to its local context.

Other Matters

11. The appellant states that the proposed roof extension would be permitted development if not for the existing two storey side extension. Whether or not this statement is true is, to some extent, immaterial. I have seen no substantive evidence to demonstrate that there is a permitted development fallback position. The proposal before me therefore stands to be considered on its merits against the development plan.

Conditions

¹ The London Plan, The spatial development strategy for Greater London, March 2021

12. In addition to the standard time limit condition, it is necessary to impose a condition that requires the development to be carried out in accordance with the approved plans for certainty. To ensure the satisfactory appearance of the development, a condition is imposed to require matching materials.

Conclusion

13. For the reasons given above I conclude that the proposed alterations to the roof form, loft conversion and formation of a dormer in the rear roof slope would be contrary to the development plan and there are no material considerations that would indicate a decision otherwise than in accordance with the development plan. The appeal is dismissed insofar as it relates to the roof alterations and dormer.
14. The proposed single storey rear/side extension accords with the development plan taken as a whole and therefore the appeal is allowed in relation to this part of the scheme.

J Wellstead

INSPECTOR