
Appeal Decision

Site visit made on 5 September 2017

by Beverley Doward BSc BTP MRTPI

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

Decision date: 18 September 2017

Appeal Ref: APP/N5660/D/17/3179730
41 Edgeley Road, London, SW4 6ES

- 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 Nolan against the decision of the Council of the London Borough of Lambeth.
 - The application Ref.17/00978/FUL, dated 28 February 2017, was refused by notice dated 4 May 2017.
 - The development proposed is single storey rear extension.
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Decision

1. The appeal is allowed and planning permission is granted for a single storey rear extension at 41 Edgeley Road, London, SW4 6ES in accordance with the terms of the application, Ref 17/00978/FUL, dated 28 February 2017, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Scale 1:1250 Location Plan; Drawing No: 01 Revision A and Drawing No: 02 Revision C.
 - 3) The materials to be used in the construction of the external surfaces of the development 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 development on the living conditions of the occupier of No. 43 with regard to light and outlook.

Reasons

3. The appeal site is a mid-terraced dwelling within a residential area. It has a three storey rear outrigger with a small brick built outhouse attached. The appeal proposal seeks to demolish the rear outhouse and erect a flat roofed single storey side extension which would infill the space between the existing outrigger and the boundary with the neighbouring property at No. 43.
4. The proposed extension would extend outwards to a length of about 6.29 metres finishing flush with the existing rear wall of the outrigger. It would have a maximum height of around 2.6 metres. However, because of the change in levels, the neighbouring property at No. 43 being set higher than the

appeal property, the flank wall of the extension would measure around 2.5 metres high when viewed from No. 43. Accordingly, I am satisfied that it would not appear unduly overbearing when viewed from the neighbouring property. Furthermore, given the height of the existing boundary treatment between the two properties the appeal proposal would not create a more significant sense of enclosure than currently exists when viewed from the side window on the outrigger of No. 43.

5. The Council indicates that a BRE assessment to determine the impact of the proposed extension on daylight/sunlight to the neighbouring property indicated that the line would not cross the mid-point of the glazed segment of the rear door of No.43. Therefore, I am content that the proposal would not have any adverse impact on the amount of daylight/sunlight received towards the rear elevation of No.43.
6. I do not have the findings of a similar assessment in relation to the side window on the outrigger at No. 43. However, the appellant indicates that the room served by this window also benefits from glazed doors within the rear elevation and I saw these doors which overlook the rear garden area on my site visit. Accordingly, having regard to the evidence before me I am also satisfied that there would be no detrimental loss of light to the room served by the side window on the outrigger at No. 43 if the proposal were to succeed.
7. Having regard to all of the above therefore, I conclude that the proposed development would not harm the living conditions of the occupier of No 43 with regard to light and outlook. Accordingly, it would comply with policy Q2 of the Lambeth Local Plan adopted September 2015 which indicates that development that provides adequate outlooks avoiding wherever possible any undue sense of enclosure will be supported.
8. In addition to the standard implementation condition it is necessary to impose a condition requiring the development to be carried out in accordance with the approved plans in order to provide certainty. A condition requiring the extension to be constructed of matching materials is also necessary to ensure a satisfactory appearance.
9. For the reasons given above and having taken into account all other matters raised, I conclude that the appeal should be allowed.

Beverley Doward

INSPECTOR