



Appeal Decision

Site visit made on 10 March 2025

by **U P Han BSc (Hons) DipTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 3 April 2025

Appeal Ref: APP/L5240/W/24/3348885

42 and 44 Grange Park Road, Thornton Heath CR7 8QA

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Levan Allaraj against the decision of the Council of the London Borough of Croydon.
 - The application Ref is 23/03792/FUL.
 - The development proposed is erection of single-storey rear/side infill extensions (following demolition of existing bay windows) to each dwellinghouse, erection of dormer extensions to the rear main roof slope and over outrigger building to dwellinghouse at No 44 Grange Park Road, and associated alterations including raising land level, as well as, replacement of single window openings with single door and window openings.
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Decision

1. The appeal is dismissed insofar as it relates to the erection of dormer extensions to the rear main roof slope and over outrigger building to the dwellinghouse at 44 Grange Park Road. The appeal is allowed insofar as it relates to the erection of single-storey rear/side infill extensions (following demolition of existing bay windows) to each dwellinghouse, and associated alterations including raising land level, as well as, replacement of single window openings with single door and window openings at 42 and 44 Grange Park Road, Thornton Heath CR7 8QA in accordance with the terms of the application, Ref 23/03792/FUL, and subject to the conditions in the attached schedule.

Preliminary Matters

2. The Council's decision notice and the appeal form describe the development as follows: 'Erection of single-storey rear/side infill extensions (following demolition of existing bay windows) to each dwellinghouse, erection of dormer extensions to the rear main roof slope and over outrigger building to dwellinghouse at No 44 Grange Park Road, and associated alterations including raising land level, as well as, replacement of single window openings with single door and window openings.' This is a more accurate description of the proposed development than shown in the original application form, and I have determined the appeal on this basis.
3. The appellant also included the phrase: '(Joint and Part Retrospective Application) (Re-Consultation Due to Drawings Not Previously Being Visible)' in their description of proposed works on their appeal form. This phrase is superfluous as it does not describe an act of development.
4. The proposal was submitted with pre-existing, existing and proposed plans. During my site visit, I saw that the part of the appeal scheme relating to 44 Grange Park Road (No 44) had been completed, including the erection of the single storey

rear/side infill extension, the rear roof extension and over the outrigger to No 44. These works are consistent with the proposed plans, and for the avoidance of doubt I have determined the appeal on the submitted plans.

5. The existing and proposed single storey rear/side infill extensions are clearly severable from the existing roof extension, as it is physically and functionally independent. Therefore, under section 79(1)(b) of the Town and Country Planning Act 1990 (as amended), I have the power to issue a split decision in this case.

Main Issues

6. The main issues in this appeal are:

- the effect of the single storey rear/side infill extension at No 44 on the living conditions of the occupiers of the 42 Grange Park Road (No 42) with regard to light and outlook; and
- the effect of the roof extensions to No 44 on the character and appearance of the surrounding area.

Reasons

Living Conditions

7. The appeal site relates to Nos 42 and 44 which are two-storey end of terrace dwellinghouses situated next to each other with a small gap between them. While similar to each other originally in design, No 42 does not appear to have benefitted from any extensions and sits at a lower ground level to No 44. No 42 has a large ground floor side bay window serving a habitable room on its outrigger, facing towards No 44. It also has another ground floor window on the recessed part of its south east elevation serving another habitable room. These two windows are close to the shared boundary with No 44 which, in this part of the site, is delineated by a closed board timber fence of approximately 1.8 metres high atop a wall of approximately 0.8 metres high. As a result, the overall height of the boundary fence is broadly at the same height as the aforementioned windows. Due to the height of the fence and the proximity of No 42's windows to the fence, light to and outlook from the aforementioned windows are already limited.
8. No 44 has a single storey side/ rear extension which infills the outrigger so that it is flush with the south elevation of the main building. While the single storey extension to No 44 is visible above the height of the existing boundary fence, the outlook from and level of light received by the ground floor side window and the ground floor window on the recessed part of No 42's south east elevation would not be markedly different due to their short distance from the tall boundary fence. I was able to observe the effect of the completed single storey side/ rear infill extension to No 44 from the ground floor windows of No 42 during my site visit and observed its limited impact on No 42 with regard to light and outlook.
9. For the reasons given, the single storey rear/side infill extension at No 44 does not harm the living conditions of the occupiers of No 42 with regard to light and outlook. It complies with Policies D3 and D6 of the London Plan (March 2021) (LP) and Policy DM10 of the Croydon Local Plan (February 2018) (CLP) insofar as they require development to deliver appropriate outlook and sufficient light.

10. The Council has referred to Policy SP4 of the CLP, however, this relates to urban design and local character so is not determinative on this main issue.

Character and Appearance

11. This part of Grange Park Road contains similarly designed two storey houses arranged in short terraces resulting in a formal and uniform character and appearance to the area.
12. During my site visit I could see that the entire rear roof slope to No 44 had been altered so that it is flat and broadly at the same height as the ridge of the existing roof. A flat roofed extension has been erected over the outrigger to the same height as the rear roof. As a result of their excessive scale, height and massing, the roof extension and the extension over the outrigger dominate the host building and fail to remain subservient to the original form of the house. Furthermore, the bulk and height of the roof extensions disrupts the consistent roofline rhythm of the properties in this section of Grange Park Road and consequently appear intrusive and discordant with the established form of development in the surrounding area.
13. For the reasons given, the development harms the character and appearance of the site and the surrounding area. It conflicts with Policies D3 and D6 of the LP and Policies SP4 and DM10 of the CLP insofar as they require development to respect and enhance local character and achieve high quality design.

Other Matters

14. The completed single storey rear/ side infill extension to No 44 is a subordinate and harmonious addition to No 44. Likewise, the proposed rear/ side infill extension to No 42 would be subservient to the host building and its scale and design would match that of No 44. Due to their size, siting and materials, the existing and proposed single storey rear/ side infill extensions to Nos 42 and 44 do not and would not harm the character and appearance of the surrounding area. Furthermore, the Council has not raised any concerns regarding these elements of the existing and proposed development on the character and appearance of the surrounding area. Consequently, I consider that they comply with the aforementioned requirements of Policies D3 and D6 of the LP and Policies SP4 and DM10 of the CLP.

Conditions

15. The Council has provided a list of suggested planning conditions which I have considered against the National Planning Policy Framework (Framework) and advice contained in the Planning Practice Guidance (PPG).
16. A standard time condition for the commencement of development and a condition requiring compliance with the approved plans are necessary to provide certainty and clarity.
17. An updated version of the Fire Safety Statement submitted with the application is required to ensure that the development incorporates fire safety measures.
18. A matching materials condition is necessary in the interests of the visual amenity of the area.

19. The condition suggested by the Council in relation to obscure glazing of the side-facing loft level window is not necessary as the appeal is dismissed insofar as it relates to the erection of dormer extensions to the rear main roof slope and over outrigger building to dwellinghouse at 44 Grange Park Road.
20. The Council's suggested condition requiring the development to be completed in its entirety before the expiration of 6 months from the date of decision would fail the test of necessity and would be difficult to enforce. I have therefore not imposed such a condition.

Conclusion

21. For the reasons given above, and having regard to all matters raised, the appeal should be allowed in respect of the erection of single-storey rear/side infill extensions (following demolition of existing bay windows) to each dwellinghouse, and associated alterations including raising land level, as well as, replacement of single window openings with single door and window openings at 42 and 44 Grange Park Road, but should be dismissed in respect of the erection of dormer extensions to the rear main roof slope and over outrigger building to the dwellinghouse at 44 Grange Park Road.

U P Han

INSPECTOR

Schedule of Conditions

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans:
 - Site Location Plan GLA-17L;
 - Pre-Existing Ground Floor, Pre-existing Roof, Pre-existing rear GLA-11L;
 - Pre-existing Side, Pre-existing Section GLA-12L;
 - Existing Ground Floor, Existing Roof, Existing rear GLA-13L;
 - Existing Side, Existing Section GLA-14L;
 - Proposed Ground Floor, Proposed Roof, Proposed rear GLA-15L;
 - Proposed Side, Proposed Section GLA-16L;
- 3) Prior to the occupation of any part of the development hereby approved, an updated version of the Fire Safety Statement submitted with the application shall be submitted to and approved in writing by the Local Planning Authority. The statement must be updated to include a robust strategy for evacuation that can be periodically updated and published. The approved details must be implemented prior to the first occupation of the development and, thereafter, retained and maintained for the life of the development.
- 4) The external materials of the development hereby permitted shall match those used in the existing dwellings.