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## Appeal Decision

Site visit made on 23 April 2025

by **D J Barnes MBA BSc(Hons) DipTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 12 May 2025

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**Appeal Ref: APP/L5240/D/25/3358872**

**63 Croham Manor Road, South Croydon, Croydon CR2 7BH**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission under section 73 of the Town and Country Planning Act 1990 for the development of land without complying with conditions subject to which a previous planning permission was granted.
  - The appeal is made by Des Brady against the decision of the Council of the London Borough of Croydon.
  - The application Ref is 24/03528/CONR.
  - The application sought planning permission for alterations; erection of upwards gable-ended extension on existing garage with installation of front and rear doors; erection of 1 No. front dormer and 2 No. rear dormers and a rear walkway and installation of solar panels without complying with a condition attached to planning permission Ref 23/04232/HSE, dated 28 March 2024.
  - The condition in dispute is No. 2 which states that: The development shall be carried out entirely in accordance with the approved drawings submitted with the application listed below: 219-0-10; 219-0-09 Rev B and 219-0-07 Rev B.
  - The reason given for the condition is: For the avoidance of doubt, and to ensure that the development is carried out in full accordance with the approved plans in the interests of proper planning.
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### Decision

1. The appeal is allowed and planning permission is granted for alterations; erection of upwards gable-ended extension on existing garage with installation of front and rear doors; erection of 1 No. front dormer and 2 No. rear dormers and a rear walkway and installation of solar panels at 63 Croham Manor Road, South Croydon, Croydon CR2 7BH in accordance with the application Ref 24/03528/CONR, without compliance with condition number 2 previously imposed on planning permission Ref 23/04232/HSE dated 28 March 2024 and subject to the following conditions:
  - 1) The development hereby permitted shall begin not later than 3 years from 28 March 2024.
  - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 2019-001-00; 219-0-10 Rev A; 219-0-09 Rev C and 219-0-07 Rev C
  - 3) Unless otherwise specified in the application, the materials to be used for the external surfaces of the development hereby permitted along with work of making good shall be carried out in materials to match those of the existing building.

- 4) The development hereby permitted shall be carried out in accordance with the provisions of the Fire Statement dated November 2023.
- 5) Prior to the occupation of the development at least one water butt of 100 litre volume shall be installed on a downpipe attached to the roof of the property and be retained and maintained for the lifetime of the development. Reason: To ensure that the principles of sustainable drainage are incorporated into the development and to reduce the impact of flooding.

### **Main Issue**

2. It is considered that the main issue is whether condition 2 is necessary to preserve the character and appearance of the host property and the streetscene.

### **Reasons**

3. The appeal property is a large, detached bungalow with accommodation within the roofspace. It is situated within a spacious and verdant residential area adjacent to an area of woodland and the rear gardens of dwellings which front High Beech. The dwellings within the surrounding area, which includes those on the opposite side of the road that are situated within the Cobham Manor Road Conservation Area, are predominantly large 2-storey dwellings sited within large, landscaped plots.
4. Planning permission has been granted for alterations to the appeal property which include a first floor side extension above an existing garage (Ref 23/04232/HSE). The design of the approved extension includes the front elevation being set back at first floor level from the front wall of the host property by circa 0.5 metres. Together with the lower ridge height than the host property, the setting back of the front elevation would, the council claim, ensure that the approved extension would be a subservient addition to the host property.
5. The appeal scheme includes seeks a variation to condition 2 to substitute an alternative design for the approved scheme. The condition was imposed for the avoidance of doubt and to ensure that the development would be carried out in accordance with the approved drawings. The reason for the variation is to substitute the approved drawings by amended drawings with the main difference being the first floor of the proposed side extension not being set back by circa 0.5 metres. Instead, the proposed extension's front elevation would align with the front wall of the host property. The ridge height of the proposed extension would still be lower than the host property albeit the difference would be modest.
6. Although the front elevation would not be set back, the resulting property would still retain the appearance of a large, detached bungalow situated on a large landscape plot. By reason of the siting of the property to the rear of a landscaped front garden, the resulting property's contribution to the streetscene would not be materially different when compared to the approved scheme. The appearance of the streetscene would remain one of large dwellings sited within large, landscaped plots thereby retaining its spacious and verdant character. There would be no harm caused to the setting of the Conservation Area. From the road the existence or absence of a set back at first floor level would not be particularly noticeable. Instead,.
7. The appeal scheme would result in the current symmetrical appearance of the host property being lost and the extension of the current gable roof across the garage

would increase the width of the resulting property. However, based on the available evidence, the lack of a setting back of the proposed extension at first floor level would not materially change the asymmetrical appearance of the property when compared to the approved scheme. As with the approved scheme, the proposed dormer extension would break-up the expanse of the enlarged gable roof. The use of matching materials would assist in the assimilation of the proposed extension as part of the host property.

8. For the reasons given, it is concluded that condition 2 is unnecessary to preserve the character and appearance of the host property and the streetscene and, as such, its variation to refer to the amended drawings would not conflict with Policies SP4 and DM11 of the Croydon Local Plan. Amongst other matters, these policies require development to be informed by its context and to be of a high quality of design. Policy D3 of the London Plan is not of direct relevance because it concerns optimising site capacity through a design led approach rather than specifically addressing householder schemes.
9. The other conditions attached to the planning permission granted by the council concerning the use of matching materials, securing implementation of the Fire Statement and the provision of a water butt are still considered necessary. Accordingly, it is concluded that this appeal should be allowed.

*D J Barnes*

INSPECTOR