

Appeal Decision

Site visit made on 11 October 2016

by Andrew Owen BA(Hons) MA MRTPI

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

Decision date: 24 October 2016

Appeal Ref: APP/A5840/D/16/3155368
33 Crystal Palace Road, London SE22 9EX

- 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 Mr Richard Warrener against the decision of the Council of the London Borough of Southwark.
 - The application Ref 16/AP/1878, dated 6 May 2016, was refused by notice dated 5 July 2016.
 - The development proposed is a second floor mansard roof extension with front and rear facing dormers. Side/rear extension at ground floor to provide additional residential floorspace to existing dwelling house. Extension of footprint of first floor outrigger.
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Decision

1. The appeal is allowed and planning permission is granted for a second floor mansard roof extension with front and rear facing dormers; side/rear extension at ground floor to provide additional residential floorspace to existing dwellinghouse; and extension of footprint of first floor outrigger at 33 Crystal Palace Road, London SE22 9EX in accordance with the terms of the application, Ref 16/AP/1878, dated 6 May 2016, 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: PL-001, PL-002, PL-003, PL-004, EX-000, EX-001, EX-002, EX-003, EX-004 and EX-005.
 - 3) No development shall commence until details / samples of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details / samples.

Main Issues

2. The main issues are the effect of the proposal on the character and appearance of the area and the effect on the living conditions of the occupiers of the neighbouring property with respect to their privacy.

Reasons

Character and appearance

3. The house at the site is semi-detached and, with some of its neighbours, forms a row of properties on the east side of the road distinct in their design from the surrounding dwellings. The houses at Nos 33 to 43 are of the same design having parapet walls at roof level, plain facades, brick elevations and generally having modest proportions. No 43 has been extended with an additional dwelling (No 45) but the original house retains its character. The units to the north of the site, at Nos 29 and 31, are slightly different as they have bay windows at ground floor level, a different parapet wall design at roof level, an arched porch design, and are rendered white. However, they are of a similar height, width and scale to Nos 33 to 43 and respect the building line and the regularity of the gaps between the buildings. Additionally the size and position of the windows at first floor level are similar to those at the site. As such the houses at Nos 29 and 31 do follow the rhythm of the houses to the south. Consequently, although the dwelling at the site has its strongest association with Nos 35 to 43, it does also relate well to Nos 29 and 31.
4. Furthermore, the Council advise that Nos 33 to 43 date from the mid-Victorian period, and information from the appellant would support this. However the evidence does not suggest these six properties are older than some of the other properties in the road, including those to the north. As such there is no historic basis for these six dwellings been being considered separate to their neighbouring properties.
5. The mansard roof extension would be visible in the street scene but would appear subordinate to the host dwelling and would integrate with its design. As such it would not appear incongruous in the street scene. Moreover, it would compare favourably with the mansards at the other properties locally, especially that at No 29, in terms of its height, scale and design. Due to the similarities between the main dwelling at No 29 and that at the appeal site, the proposal would not appear discordant in the context of the immediate surrounding group of properties or the wider street scene.
6. The Council raise no objection to the rear extensions at ground and first floor levels with respect to their effect on the character and appearance of the area, and I have no reason to come to a different view.
7. As such the proposal would not harm the character and appearance of the area. Therefore it would accord with Strategic Policy 12 of the Southwark Core Strategy, Saved Policies 3.12 and 3.13 of the Southwark Unitary Development Plan (UDP) and paragraphs 7.4 and 7.6 of the London Plan (LP) which all require development to achieve the highest standards of urban design appropriate to its context. The development would also accord with the guidance in the Council's Residential Design Standards Supplementary Planning Document (SPD), and the Council's Dulwich Supplementary Planning Document which, among other things, both aim to ensure roof extensions do not harm the unity of a group of buildings. It would also comply with the advice in the National Planning Policy Framework (the 'Framework') which highlights the importance of good design.

Living conditions

8. The ground floor extension would be deeper and closer to the boundary with No 31 than the existing building. Currently there are two kitchen windows on

the side elevation facing the boundary with No 31. The proposal includes two full length windows to serve the enlarged kitchen/dining area and a set of sliding glazed doors to serve a lobby connecting the kitchen and dining room.

9. The boundary with No 31 consists of a close boarded fence around two metres in height. As such the majority of the glazing would be obscured by the fence when viewed from No 31, hence limiting the potential for overlooking to this adjacent property. Indeed the amount of glazing in the kitchen/dining room windows that would be visible above fence would most likely be no different to that which currently exists. Furthermore the lobby, that the proposed glazed doors would serve, is not likely to be a room that people would linger in.
10. As such, though the amount of glazing and its proximity to the neighbouring property would both be increased, the development would not be likely to result in overlooking that would detrimentally affect the privacy of the neighbouring occupiers. The necessity of the design is not a matter for my consideration.
11. Consequently, the development would not harm the living conditions of the occupiers of the dwelling at No 31 and would accord with Saved Policy 3.2 of the UDP, Policy 7.6 of the LP and the guidance in the SPD which all aim to protect the amenity of occupiers. The development would also comply with the Framework in relation to amenity.

Conditions

12. In accordance with the requirements of the Planning Practice Guidance and the Framework I have imposed the standard condition relating to the commencement of development, a condition specifying the relevant plans in order to provide certainty, and a condition in the interests of preserving the character and appearance of the area.
13. I have had regard to the comments from the Conservation Areas Advisory Group and, though the site is not within a conservation area, I consider it would be necessary for details / samples of the materials to be used in the construction of the external surfaces of the development to be submitted and approved prior to the commencement of development so as to ensure the distinctive appearance of the dwelling is maintained.

Conclusion

14. For the reasons given above, and taking account of all other considerations, I conclude that the appeal should be allowed.

Andrew Owen

INSPECTOR