



Appeal Decision

Site visit made on 13th October 2023

by Megan Thomas K.C. Barrister-at-Law

an Inspector appointed by the Secretary of State for Levelling Up, Housing and Communities

Decision date: 31.10.2023

Appeal Ref: APP/L5240/D/23/3321963

40 Norbury Court Road, Norbury, Croydon SW16 4HT

- 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 Jessica Zagnoli against the decision of the London Borough of Croydon.
 - The application Ref.23/00762/HSE, dated 23 February 2023, was refused by notice dated 13 April 2023.
 - The development proposed is the "construction of rear dormer and gable end to flank elevation."
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue in the appeal is the effect of the proposed development on the character and appearance of the host dwelling and on the wider area.

Reasons

3. The appeal property is a two storey, semi-detached dwelling on the north side of Norbury Court Road. Its semi-pair is no.38. To its west is no. 42 Norbury Court Road which has a large rear dormer structure with a Juliette balcony in a gable end roof. The appeal property is reflective of the design form and scale of other dwellings that line this residential road. The site is close to the Norbury Estate Conservation Area but in my view the proposed development would not have any impact on the setting of that Conservation Area. The Council appear to agree with that analysis as it is not raised as a concern.
4. The proposed development includes the alteration of the roof of the appeal property from a hip to a gable end, the erection of a roof extension to the rear of main roof slope with a Juliette balcony and the installation of three roof lights into a front roof slope. The materials proposed would be London yellow mixed stock bricks for the walls, clay roof tiles and for the dormer zinc or horizontal clay tiles.
5. The main issue relates to the proposed dormer structure rather than the alteration of the roof from a hip to a gable end. The proposed dormer structure would be a dominant and prominent addition to the host dwelling. It would take up a significant amount of the roof profile and would draw the eye upwards resulting in a top heavy box-like addition which would be unsympathetic to the

semi-detached host dwelling. The proposed width and height in particular combine to result in an adverse visual impact. The proposed fenestration would not blend with the existing fenestration on the rear elevation of the property thereby exacerbating the harm to the character of the existing property.

6. In coming to this view I have borne in mind that a 'fallback' dormer structure could be constructed under the Town and Country Planning (General Permitted Development) Order 2015 subject to meeting the various criteria. However, I have judged the proposed development on its own individual merits and I consider that it would be more harmful than a potential dormer built using permitted development rights. I noted other rear dormer structures in the area in particular the one on a neighbouring dwelling at no.42 Norbury Court Road. Whilst other dormers exist, the character of the immediate area remains predominantly one of traditional locally distinctive semi-detached dwellings without rear dormers and, as I say above, I have judged the impact of this individual proposal on its own host dwelling and the wider area.
7. Consequently, I find that the proposed development would harm the character and appearance of the host dwelling and wider area. It would be contrary to policy D3 of the London Plan 2021 and policies DM10.1, DM10.7, SP4.1 and SP4.2 of the Croydon Local Plan 2018.

Conclusion

8. Having taken into account all representations made including the benefit flowing from increasing the living space at the appeal dwelling, for the reasons given above, I dismiss the appeal.

Megan Thomas K.C.

INSPECTOR