



Appeal Decision

Site visit made on 7 July 2025

by **C Housden BSc (Hons) MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 31st July 2025

Appeal Ref: APP/L5240/W/25/3361768

50 Hill House Nursing Home, Park Road, Kenley, Croydon CR8 5AR

- 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 Alex Robshaw of Hill House Nursing Home Ltd against the decision of the Council of the London Borough of Croydon.
 - The application ref is 24/03664/FUL.
 - The development proposed is erection of a first floor side and rear extension to the existing building including three dormer windows, associated access steps to the rear and general external and internal alterations to the property.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the appeal proposal on:
 - the living conditions of the occupiers of 52 Park Road (No 52), with particular reference to daylight and outlook; and
 - the character and appearance of the host property and area.

Reasons

Living conditions

3. The ground levels of the appeal site and of the neighbouring plot at No 52 increase in gradient as you go from Park Road to the rear of the plots. As a result, due to No 52 being set forward in the plot compared to Hill House Nursing Home, this neighbouring property is set at a lower ground level than the appeal building.
4. The existing side of Hill House Nursing Home is set up to the shared boundary towards the rear of the garden of No 52, with the eaves of the hipped roof situated approximately at the top of the fence line, pitching away. I observed on my visit that the adjacent garden area of No 52 was well used with a patio which included a table and chairs.
5. The proposed extension would include a modest single storey flat roof element with a green roof, which provides some slight separation to the main bulk, mass and height of the proposal from the shared boundary with No 52. However, the proposal would nevertheless add an additional storey of development within close proximity to No 52. Whilst the proposal is to the rear of No 52, given the closeness to the boundary and difference in ground levels compared to the property of No 52,

the bulk, mass and height proposed by the extension would result in an unduly prominent and overbearing effect on the garden area and rear elevation of No 52 which would harm the outlook of its occupiers.

6. It has been suggested that the existing vegetation or additional fencing and the green roof could help mitigate the effect of the proposal. However, given the height, bulk and massing of the proposal above the flat roof element, these measures would be insufficient to mitigate the impact on the living conditions of No 52.
7. In relation to daylight, a Daylight and Sunlight Assessment¹ (DSA) has been submitted in support of the appeal. The DSA assessed the effect of the proposal on the rear windows of No 52. The vertical sky component value for all the windows to the rear of No 52 as a result of the development was greater than 27% in all cases and would be between 0.94 – 0.97 times the pre-development value. The report demonstrates that the relevant BRE guidelines would be comfortably complied with by the proposal.
8. Based on the evidence before me, I am satisfied that the proposal would not cause a material loss of daylight which would be harmful to the living conditions of the neighbouring occupiers at No 52.
9. Whilst the proposal would not cause a materially harmful loss of daylight, it would result in an overbearing effect that would lead to a loss of outlook and considerable harm to the living conditions of the occupiers of No 52. I conclude that the proposal would conflict with Policy DM10 of the Croydon Local Plan (2018) (CLP) and Policy D3 of the London Plan (2021) (LP). These policies, amongst other matters, seek to ensure that the amenity of the occupiers of adjoining buildings is protected, and that development delivers appropriate outlook and amenity.
10. The Council has referred to Policy SP4 of the CLP in its associated reason for refusal. However, this policy relates to urban design and local character so is not directly relevant to this specific main issue.

Character and appearance

11. Park Road comprises a steep road with detached buildings in a variety of scales and architectural styles. Properties are organised in a loose linear arrangement and are set back into spacious plots. Most buildings within the area cover much of the width of their respective plots, however still achieve a spacious character and appearance through generous frontages. The area is heavily vegetated with mature hedges and trees which provides an attractive verdant character and appearance, with the residential plots nestled within the vegetation.
12. The appeal plot and building are larger than most within the area. The existing building is two storeys in stature and utilises roof space to provide further accommodation. It features multiple prominent gables and a bay window. The building is finished in a yellow brick with orange brick detailing.
13. The proposal relates to a rear and side element of the property which is set well back from the front building line and currently has a lower height and stature compared to the rest of the building. Whilst the proposed extension would be set

¹ By The Daylight Lab (February 2025)

well-back into the plot and partially obscured by the surrounding trees and vegetation, views of the proposed extension would be visible from within the Park Road streetscene.

14. The proposal would add bulk, mass and height to the building. However, given the proposal would be stepped back from the front building line with a lower roof ridge line, the extension would have a subservient appearance to the host building.
15. The extension would also utilise design features such as a gable and matching brickwork. This would help to assimilate the extension into the host building. The proposed roof would utilise a flat roof with front dormer windows which would be in keeping with the existing adjacent roof form on the host building. The proposed single storey flat roof would not appear as intrusive or harmful owing to its small size and would appear in keeping with the host building which utilises a variety of roof forms. Given the variety in the sizes and styles of the windows on the existing building, the proposed windows would be in keeping with the already varied fenestration.
16. Furthermore, whilst the proposal would introduce additional development close to the site's boundary, space to the side of properties is not an overly common feature within the streetscene. The spacious appearance of the site is achieved through its frontage which would be retained by the proposal. Therefore, the extension would appear in keeping with the pattern of development and the streetscene.
17. As such, I conclude that the proposal would be in keeping with the character and appearance of the host property and area. The appeal proposal would comply with Policies SP4 and DM10 of the CLP and Policy D3 of the LP. These policies, amongst other matters, seeks to ensure development is of a high quality which respects Croydon's varied local character.

Other Matters

18. The Council's officer report shows that there is a demand for additional care bed spaces within the borough and the proposal would provide an additional seven bed spaces to the existing facility. The proposal would also expand an existing business and utilise brownfield land. However, given the modest scale of the proposal, this carries moderate weight in favour of the development.
19. The proposal would also provide improved staff and resident facilities, of particular note this would include the installation of a lift that can accommodate a stretcher. However, I do not have evidence showing that these benefits can only be achieved through the specific scheme currently before me. As such these benefits are afforded limited weight in favour of the development.

Conclusion

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

C Housden

INSPECTOR

