



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: 1 September 2025

Appeal Ref: APP/L5240/W/25/3363260

Lyncroft, 35 Valley Road, Kenley, Croydon CR8 5DJ

- 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 & Mrs Mauro & Susan Solini against the decision of the Council of the London Borough of Croydon.
 - The application ref is 24/03969/HSE.
 - The development proposed is single storey rear extension.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. As I understand from the evidence, the original location plan submitted with the planning application included 5 Betula Close (No 5) within the red line. This is a separate residential property located to the rear of the appeal site that is not in the control of the appellant. Due to being included within the red line of the application, the evidence shows that No 5 was not sent a notification letter of the planning application.
3. As part of the appeal, a revised location plan was submitted which omitted No 5 and its curtilage. No 5 was subsequently consulted as part of the appeal. As such, I am satisfied that there would be no procedural unfairness as a result of accepting this amended plan or the appeal proceeding on this basis. Furthermore, the amended location plan does not amount to a fundamental change to the scheme that would lead to a different application than what was considered by the Council. As such, there would be no substantive reason not to accept the plan. I have therefore determined the appeal on the basis of this amended location plan.

Main Issue

4. The main issue is the effect on the living conditions of the occupiers of 33 Valley Road (No 33), with particular regard to outlook.

Reasons

5. Both the appeal property, 35 Valley Road (No 35), and its adjacent neighbour No 33 are detached properties situated on a similar building line. No 31 Valley Road (No 31) is located on the other side of No 33, however it is set further back into its plot, with the property being mostly situated adjacent to the garden area of No 33 rather than following a similar building line. The siting of No 31 partly

impedes the outlook above the adjacent boundary for the occupiers of No 33 from the rear windows and garden area.

6. The proposed extension to No 35 would be set modestly off the boundary with No 33, be single storey in stature and have a roof that pitches away from the boundary. However, it would introduce built form, in close proximity, above the shared boundary fencing at a significant depth. This would result in an overbearing and enclosing effect that would be detrimental to the outlook of the occupiers of No 33 from its rear ground floor windows and garden area. The enclosing effect would be exacerbated due to No 31 already restricting outlook for the occupiers of No 33 on the other boundary.
7. The development would therefore conflict with Policies SP4 and DM10 of the Croydon Local Plan (2018) (CLP) and Policy D3 of the London Plan (2021) (LP). These policies, amongst other matters, seeks to ensure development is of a high quality that protects the amenity of the occupiers of adjoining buildings and delivers appropriate outlook.
8. The Council has referred to Policy D6 of the LP in its associated reason for refusal. However, this policy relates to quality and standards for new housing developments, so is not directly relevant to this appeal for an extension to an existing property.

Conclusion

9. For the reasons given above, I conclude that the appeal should be dismissed.

C Housden

INSPECTOR