



Appeal Decision

Site visit made on 8 November 2023

by C J Leigh BSc(Hons) MPhil MRTPI

an Inspector appointed by the Secretary of State

Decision date: 14 December 2023

Appeal Ref: APP/L5240/D/23/3326802

4 Cranmer Road, Croydon, CR0 1SR

- 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 Sam Udoh against the decision of the Council of the London Borough of Croydon.
 - The application Ref 23/00835/HSE, dated 1 March 2023, was refused by notice dated 19 June 2023.
 - The development proposed is construction of rear infill extension and internal works.
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Decision

1. The appeal is dismissed.

Main issue

2. The main issue is the effect of the proposed development on the living conditions of adjoining occupiers.

Reasons

3. The proposed extension would see the demolition of an existing single storey rear projection to the house that extends across part of a rear elevation, and the erection of a new single storey addition of similar depth but extending across the full width of the house.
 4. The drawings show this extension would have a height on the boundary with the adjoining property of 6 Cranmer Road of 3.0m and depth of around 3.8m. The Council have drawn attention to the ground floor windows in the rear and side elevation at No. 6 that look out towards the location of the proposed extension, and the owner and occupier of that property has raised concern regarding the effect on levels of light and outlook arising from the proposals.
 5. I could see these windows at my site visit. I share the concerns of the Council and the neighbour: in my judgement the combination of the depth and height of the proposed extension would have a very notable impact on the outlook from those windows, hence reducing the quality of living conditions. This would have a significantly overbearing effect on the occupants of the house. There is no technical evidence on levels of light, but based on my observations and the information before me I further think there is likely to be an appreciable impact on light to those rooms.
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6. The appellant comments that the spacing between the windows at No. 6 is relatively wide, and also says that the existing enclosed built form leads to a lower expectation of light and outlook. From my observations at the site visit, and the representations made by the neighbour, I do not concur with that submission. The area between the two houses is constrained, yet evidently provides light and outlook appreciated by the neighbour, and I could acknowledge this from my site visit. A reduction in these matters as shown in the drawings would be unacceptable.
7. I also note the appellant's reference to appeals in other parts of London. It is clear to me those cases were determined on their own merits, having regard to the facts of those cases and the relationship between properties. I have assessed the current appeal on the basis of what is shown in the drawings in this appeal, the particular relationship between the properties in question, what I saw at the site visit, and the evidence presented to me. It is my judgement there would be harm in this case.
8. The appellant refers to the possibility of exercising permitted development rights if the appeal is not successful. The form or size of any such extension has not been formally confirmed through submissions to the Council, but in any event the appellant's own figures show dimensions for a scheme that differs from the scheme before me. I have determined that the appeal proposals are harmful due to the combination of height and depth, and hence the possibility of some form of permitted development scheme does not alter my findings.
9. Policies SP4 and DM10 of the Croydon Local Plan 2018 Local Plan require, amongst other matters, new development to protect the amenity of adjoining buildings and to be of a high quality which respects and enhances local character and contributes positively to the public realm. Policies D3 and D6 of the London Plan 2021 seek a design-led approach for new development and that it provides for sufficient daylight and sunlight. For the reasons given it is my conclusion on the main issue that the proposals would conflict with these policies, and the appeal is dismissed.

C J Leigh
INSPECTOR