



Appeal Decision

Site visit made on 1 August 2017

by L J O'Brien BA (Hons) MA

a person appointed by the Secretary of State for Communities and Local Government

Decision date: 17 August 2017

Appeal Ref: APP/N5660/D/17/3176613
76 Cricklade Avenue, London, SW2 3HQ

- 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 Kevin Valenzuela against the decision of the Council of the London Borough of Lambeth.
 - The application Ref 17/00067/FUL, dated 6 January 2017, was refused by notice dated 2 March 2017.
 - The development proposed is a ground floor single-storey extension to the rear of the property.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues in this appeal are:
 - the effect of the proposal on the character and appearance of the host building and the wider area, and
 - the effect of the proposal on the living conditions of the occupiers of No. 78 Cricklade Avenue with particular regard to outlook.

Reasons

Character and appearance

3. No. 76 Cricklade Avenue, the appeal property, is a two-storey semi-detached dwelling situated on a street largely characterised by other similar pairs of buildings.
4. The rear of No. 76 has an unusual shape with a two storey projection close to the boundary with No. 74 and an angular rear façade. The neighbouring property, No. 78, which forms the other half of the pair has a similar appearance. Thus, the pair together form an almost angular "U" shape.
5. The proposed rear extension would fill in the gap between the two-storey projection and the boundary with No. 78. The extension would project slightly further into the rear garden than the rear wall of the existing projection, leaving a small set-in from the boundary with No. 74. The extension would be approximately 3m high for the majority of its width, stepping down to around 2.6m at the boundary with No. 78.

6. The extension would be a large addition to the dwelling and its substantial proportions would cause it to appear bulky and dominant when viewed from the rear garden of the dwelling. This bulk would be exacerbated by the flat-roofed design and further highlighted by the choice of a palette of materials which would be uncommon in the vicinity of the appeal site and would draw attention to the extension. The proposed extension would visually compete with the host dwelling and would not appear as a subordinate addition.
7. Furthermore, the extension would not respect the shape of the existing dwelling and would result in the loss of the angled set-back and the resultant symmetry between the semi-detached pair. The large addition would unbalance the form of the pair of dwellings thus causing harm to their character and appearance.
8. For these reasons I conclude that the proposal would cause harm to the character and appearance of the host dwelling, the semi-detached pair and the wider area. I have consequently found conflict with Policies Q2, Q5, Q8 and Q11 of the Lambeth Local Plan, 2015 (LP) which, amongst other things, seek to make certain that extensions are subordinate to their hosts, protect visual amenity and ensure that development is visually attractive and reflects positive aspects of the local context in terms of built form and materials.
9. The proposal would also fail to meet the guidance set out in the Building Alterations and Extensions Supplementary Planning Document (SPD) which requires extensions to be subordinate and advises that the prevailing character will be an important consideration.

Living conditions

10. The proposed extension would project a significant distance from the rear of the existing dwelling and, at around 3m in height, would appear as a large addition to the rear of No. 76 when viewed from No. 78.
11. Due to its scale and bulk, the proposed extension, in combination with the existing projection at No. 78 would have the effect of enclosing the rear of the neighbouring dwelling. This increased sense of enclosure would be detrimental to the outlook from the rear windows and garden area of No. 78 and would adversely affect the living conditions at that property.
12. The proposed extension would abut the side boundary with No. 78; at this point the extension would step-down to approximately 2.6m (from around 3m) with the intention of reducing the impact on the occupiers of No. 78. Whilst this reduction in height would mitigate the effects of the proposal to some extent, due to the overall scale of the extension and the minimal width of the set-down section, this would not be sufficient to overcome the harm I have identified.
13. I also note that the ground levels at No.78 are raised slightly above those at No. 76. This is, however, not to such an extent so as to allay the harm I have identified.
14. Consequently, I conclude that the proposal would cause unacceptable harm to the living conditions of the occupiers of No. 78 Cricklade Avenue. The proposal would therefore fail to accord with the aims of Policy Q2 of the LP which states that development should ensure that adequate outlooks are provided avoiding wherever possible any undue sense of enclosure. The proposal would also be at odds with the aims of the SPD which sets out to ensure that amenity in respect

of outlook is protected and states that party walls of rear extensions should be as low as possible.

Other matters

15. I note the appellant's attempts to secure an acceptable scheme through the use of the Council's pre-application advice service and recognise that the Council's Planning Officer indicated that Officers would provide no objection to a proposal with the same footprint but which reduced the height of the development at the shared boundary with No. 78.
16. However, this advice is given without prejudice and the decision maker is not bound to follow it. The effect of the development on the character and appearance of the area and the living conditions at No. 78 is a matter of judgement. Consequently, for the reasons given above, I find nothing sufficiently compelling to alter my conclusion that the proposal would cause harm to the character and appearance of the area and the living conditions of the occupiers of No. 78 Cricklade Avenue.

Conclusion

17. For the reasons given above, and having considered all other matters raised, I dismiss the appeal.

L J O'Brien

Appointed Person