



Appeal Decision

Site visit made on 11 July 2025

By SJ Desai BSc MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 04 August 2025

Appeal Ref: APP/L5240/D/25/3366271

31 Cullesden Road, Kenley, Croydon CR8 5LR

- 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 Neil Samways against the decision of the Council of the London Borough of Croydon.
 - The application Ref is 25/00306/HSE.
 - The development proposed is described as 'two side and rear extensions, garden patio, rooflights and a loft conversion with rear dormers'.
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Decision

1. The appeal is allowed and planning permission is granted for alterations, erection of part single and part two storey side and rear extensions, enlargement of the roof to include a half hip roof design, three dormer extensions on the rear roof slope and a raised patio area at the rear with associated screening at 31 Cullesden Road, Kenley, Croydon CR8 5LR in accordance with the terms of the application Ref 25/00306/HSE subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 24331/06; 24331/07; 24331/08; 24331/09; 24331/10A; 24331/11A; 24331/12A; 24331/13; 24331/14; 24331/15A; 24331/16; the Fire Safety Statement; and the Flood Risk Assessment Report.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.
 - 4) The window proposed in the southern elevation shall be glazed with obscure glazing and shall remain in this form for the lifetime of the development.
 - 5) The development shall be carried out wholly in accordance with the guidance and recommendations as specified in the Arboricultural Report by Harper Tree Consultancy dated 12 February 2025. The fencing shall be installed before any materials, equipment or machinery are brought onto the site for the purposes of the development, including demolition. The fencing shall be retained in position until the development is complete, and nothing shall be placed within the fenced areas, nor shall any ground levels within fenced areas be altered, nor shall any excavation within the fenced areas be made without the prior written consent of the Local Planning Authority.

- 6) Prior to the first use of the development hereby approved, details of a 1.8m high privacy screen to the northern and southern side of the patio area shall be submitted to and approved in writing by the Local Planning Authority. The development shall only be implemented in accordance with such approved details and shall be implemented prior to the first use of the patio area and thereafter retained.
- 7) At least one water butt of 100 litre volume shall be installed on a downpipe attached to the roof of the property prior to the occupation of the development and thereafter retained and maintained.

Preliminary Matter

2. Notwithstanding the description of development set out in the banner heading above, which is taken from the application form, it is clear from the plans and the appeal form that the development comprises alterations, erection of part single and part two storey side and rear extensions, enlargement of the roof to include a half hip roof design, three dormer extensions on the rear roof slope and a raised patio area at the rear with associated screening. The Council dealt with the proposal on this basis and so shall I. The decision in paragraph 1 above reflects this approach.

Main Issue

3. The main issue is the effect of the proposed development on the character and appearance of the host dwelling and the surrounding area.

Reasons

4. The appeal relates to a detached two-storey dwelling situated within a predominantly residential area. The street scene is largely characterised detached dwellings of varied architectural styles, with no uniform-built form. Nevertheless, the overall character of the area is influenced by the presence of large-scale properties, their generous setbacks from the highway, and mature planting within front gardens. Together, these features contribute to a verdant and coherent environment.
5. The proposed side extensions would be set back from the main front elevation, set down slightly from the main roof ridge and incorporate a half-hip roof design. These aspects, along with the use of matching materials, ensure that they would appear subordinate and well-integrated with the host dwelling.
6. The cumulative width of the side extensions would result in a broader built form. However, the wider street includes properties with substantial extensions and a recent redevelopment at 25–27 Cullesden Road presents a denser, broader built form to this part of the street. Given the already varied character of the street scene and the set back of the dwelling from the highway, the proposed development, where seen in oblique views along the street, would sit comfortably within the appeal site and would not appear unduly dominant or out of context.
7. The Council is concerned that the proposal would reduce the existing spaciousness between neighbouring buildings, particularly at first floor level. Space would still exist at both ground and first floor between the flank wall of 29 Cullesden Road and perceptible space would remain at first floor level between the extended dwelling and the flank of 33 Cullesden Road. While this spacing would be reduced compared to the existing arrangement, the retained separation, when taken with

the additional space created by the half-hip roof design, remains sufficient to preserve the visual rhythm and character of the street. The impact of the change is further limited by the set-back nature of the properties within the street scene.

8. Although the proposed dormer windows would occupy a significant proportion of the rear roof slope, their symmetrical arrangement, set-back from the roof edges, and adherence to a traditional design approach ensure a visually balanced and coherent composition. As such, they do not overwhelm the roof plane or appear unduly dominant.
9. I acknowledge the Council's concerns regarding the complexity of the proposed rear roof form. However, the incorporation of half-hip roofs and dormer structures is not unprecedented in the locality and these features are evident within the established street scene. Furthermore, given the rearward positioning of the dormers and their limited visibility from public and most private vantage points, in this case any visual impact would be contained and would not appear harmful.
10. No objections were raised by the Council in respect of the single-storey rear extension or raised patio area, and I concur with this assessment. These elements are visually discreet and typical of domestic scale alterations.
11. I therefore conclude that the proposed development would not harm the character and appearance of the host dwelling or the surrounding area. As such, the proposal would accord with Policy D4 of the London Plan (2021) or Policies SP4 and DM10 of the Croydon Local Plan (2018) which, amongst other things, aim to ensure that new development is of high quality and respects local character.

Conditions

12. I have considered the conditions suggested by the Council against the tests of paragraph 57 of the National Planning Policy Framework (2024) and advice in the Planning Practice Guidance: *Use of planning conditions*.
13. In addition to the statutory time limit condition, a condition specifying the relevant plans is necessary to provide certainty. As this already secures compliance with the Fire Safety Statement, there is no need for a separate condition on this.
14. Conditions requiring the use of matching materials and the protection of the trees are reasonable and necessary to safeguard the character and appearance of the area.
15. In the interests of protecting the living conditions of adjacent occupiers, it is appropriate to impose conditions requiring the use of obscure glazing where indicated and require details to be provided of the proposed ground floor privacy screens. A restriction on additional first floor windows to the southern or northern elevations is unnecessary. Obscure glazing prevents overlooking, and future openings are already controlled under Schedule 2, Part 1, Class A, paragraph A.3(b) of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).
16. Furthermore, I am satisfied that a modified condition, removing words for precision, requiring the provision of a water butt is justified as the site is located in an area with some known surface water flooding issues.

Conclusion

17. I conclude that the proposal would accord with the development plan and there are no material considerations that outweigh this finding. Therefore, the appeal is allowed.

SJ Desai

INSPECTOR