



Appeal Decision

Site visit made on 2 September 2025 by S Wilson LL.B. MSc MRTPI

Decision by A M Nilsson BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11 November 2025

Appeal Ref: APP/L5240/D/25/3368480

4 Waterworks Cottages, Featherbed Lane, Croydon CR0 9AA

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant approval required under Article 3(1) and Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).
 - The appeal is made by Robert Aitken against the decision of the Council of the London Borough of Croydon.
 - The application Ref is 25/01395/GPDO.
 - The development proposed is the erection of a single storey rear extension projecting out 6 metres with a maximum height of 3.95 metres.
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Decision

1. The appeal is allowed and prior approval is granted under the provisions of Article 3(1) and Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) for the erection of a single storey rear extension projecting out 6 metres with a maximum height of 3.95 metres at 4 Waterworks Cottages, Featherbed Lane, Croydon CR0 9AA in accordance with the application 25/01395/GPDO and the details submitted with it including plan nos. 4WC-1, 4WC-2, 4WC-3, 4WC-4, 4WC-5, 4WC-6.

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 Matters

3. In the banner heading above, I have used the description of development to reflect that as provided within the Council's decision notice, in the interests of accuracy and consistency.
4. Under Article 3(1) and Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended (the Order), planning permission is granted for the enlargement of a dwellinghouse subject to limitations and conditions.
5. Where an application is made for a determination as to whether prior approval is required for development which exceeds the limits in paragraph A.1 (f) but is allowed by paragraph A.1 (g) to Part 1, paragraph A.4(3) provides that the local planning authority may refuse the application where it considers that the proposed development does not comply - or that the developer has provided insufficient information to enable the authority to establish whether the proposed development

complies with the conditions, limitations or restrictions that are applicable to such permitted development.

6. Paragraph A.4(7) to Part 1 states that where any owner or occupier of any adjoining premises objects to the proposed development, the prior approval of the local planning authority is required as to the impact of the proposed development on the amenity of any adjoining premises.
7. An objection to the proposed development was received from the owner or occupier of an adjoining premises. As a result, the prior approval of the local planning authority was required. Prior approval was refused due to the effect of the proposed development on the amenities of the adjoining property, No. 3 Waterworks Cottages, with particular regard to daylight, sunlight and outlook.
8. The principle of the development is established by the Order, and the provisions therein do not require regard be had to the development plan.

Main Issue

9. The main issue is therefore whether or not prior approval should be granted having regard to the effect of the proposed development on the amenity of the adjoining premises.

Reasons for the Recommendation

10. The appeal property (No. 4) is a two storey end of terrace dwelling. The terrace consists of three properties and the middle property, No. 3, projects slightly forward at the front and is set in at the rear, meaning that No. 2 and No. 4 project further rearwards. There is a gap from the boundary of No. 3 before the rear projection of No. 4. The garden of No. 3 is the width of the property and long. It is relatively level with a modest area of patio to the rear elevation. The boundary treatment is a wooden fence at approximately head height.
11. The proposed extension would project 3 metres (m) from the rear of No. 4, following the existing rear projection which is approximately 1m from the boundary with No. 3. It would form an 'L' shape, being set a further 2.643m into the appeal property from the boundary with No.3 and then projecting a further 3m from the rear of the appeal property. On the east elevation, the extension would follow the external wall and would project a total of 6m. The extension would be a maximum of 3.95m high.
12. The orientation of the rear elevation and the gardens broadly face to the north-northwest. Due to the additional bulk, size and mass of the proposal and the positional relationship of No. 3 and No. 4 there would be a small amount of overshadowing or loss of sunlight to the patio and the bathroom window. The kitchen window would be unaffected. Overshadowing or loss of sunlight would only occur very early in the morning and would not be at an unacceptable level.
13. Whilst the highest point would be a maximum of 3.95m this gradually lowers as the extension projects outwards. I accept that the proposal would be visible over the boundary treatment. However, given the distance of separation between the proposal and the boundary and the 'L' shape of the extension reducing mass close to the boundary, there would be no harmful sense of overbearing or visual intrusion.

14. Therefore, I conclude that the proposed development would not have an unacceptable impact on the amenity of any adjoining premises.

Other Matters

15. I note that objections were received in relation to the design of the extension and setting a precedence. These are not, however, pertinent factors in an appeal of this nature, where prior approval is required only as to the impact of the proposed development on the amenity of adjoining occupiers.
16. Similarly, matters relating to loss of views, restrictive covenants, or historic drainage patterns are not relevant matters in the appeal.

Conditions

17. Prior approval is granted subject to the standard conditions as imposed by paragraphs A.3 and A.4 of the Order. These require, amongst other things: that the materials used in any exterior work must be of a similar appearance to those used in the construction of the exterior of the existing dwellinghouse; and that development is carried out in accordance with the approved details.

Conclusion and Recommendation

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

S Wilson

APPEAL PLANNING OFFICER

Inspector's Decision

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

A M Nilsson

INSPECTOR