

Appeal Decision

Site visit made on 15 November 2016

by F Rafiq BSc (Hons), MCD, MRTPI

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

Decision date: 25 November 2016

Appeal Ref: APP/N5660/D/16/3158333

2 Hamlet Mews, London, SE21 8HG

- 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 Dr Neeraj Patil against the decision of the Council of the London Borough of Lambeth.
 - The application Ref: 16/03339/FUL dated 2 June 2016 was refused by notice dated 3 August 2016.
 - The development proposed is a part single storey part two storey extension to rear, mansard roof extension and increase in height of roof, porch to front elevation, installation of rooflights, French doors with Juliet balcony and windows, removal of eaves to one elevation and building up parapet in brickwork.
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Decision

1. The appeal is dismissed.

Main Issues

2. I consider the main issues are the effect of the proposal (1) on the character and appearance of the host property and the area, and (2) on the living conditions of the occupiers of a neighbouring property with regard to daylight, sunlight, outlook and privacy.

Reasons

Character and Appearance

3. The appeal property comprises of a semi-detached bungalow, which is situated in a backland location, to the rear of properties on Thurlow Park Road. It is located in a predominately residential area with a number of school buildings in the vicinity of the site. Although the properties that front the main road are large Victorian properties, to their rear, the smaller scale of the buildings give a distinctly smaller scale character to the area.
 4. The proposal would see the addition of a mansard roof extension above the majority of the existing footprint. This would result in an increase in height of the roof by around 1.2m. Whilst I acknowledge that this would be significantly lower than the Victorian properties that face the main road and the more modern two storey dwellings to the rear, by virtue of the increased height and the steeper sides of the proposed roof form, it would however significantly
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increase the bulk of the dwelling. Although the current property has first floor accommodation, this makes use of the existing roofspace. The mansard roof form would however increase the height and bulk of the property and appear as an incongruous roof form that would not in this instance reflect the roof designs of other surrounding properties. From my site observations, it was also apparent that the mansard roof would create an awkward juxtaposition between this appeal property and the adjoining semi-detached dwelling, which has a hipped roof form. I note that the proposal would retain the original gable wall to the front and the mansard is set back from the front elevation, but the roof extension would still be visible from the public domain.

5. The proposal also includes for a rear single storey extension. This would span the full width of the property and whilst acknowledging its total projection, given its position at the rear of the site and it having a flat roof form, I do not consider that it would appear insubordinate to the existing building.
6. Nevertheless, I conclude that the proposed mansard roof extension would harm the character and appearance of the host building and the area. As such, the proposal conflicts with Policies Q5 and Q11 of the Lambeth Local Plan (Local Plan) and the Building Alterations & Extensions Supplementary Planning Document (SPD), which require, amongst other matters, for development to respond to local distinctiveness.

Living Conditions

7. The proposed mansard roof extension would be visible to the adjoining neighbouring occupants at No. 1 Hamlet Mews. However, as it would be largely contained above the existing building, I do not consider that it would have an unduly adverse effect on the levels of daylight or sunlight, or on the outlook from this neighbouring property when compared to the existing situation.
8. The rear single storey extension, although having an overall projection of 5m, on the elevation facing No.1 Hamlet Mews, it is proposed to incorporate a lightwell whose wall would have a height of around 2m. The remaining part of the proposed extension with a height of 3.2m would only be along the remaining part of the boundary with this No. 1 Hamlet Mews and given the length of the neighbour's garden, I do not consider that it would result in a significant adverse effect on the levels of overshadowing to this garden.
9. The proposed mansard roof extension would have French doors and a Juliette balcony to the rear. I was able to see at the time of my site visit that the gardens to the appeal and neighbouring properties were already overlooked by the surrounding two and three storey dwellings and I recognise that there is a certain degree of overlooking in built-up urban areas. However, the proposed French doors would be much nearer to the neighbour's rear garden at No. 1 Hamlet Mews than the windows of other houses on Thurlow Park Road and Lings Coppice. This would provide views at closer-quarters of No. 1's garden, which would be intrusive to the neighbouring occupants. Although the side facing windows could be conditioned to be obscure glazed and non-opening, the French doors and Juliet balcony would introduce additional overlooking which would be harmful to the living conditions of these neighbouring occupants.
10. I therefore conclude that although the proposal would not result in any unacceptable harm in respect of daylight, sunlight or outlook, it would have a

detrimental effect on the living conditions of the occupiers of a neighbouring property with regard to privacy. It would conflict with Policy Q2 of the Local Plan, which states, amongst other matters, that development will be supported where it provides acceptable standards of privacy.

Other Matters

11. I note the proposal seeks to provide additional living accommodation and the appellants' reference to the shortage of family sized homes in the local area. Whilst these matters weigh in favour of the proposal, they do not outweigh the harm I have identified in respect of the main issues.

Conclusion

12. For the reasons given above and having considered all other matters raised, the appeal should be dismissed.

F Rafiq

INSPECTOR