

Appeal Decision

Site visit made on 5 April 2016

by Stephen Hawkins MA MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 5 May 2016

Appeal Ref: APP/A5840/D/15/3141475

15 Leydon Close, London SE16 5PF

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by UHP Investments Ltd against the decision of the Council of the London Borough of Southwark.
 - The application Ref 15/AP/3236, dated 15 July 2015, was refused by notice dated 6 October 2015.
 - The development proposed is demolition of existing rear elevation conservatory and the erection of a single storey rear elevation extension in place of the existing conservatory.
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Decision

1. The appeal is dismissed.

Main Issue

2. The effect of the proposed extension on the living conditions of the occupiers of 14 Leydon Close, having regard to outlook.

Reasons

3. The appeal property is on the end of a short terrace of three modern dwellings. The existing conservatory was erected less than ten years ago following the receipt of planning permission from the Council.¹ It was built partly parallel to the side wall of the attached dwelling, 14 Leydon Close. Beyond No 14's side wall, the existing structure was built parallel to the boundary fence. The conservatory projects slightly beyond No 14's own conservatory. Both conservatories have opaque glazing on the side elevation parallel to the common boundary.
4. The new extension would be of a similar depth to the conservatory it would replace and it would have a similar roof shape. However, it would be slightly wider than the existing structure. It would have a slightly higher eaves and overall height. The extension would also be positioned slightly closer to the boundary with No 14.
5. The above would all significantly increase the apparent height and bulk of the new extension when viewed from No 14 compared with the existing conservatory. Moreover, unlike the inherently lightweight feel of the existing

¹ Council reference 06/AP/0227

structure, the brick walls and tiled roof would give the new extension a much greater solidity, substantially increasing its visual impact.

6. As a result, the proposed extension would create an unrelieved expanse of solid built form running parallel to and in proximity with the side elevation of No 14's conservatory. This would create a much harsher, more enclosed feel within their conservatory and the adjacent habitable rooms when compared with the effect of the existing structure. Consequently, the new extension would be experienced as a significantly more oppressive and overbearing feature when viewed from No 14. This would have an unacceptable adverse effect on the degree of outlook currently enjoyed by its occupiers.
7. The internal shelving within the existing conservatory does not have any significant effect on its external appearance as a lightweight structure. It is not comparable to the effect of the proposed extension in terms of the outlook from No 14.
8. Therefore, the proposed extension would not accord with saved Policy 3.2 of the adopted Southwark Plan, which seeks to resist development causing loss of amenity to occupiers in the surrounding area. It would also fail to accord with Strategic Policy 12 of the Council's adopted Core Strategy, which requires a high standard of design. What this means for the design of residential extensions is articulated in the Council's Residential Design Standards Supplementary Planning Document (SPD). In particular, at 3.4 this requires residential extensions to not adversely affect the outlook of neighbouring properties.

Other matters

9. I have taken the appellant's comments regarding the design of the proposed extension into account. In its reason for refusal, the Council did not have objections in terms of the effect on the character and appearance of the host dwelling or that of the surrounding area. I have found no reason to come to a different view in that respect. I also acknowledge that the proposed extension might be more thermally efficient than the existing conservatory. Nevertheless, these and any other matters raised in the grounds of appeal do not outweigh my findings on the main issue.

Conclusion

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

Stephen Hawkins

INSPECTOR