

Appeal Decision

Site visit made on 2 November 2016

by Claire Victory BA (Hons) BPI MRTPI

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

Decision date: 24 November 2016

Appeal Ref: APP/C5690/W/16/3156837

Flat 3, rear of 56 St Asaph Road, Brockley, London SE4 2EL

- 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 M Vijayapalan against the decision of the Council of the London Borough of Lewisham.
 - The application Ref DC/14/087566, dated 22 April 2014, was refused by notice dated 5 February 2016.
 - The development proposed is a first floor extension and roof alteration.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues in the appeal are the effect of the proposal on the character and appearance of the host property and surrounding area, and on the living conditions of neighbouring occupiers.

Reasons

Character and appearance

3. The appeal property is a single storey dwelling situated at the rear of No 56 St Asaph Road, and with a frontage to Avignon Road. To the north are the rear yards of properties on St Asaph Road, and the appeal site is separated from No 1 Avignon Road, the neighbouring property to the south by an electricity sub-station and double gates that dwelling. The single storey height of the host property provides for views across the rear gardens beyond it. This spacing between terraced blocks is also apparent on the opposite side of Avignon Road where the rear gardens of properties on St Asaph Road separate the terrace from houses fronting Avignon Road. Views across rear gardens from side roads are a feature of Victorian and Edwardian terraced streets and provide visual relief from the tight urban grain.
 4. In addition the lower height of the building means that it remains subservient to the two and three storey terraced blocks in the surrounding area. However, although the increase in the ridge height would be just over a metre, the building would no longer be subservient in scale to the surrounding properties. The space between the terraced blocks of St Asaph Road and Avignon Road would also be diminished, to the detriment of the character of the area. The continuation of the dual pitched roof form and use of materials and joinery to
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match the existing property would not overcome the harm that would be caused.

5. For these reasons I conclude that the proposal would harm the character and appearance of the area. It would conflict with policies DM31 and DM33 of the Development Management Local Plan (2014), Policy 15 of the Core Strategy (2011) and Policies 7.4, 7.5 and 7.6 of the London Plan (2016). These policies require development to, amongst other things, be of a high quality design, respond to local character, and respect the character, proportion and spacing of existing housing.

Living conditions

6. The proposed extension would be approximately 5m from the rear elevation of Nos 58A and 58B Asaph Road. The increased height and blank flank wall of the northern elevation in close proximity to these properties would be unacceptably overbearing. It would result in an oppressive sense of enclosure of the short rear garden, and would significantly reduce the outlook from the rear windows of these properties. The development would also appear as a dominant feature when viewed from the rear of Nos 1-3 Tara Terrace, but due to its greater distance from these properties, the effect would not be so severe as to warrant dismissal solely in respect of this matter.
7. I conclude that the proposal would harm the living conditions of the occupiers of Nos 58A and 58B St Asaph Road, by reason of outlook. As such it would conflict with DMLP policy DM33, which states that development will only be permitted where there is no significant overshadowing or loss of amenity. It would also conflict with the Framework, insofar as it requires a good standard of amenity for all existing and future occupiers of land and buildings.

Conclusion

8. For the above reasons I conclude the appeal should be dismissed.

Claire Victory

INSPECTOR