



Appeal Decision

Site visit made on 27 May 2025 by A Morrison MTCP MRTPI

Decision by Martin Seaton BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 28 August 2025.

Appeal Ref: APP/L5240/D/24/3353306

33 Farm Fields, South Croydon CR2 0HQ

- 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 Ms L Baumgartner against the decision of the Council of the London Borough of Croydon.
 - The application Ref is 24/02102/HSE.
 - The development proposed is single storey rear extension, removal of existing garage, associated internal alterations and external works.
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Decision

1. The appeal is allowed and planning permission is granted for a single storey rear extension, removal of existing garage, associated internal alterations and external works at 33 Farm Fields, South Croydon CR2 0HQ in accordance with the terms of the application, Ref 24/02102/HSE, and the plans submitted with it, 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:

33 FF_00; Location and Block Plan, 33 FF_03 B; Floor Plans as Proposed and 33 FF_04 C; Elevations and Section A_A as Proposed.
 - 3) The external surfaces of the development hereby permitted shall match those used in the existing building.

Appeal Procedure

2. The site visit was undertaken by a representative of the Inspector whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Preliminary Matter

3. The Council's Decision Notice cites Policies D1 and D4 of the London Plan 2021. However, the Council has acknowledged that the quoting of these policies was an error, and that Policy D3 of the London Plan 2021 should have been quoted instead, thereby reflecting its Delegated Report. I accept the explanation from the Council, and I am satisfied that this error has not caused prejudice to either party. I have determined the appeal on the basis of this clarification.

Main Issue

4. The main issue is the effect of the proposed rear extension on the living conditions of the occupiers of No 35 Farm Fields, with particular regard to outlook and daylight.

Reasons for the Recommendation

5. The appeal site is an interwar two-storey semi-detached house, positioned towards the front of a deep plot which rises in level up from the highway towards its rear. The dwelling possesses a hipped main roof above brick and rendered walls, with an existing flat roofed rear extension set slightly away from the shared side boundary with the adjoining semi-detached house, No 35. The rear garden is elevated beyond this extension. A detached garage shown on the plans and included within the description of development had been demolished at the time of my visit.
6. Neighbouring No 35 has been extended at two storeys to the side and at single storey across part of the rear. The part of the original rear elevation nearest to the joint boundary with the appeal site has not been extended and has glazed double doors and windows serving a habitable room. These doors open onto a small patio area which is enclosed by the existing flank walls of the rear extensions to Nos 35 and 33 to either side, boundary fencing and by a retaining wall to the dwelling's main elevated patio space to the rear. The effect of these existing developments serves to significantly limit rearward outlook from, and daylight to, this room, notwithstanding the considerable size of its glazing.
7. The proposed replacement flat roofed extension would measure 1.3 metres deeper than the existing addition and would project approximately in line with the retaining wall to No 35's raised main patio. It would however be positioned no closer to the mutual side boundary and would be only marginally higher. Taking into account the restricted existing outlook to the relevant part of the adjoining property, together with the modest additional length of the proposal and the similarity of its positioning and height, I am satisfied that there would be no material adverse impact to the outlook of occupiers of No 35. Furthermore, as a comparable mass near to the side boundary to the existing extension it would replace, the proposal would not appear unduly overbearing to this neighbour.
8. In assessing the new extension's impact upon No 35's daylight, the Council has made reference to BRE Site Layout Planning for Daylight and Sunlight – A Guide to Good Practice. The Council has indicated that a full assessment against this guidance was not made, but that the proposed rear extension would breach a 45-degree line drawn from the centre of the closest rear elevation window at No 35 in elevation to a worse degree than the existing extension. However, this partial analysis does not alone amount to compelling evidence that the proposal would result in a significant reduction in existing levels of daylight available to the relevant room, which is already restricted. By virtue of the limited additional massing of the proposal and with due regard to the existing conditions, I am satisfied that any further impact would not represent an additional unacceptable effect upon daylight.
9. On this basis, I conclude that there would not be harm to the living conditions of the occupiers of No 35 Farm Fields, with particular regard to outlook and daylight. The proposed development would therefore satisfy the requirements of Policy D3 of the London Plan 2021 and Policy DM10 of the Croydon Local Plan 2018. Taken

together, these policies seek to protect the amenity of adjoining occupiers, including through providing appropriate outlook and preventing significant loss of existing levels of daylight. It would also comply with the Framework's requirements in relation to occupier amenity.

Conditions

10. In addition to conditions related to the timeliness of the development and the identification of plans, a condition is necessary requiring materials to match those used on the existing dwelling to secure high quality design.

Conclusion and Recommendation

11. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be allowed.

A Morrison

APPEAL PLANNING OFFICER

Inspector's Decision

12. I have considered all the submitted evidence and my representative's report and on that basis the appeal is allowed.

Martin Seaton

INSPECTOR