



Appeal Decision

Site visit made on 31 March 2025

by **L C Hughes BA (Hons) MTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 23 April 2025

Appeal Ref: APP/L5240/D/24/3352387

26 Mapledale Avenue, Croydon CR0 5TD

- 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 Minesh Jobanputra against the decision of the Council of the London Borough of Croydon.
 - The application Ref is 23/04702/HSE.
 - The development proposed is erection of dormer window extension in the rear roof slope and 4no. roof lights in the front roof slope, 2no. roof lights to the rear roof slope and 1no. roof light to the side roof slope.
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Decision

1. The appeal is allowed and planning permission is granted for erection of dormer window extension in the rear roof slope and 4no. roof lights in the front roof slope, 2no. roof lights to the rear roof slope and 1no. roof light to the side roof slope at 26 Mapledale Avenue, Croydon CR0 5TD in accordance with the terms of the application, Ref 23/04702/HSE, subject to the following 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 drawing nos: Location Plan dated 6 December 2023; Proposed Front Elevation 432/03/200 P03; Proposed Rear Elevation 432/03/201 P03; Proposed Side Elevation 432/03/202 P03; Proposed Side Elevation 432/03/203 P03; Proposed Ground Floor Plan 432/03/400 P03; Proposed First Floor Plan 432/03/401 P03; Proposed Loft Floor Plan 432/03/402 P03; Proposed Roof Floor Plan 432/03/403 P03; and Existing and Proposed Block Plan 432/01/500 P03.
 - 3) The development hereby permitted shall be constructed in the external materials specified in the application form unless otherwise agreed in writing by the local planning authority.
 - 4) The development hereby permitted shall not be occupied until the bathroom window indicated on 432/03/201 P03 has been fitted with obscured glazing. Once installed the obscured glazing shall be retained thereafter.
 - 5) The development hereby permitted shall be carried out in accordance with the provisions of the Fire Safety Report dated January 2024. The fire safety provisions shall be retained for the lifetime of the development.

Main Issue

2. The main issue is the effect of the proposal on the living conditions of the occupiers of 1 Grimwade Avenue with regards to privacy and outlook.

Reasons

3. The appeal property, 26 Mapledale Avenue (No 26) is a detached dwelling situated on a corner plot in a residential area. The plot is widest at the front, and narrows from the rear elevation of the property towards the end of the back garden. 1 Grimwade Avenue (No 1) is situated next door to the appeal property.
4. There is a kitchen/living room window at No 1 and a patio area from which the proposed extension would be visible. Whilst there are already bedroom windows at the rear of the appeal property, the proposed three-paned bedroom window would be positioned higher up than existing windows and as such would have a greater vantage point. However, the proposed bedroom window is situated some distance from No 1, and due to the orientation of the appeal property the window would look directly down the rear garden of No 26, with only oblique, rather than direct views possible towards No 1. This would prevent intrusive overlooking of No 1 from this window.
5. The plans indicate that the closest window to No 1 would serve a bathroom. To prevent any views out of this window towards No 1, a condition has been imposed to ensure that it would be obscurely glazed.
6. Due to their position and separation distances between neighbouring properties, the proposed rooflights in the front and side of the roof would not cause any harmful overlooking or loss of privacy. The proposed rooflights which would serve a bedroom would be set high in the roof and angled towards the sky. As such they would not lead to any adverse overlooking of No 1.
7. The proposed extension would be set well in from the edges of the roof and would be sited below the ridgeline, ensuring that it would not appear as over dominant. Due to their orientation the properties are not situated side by side, but they sit comfortably within their plots, with mature landscaping helping to screen neighbouring dwellings from each other. The majority of the windows of No 1 face away from the proposed development, and due to the appropriate massing, siting and scale of the proposal it would not be obtrusive, imposing or overbearing.
8. The proposal would therefore not harm the living conditions of neighbouring occupiers with regard to privacy and outlook. As such, the proposal would comply with Policies D3 and D6 of the London Plan (2021) and Policies SP4.2 and DM10.6 of the Croydon Local Plan (2018) which seek to ensure that high quality developments deliver appropriate outlook, privacy and amenity, do not result in direct overlooking at close range, and that the amenity of occupiers of adjoining buildings is protected.

Other Matters

9. The appeal property sits within a spacious plot. The proposed extension would be of an appropriate scale and size to appear as subservient to the host dwelling. It would not be overly bulky, unbalanced or disproportionate. It would not, therefore, lead to the site appearing as overdeveloped, even taking into consideration that

the property has been previously extended, and has an unimplemented Lawful Development Certificate¹ for a rear extension.

10. The scale, siting and appearance of the proposed rooflights would not have a discernible effect on the character and appearance of the streetscape. The proposed dormer extension would be set below the ridge of the roof, appropriately set in from the roof edges and of a scale that would not be unduly prominent in the street scene when glimpsed between properties. The spacious characteristics of the area would not be affected by the proposal to the degree that any harm would be caused to the character and appearance of the area.
11. Due to the orientation of the host dwelling, the scale of the proposal and the separation distances between the proposal and neighbouring dwellings, the proposed development would not lead to the loss of light or overshadowing of neighbouring properties or result in unacceptable light pollution.
12. My attention has been drawn to an application for a dormer extension at No 26 that was refused permission in 2022². The appeal proposal has been reduced in size from the 2022 scheme and has different fenestration with windows set further from the side elevation of No 1. I also note that an appeal relating to an extension at No 26 was dismissed in 2016.³ That scheme was different in design and scale to that before me. In terms of these schemes likely impacts on the living conditions of neighbours they are not comparable to the appeal proposal. I have determined this scheme on its planning merits under the current policy context and found it to be acceptable. Any future applications for amendments to the proposal would be considered on their own merits in accordance with the development plan and any material considerations.

Conditions

13. In addition to the standard timeframe condition, it is necessary to impose a condition requiring the development to be carried out in accordance with the submitted plans in the interest of certainty (conditions 1 and 2). To ensure the satisfactory appearance of the development, a condition is imposed to require that the external materials comply with those detailed on the application form (condition 3). I have included condition 4 ensuring that the bathroom window of the proposed development is obscurely glazed, in order to protect the living conditions of future and neighbouring occupiers with regard to privacy. Condition 5 relates to the Fire Safety Report and is included to ensure public safety.

Conclusion

14. For the reasons given above, the proposal would comply with the development plan and the material considerations do not indicate that the appeal should be decided other than in accordance with it.
15. As a result, the appeal should be allowed.

L C Hughes

INSPECTOR

¹ 16/04118/LP

² 22/01632/HSE

³ APP/L5240/D/16/3156757