



Appeal Decision

Site visit made on 12 June 2025

by **K Williams MTCP (Hons) MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 19th June 2025

Appeal Ref: APP/L5240/D/25/3364444

80 Beverley Road, Whyteleafe CR3 0DX

- 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 Kapilan Kantharajah against the decision of the Council of the London Borough of Croydon.
 - The application Ref is 25/00238/HSE.
 - The development proposed is the erection of a two-storey side extension.
-

Decision

1. The appeal is dismissed.

Main Issues

2. The main issue is the effect of the proposal on the living conditions of the occupiers of 82 Beverley Road.

Reasons

3. The site is located at 80 Beverley Road, it comprises a two storey semi-detached dwelling in a residential area. The adjacent property at No 82 is a bungalow. There is a clear glazed window on the side of No 82, with views towards the side elevation of the appeal property. This window is separated from the appeal site boundary by a narrow single width driveway, which leads to a single storey garage. The joint boundary comprises a low wall, and this provides for a sense of space and openness between the two properties.
4. The proposal would provide a substantial two-storey side extension. Although the proposal has been amended from previous iterations it would still only be one-metre from the open joint boundary with No 82. The separation afforded by this one-metre gap and the driveway at No 82 is not significant. It would bring built development closer to the habitable window on No 82. Occupiers of this property would be faced with a high and deep solid mass of wall in very close proximity.
5. Due to the orientation and proximity of No 80 relative to No 82 there would be further likelihood of existing daylight and midday sunlight being affected. The proposal would result in narrower gap between the side windows of No 82 which would be likely to result in a darker environment in the room by obscuring more of the sky. Overall the proposal would have an unduly oppressive and overbearing impact on the outlook from the neighbouring property and would result in an undue sense of enclosure to the side of that property. Consequently the proposal would significantly detract from the outlook currently enjoyed from the room. This would result in harm to living conditions.

6. Numerous properties have been altered in the area, and there is no dispute that the proposed design and effect on the character and appearance of the area is acceptable, thus meeting the requirements of various development plan policies and the Framework which relate to good design. The proposal would also benefit the appellants and improve the symmetry of the pair of semi-detached dwellings at No 80 and 78 Beverley Road. However, this is a different matter to the effect on living conditions.
7. I do not have substantive details regarding other proposals in the area or whether the relationship between homes that have been extended were exactly the same as before me. Therefore these do not alter my opinion on the harm caused, which attracts significant weight. The presence of other examples in the area and the suitability and benefits of the design does not override this main issue. Furthermore, at paragraph 135, the Framework seeks to ensure a high standard of amenity for existing occupiers.
8. I therefore conclude that the proposal would harm the living conditions of the occupiers of 82 Beverley Road. It would therefore conflict with Policies SP4 and DM10 of the Croydon Local Plan (2018). It would also conflict with Policies D3 and D6 of the London Plan (2021). Together these seek, amongst other matters, to ensure design responds to its context, enhances well-being and protects amenity, including ensuring sufficient sunlight to occupiers in surrounding housing.

Conclusion

9. The proposal conflicts with the development plan and the Framework and the material considerations do not indicate that the appeal should be decided other than in accordance with it. For the reasons given above, I conclude the appeal should be dismissed.

K Williams

INSPECTOR