
Appeal Decision

Site visit made on 8 November 2016

by Andy Harwood CMS MSc MRTPI

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

Decision date: 15 November 2016

Appeal Ref: APP/N5660/D/16/3158340
2 Rollscourt Avenue, London SE24 0EA

- 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 and Mrs T and J Astle against the decision of the Council of the London Borough of Lambeth.
 - The application Ref 16/03345/FUL, dated 2 June 2016, was refused by notice dated 28 July 2016.
 - The development proposed is single storey side extension to the existing single family dwelling.
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Decision

1. The appeal is dismissed.

Main Issues

2. The first main issue is the effect of the proposed parking space on the safety of pedestrians and other users of the highway. The second is the effect of the proposals upon the character and appearance of the area.

Reasons

Highway and pedestrian safety

3. The appeal site is a traditional semi-detached dwelling within a residential area. Most parking in Rollscourt Avenue is on street within parking bays. There is limited parking control within these bays which are restricted for permit holders only between 12.00 to 14.00 hours on Mondays to Fridays.
 4. The Council refers to the lack of information to make a full assessment on this matter. It is clear what is proposed although guidance on highway safety has not been referred to and I will reach my own view the merits of the proposal.
 5. A parking space with folding doors would be inserted into the reconstructed front boundary wall. The wall of the adjoining property would remain and the proposed new wall rebuilt at a similar height as the existing. The opening would be directly on the back line of the pavement between the site and the road. The appellant has referred to other similar examples further along in Rollscourt Avenue. I see that as well as the dropped kerb parking restrictions have been installed to prevent parking in front of the cross-over in those cases. An on-street parking space would be displaced but the Council does not object to this in terms of their parking strategy.
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6. Within this part of Rollscourt Avenue there are no parking areas within the front gardens of dwellings. Due to the high walls on either side of the proposed opening and the narrowness of the entrance, the parking space would not be seen by people on the footpath until they are very close to it.
7. There would be insufficient space within the site, according to the submitted plans, for a vehicle to turn. The driver of a vehicle exiting the space would not see pedestrians walking or running along the footpath until they are very close. If reversing out, users of the footpath would be completely unseen until the vehicle is out across the path. I acknowledge that this situation will encourage drivers to emerge cautiously. However, they may not always do so. Pedestrians will not always be cautious and children in particular, who are more difficult to see than taller adults, may not be accustomed to such risks. Children could be very vulnerable if involved in collisions with emerging vehicles.
8. I have not been provided with any details of traffic or pedestrian flows in the area. I walked to the site from the Herne Hill direction, just before 09.00 hours on a weekday and saw children some with adults walking on this and surrounding footpaths. That was a small snapshot in time. However in the absence of other evidence, I consider that it is reasonable to conclude that at times such as just before and after school, there will be children walking past the site sometimes unaccompanied by adults.
9. The road was lightly trafficked at the time of my visit. A vehicle emerging from the parking space would be seen by drivers within Rollscourt Avenue as it crosses the footpath. Vehicles parked alongside the road would obscure inter-visibility between drivers of emerging vehicles and those of cars in the road. However, the junction with Kestrel Avenue is not far away and it seems unlikely that vehicles will be travelling very fast at this point.
10. I am concerned about the suitability of the proposed access because of the lack of sufficient inter-visibility between drivers of emerging vehicles and pedestrians on the footpath. Even if similar concerns exist in relation to other developments nearby that does not justify a further potentially unsafe access. In relation to the first main issue, the proposed parking space would have a harmful effect upon pedestrian safety although would not be unsafe for other users of the highway. This would not comply with Policy T6 of the Lambeth Local Plan¹ (LP).

Character and appearance

11. The proposal would involve the demolition of an outbuilding which is set behind a rendered wall. The outbuilding is set back from the road, in line with the front of the dwelling. The wall is forward of the front of the house.
12. The proposal would involve replacement of the wall with a brick wall of similar height. In addition an extension to the house would replace the outbuilding and for much of its depth, would include a flat roof at the same height as the top of the wall. Set back in line with the front wall of the house narrow windows to provide light within the building would protrude above the wall. The extension would have a more contemporary appearance than the existing basic outbuilding. As explained above, a parking space is proposed that would

¹ Lambeth Local Plan, adopted September 2015

be accessed through a gap in the wall fronted by folding doors.

13. The Council quotes from LP policy Q11 in stating that front extensions are not considered appropriate where they would unacceptably break the established building line or would be at odds with the prevailing architecture. Clearly the word 'unacceptably' and the term 'be at odds' require judgements to be made rather ruling out all front extensions. In this case, the proposed building would sit down low behind the reconstructed wall for most of its depth. The windows that would be visible above the wall would be set back from the pavement. When the parking space doors are open, some views of the side of the extension would be possible. However, the contemporary design approach similar to the modern extension at the adjoining property would not be intrusive or incongruous within the street-scene.
14. The proposed windows would be visible into the street above the wall but would contrast with the traditional original dwelling. The part of the extension visible from the street would be low down alongside the dwelling. It would not overwhelm the dwelling and would appear subordinate to it. The limited width of opening for the parking space along with the reconstructed brick wall would provide a front boundary that would suitably respond to the existing character of this part of Rollscourt Avenue. This would also ensure that the extension would have a limited impact.
15. In relation to the second main issue, the proposals would have an acceptable impact upon the character and appearance of the area that would comply with LP Policies Q5, Q7, Q8 and Q11. The design aims of the Council's SPD² would be achieved.

Other Matters

16. The proposal would enable the redevelopment of a building and wall that are in a poor state of repair as well as making better use of an underutilised part of the appellant's garden. However, these positive aspects and my opinion of the acceptability in relation to the second main issue, do not outweigh my conclusion on the first main issue.

Conclusion

17. For the reasons given above and having considered all other matters raised, I conclude that the appeal should be dismissed.

Andy Harwood

INSPECTOR

² Building Alterations and Extensions, Supplementary Planning Document, September 2015