
Appeal Decision

Site visit made on 7 March 2017

by J D Westbrook BSc(Hons) MSc MRTPI

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

Decision date: 27 March 2017

Appeal Ref: APP/C5690/D/17/3167195

32 Blagdon Road, London, SE13 7HH

- 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 Mark Askew against the decision of the Council of the London Borough of Lewisham.
 - The application Ref DC/16/098844, dated 21 October 2016, was refused by notice dated 16 December 2016.
 - The development proposed is the construction of a single-storey rear infill extension.
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Decision

1. The appeal is allowed and planning permission is granted for a single-storey rear infill extension at 32 Blagdon Road, London, SE13 7HH in accordance with the terms of the application, Ref DC/16/098844, dated 21 October 2016, and the plans submitted with it, subject to the following conditions:
 1. The development hereby permitted shall begin not later than three years from the date of this decision.
 2. The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan; Drawing Nos: 1.008, 1.009, 1.010, 1.011, 1.012, 1.013.
 3. The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those used in the existing building.

Main Issue

2. The main issue in this case is the effect of the proposed single-storey infill extension on the living conditions of the occupiers of No 30 Blagdon Road by way of outlook.

Reasons

3. No 32 Blagdon Road is a mid-terraced, two-storey house, situated on the western side of the road. It has an existing two-storey rear outrigger with a shallow pitched roof. The outrigger is some 7 metres deep and set in around 1.5 metres from the side boundary with No 30. The side boundary currently comprises a 1.8 metre high wooden fence, though there is some evidence that the earlier boundary treatment included a small section of rear extension (now demolished) and a higher ivy-covered fence or wall.
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4. The proposal would involve the construction of a single-storey extension to the side of the existing outrigger, effectively filling the gap to the boundary with No 30. It would be of the same length as the outrigger and would be around 3.4 metres high at the boundary, including a parapet above the eaves level of the single-pitched roof. The extension would have four rooflights, and new patio doors in the rear elevation to match the style of proposed doors in the existing rear elevation of the outrigger.
5. The Council has accepted that the design of the extension is acceptable, and that there would be no amenity issues relating to overshadowing and loss of privacy or light. I concur with this view. The Council does, however, contend that the proposal, by reason of its height and length, would appear overbearing, generate a significant sense of enclosure, and have an unacceptable impact on the outlook and visual amenity at No 30 from the rear ground-floor rooms and garden area.
6. No 30 is an end-terraced house with a relatively long rear garden that shares its side boundary with the boundaries of the rear gardens of houses on Felday Road. Unlike other houses in the terrace, it does not have a rear outrigger, such that the proposed extension at No 32 would not result in any tunnel effect at the properties. Similarly the most open views out from the rear elevation and garden of No 30 are currently to the west and north-west, and these would not be significantly affected by the proposed extension. The rear patio door and window in the rear elevation of No 30 are some distance from the side boundary and would appear to be at a slightly raised height when compared with the rear windows at No 32. This would reduce the visual impact of the proposed boundary wall on the outlook from the rear ground-floor rooms.
7. On the basis of the above, the height of the proposed boundary wall would not appear significantly overbearing or detrimental to views from the rear of No 30. Therefore, given the openness of the current views out from the rear of No 30 and the limited impact that the proposed extension would have on those views, I find that the proposal would not be significantly harmful to the living conditions of the occupiers of the adjacent No 30 by way of outlook, especially given the situation created by the earlier boundary treatment, since removed by the appellant. It would not, therefore, conflict with DM Policy 31 of the Council's Development Management Local Plan, which states that residential development should result in no significant loss of amenity to adjoining houses and their back gardens.

Conditions

8. I have attached a condition relating to plans because it is necessary that the development shall be carried out in accordance with the approved plans for the avoidance of doubt and in the interests of proper planning. I have attached a further condition relating to materials in the interests of the visual amenities of the area.

J D Westbrook

INSPECTOR