

Appeal Decision

Site visit made on 1 February 2017

by D J Barnes MBA BSc(Hons) DipTP MRTPI

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

Decision date: 9 February 2017

Appeal Ref: APP/N5660/D/16/3164493

2A Narbonne Avenue, London SW4 9JS

- 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 Gary Robinson against the decision of the Council of the London Borough of Lambeth.
 - The application Ref 16/04692/FUL, dated 5 August 2016, was refused by notice dated 30 September 2016.
 - The development proposed is the erection of a single storey rear extension.
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Decision

1. The appeal is dismissed.

Main Issues

2. It is considered that the main issues are the effects of the proposed development on (a) the character and appearance of the appeal property and the surrounding area and (b) the living conditions of the occupiers of 2 Narbonne Avenue.

Reasons

Character and Appearance

3. The appeal property is an end of terrace dwelling situated within a predominantly residential area. The property is of a different design to other dwellings within this terrace fronting Narbonne Avenue because it does not possess a rear outrigger. Instead, there is an existing single storey addition with a mono-pitch roof which extends across about half the width of the property's rear elevation.
 4. The proposed development includes the demolition of the existing addition and its replacement by a full width single storey extension. When compared to the existing addition the proposed extension would possess a lower eaves height on the boundary with 2b Narbonne Avenue/Eagle House Mews and would also have a dual pitch roof sloping away from the shared boundaries.
 5. The Council's *Supplementary Planning Document Building Alterations and Extensions* (SPD) includes guidance concerning rear extensions including seeking to resist alterations which would disrupt the uniformity of a group of
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buildings. This consideration does not apply to the property. Further, the guidance concerning the retention of sufficient garden space is not breached by this appeal scheme.

6. The SPD identifies that rear extensions are potentially acceptable so long as subordination can be achieved. By reason of the general height and size of the property, the proposed development would be subordinate and subservient in scale to the host property rather than be a visually dominant extension. Further, the proposed dual pitched roof would not unacceptably disrupt the character or appearance of the dwellings within the remainder of the terrace where there is a sense of rhythm associated with the 2-storey outriggers. The design and form of the proposed extension would relate well to the host property rather than materially detract from its character and appearance. Although awkward in design, the fenestration of the proposed extension is not a matter which individually would justify the failure of this appeal.
7. In assessing this appeal regard has been given to the limited views of the appeal scheme from other locations. In this context, and as already assessed by the Council, because of its size and location the proposed development would not cause unacceptable harm to the setting of the Clapham Conservation Area.
8. On this issue, it is concluded that the proposed development would not cause unacceptable harm to the character and appearance of the appeal property and the surrounding area and, as such, it would not conflict with Q5 and Q11 of the Lambeth Local Plan (LP) and the SPD. Amongst other matters these policies require development to respond to the positive aspects of local context and alterations to buildings responding positively to the host building, including extensions being subordinate rather than unacceptably dominating the host building. These policies are consistent with the National Planning Policy Framework's (the Framework) core principle of securing high quality design.

Living Conditions

9. The proposed development would include a flank wall of about 2.4 metres in height projecting around 5 metres along the shared boundary with 2 Narbonne Avenue. The ground floor windows within the side elevation of the outrigger of No. 2 appear to serve non-habitable rooms. Based upon the appellant's assessment of these side windows the proposed extension would not conflict with the 25° test included in the BRE's document *Site Layout Planning for Daylight and Sunlight: A guide to good practice* (BR209). The Council has not disagreed with this assessment and, equally, there are no reasons for me to adopt a different view.
10. However, and as acknowledged by the appellant, the appeal scheme would breach the BRE's 45° test for the French door opening within the rear elevation of No. 2 which appear to serve a habitable room. The appellant has produced a sunlight assessment model which identifies that levels of sunlight reaching this opening would be reduced between the hours of 15:00 and 16:00 albeit the opening is in shadow until about 13:00 hours.
11. Although the change to sunlight reaching the French doors has been considered I am not satisfied that the full implications of the effects of the proposed development on levels of daylight have been adequately addressed utilising the

all the appropriate tests included in BRE 209. The appellant's reference to a 14% reduction in daylight to the opening has not been explained. The assessment which was undertaken only refers to the hours when sunlight would be reduced by the proposed extension compared to the current situation. There is limited information available about the effects of the proposed development on levels of daylight.

12. I acknowledge that a means of enclosure has been erected along the shared boundary. However, the height of the proposed extension would be a greater height than the permitted means of enclosure. Further, and taking into account its length and materials, the appeal scheme would have a greater massing than the existing wooden fence which has been erected above the brick wall.
13. In the absence of sufficient evidence, it is concluded that the proposed development would cause unacceptable harm to the living conditions of the occupiers of 2 Narbonne Avenue and, as such, it would conflict with LP Policy Q2 which refers to development not having an unacceptable impact on levels of daylight and sunlight on adjoining property. This policy is consistent with the Framework's core principle of securing a good standard of amenity for all existing and future occupiers of land and buildings.

Conclusion

14. Although the proposed development would not cause unacceptable harm to the character and appearance of the host property and the surrounding area, this matter is demonstrably outweighed by the significant harm which would be caused to the living conditions of the occupiers of 2 Narbonne Avenue. Accordingly, and taking into account all other matters including the Framework's presumption in favour of sustainable development, it is concluded that this appeal should fail.

D J Barnes

INSPECTOR