



Appeal Decision

Site visit made on 25 June 2019

by Ben Plenty BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 9th July 2019

Appeal Ref: APP/H5960/D/19/3225793

109 Ansell Road, London SW17 7LT

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant approval required under Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015.
 - The appeal is made by Mr Jonathan and Mrs Emma Showler against the decision of the Council of the London Borough of Wandsworth.
 - The application Ref 2018/6045, dated 18 December 2018, was refused by notice dated 25 January 2019.
 - The development proposed is new single storey rear extension to single family dwelling, 3.4m long (in addition to existing rear extension of 2.6m length), 3m at eaves with maximum height of 4m. All as per attached drawings: location plan, plan as existing and proposed, elevations as existing and proposed.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The appeal relates to Schedule 2, Part 1, Class A of The Town and Country Planning (General Permitted Development) (England) Order 2015 (GPDO). Class A.1 (g) allows for the erection of an extension beyond the rear wall of a terraced dwelling, by a maximum of 6m and to not exceed 4m in height. In such circumstances and if an objection is received, Class A.4 (7) requires the local planning authority to consider the impact of the development on adjoining premises. I have determined this appeal in the same manner.
3. The Council advised that my visit should include viewing the proposal from the rear garden of 107 Ansell Road. However, this was unnecessary as a full assessment was able to be made from the appeal site.

Main Issue

4. The main issue is the effect of the proposed extension on the living conditions of 107 Ansell Road (No 107) with respect to outlook.

Reasons

5. The site is an end terrace residential property within a predominantly residential area. Flat roof single storey rear extensions are relatively commonplace for many of these dwellings, including the host dwelling and several immediate neighbours. The gardens are on a slight gradient which fall away from the dwellings. No 107 has a rear extension that is slightly longer than the extension on the host property. This extension has two rear windows,

both of which serving habitable rooms. Also, No 105 has an extension which is slightly longer than the extension of No 107. Furthermore, the rear extensions of the host dwelling and No's 107 and 105 are raised above natural ground level to maintain internal floor levels.

6. The proposal would extend to the rear by a further 3 m the majority of which would be visible from the neighbour's ground floor rear windows. As such, although both dwellings have been extended, the difference between the rear projections would be significant. Furthermore, the proposed extension would be located directly on the shared boundary. This would be comparatively high adjacent to the neighbouring windows and immediate rear garden. The effect of this, in combination with the existing extension at No 105, would create a significant sense of enclosure to the outlook of No 107.
7. Although the proposal would step down into the rear garden and include a lean-to roof, this benefit would not outweigh the harm to the living conditions of the neighbour. Also, the neighbour's ground floor window and patio doors are not significantly higher than the proposal. Subsequently, the substantial sense of enclosure would demonstrably harm the outlook from the neighbouring dwelling.
8. Consequently, due to its proximity and scale, the proposal would be harmful to the living conditions of occupiers of No 107 in regard to being overbearing and harming outlook. As such, the proposal would be contrary to policy DMS1 of the Wandsworth Local Plan - Development Management Policies Document (2016) which includes a requirement for development to not harm the amenity of occupiers of nearby properties through being unacceptably overbearing and creating an unsatisfactory outlook.

Other Matters

9. An extension was approved to No 105 in 2002¹ for a rear extension of 5.3m. At the time the Council concluded that occupiers of No 107 would maintain an acceptable outlook. However, the officer report explains that this considered the existing context, which now also includes the approved extension. This has changed the context and has a bearing on the current outlook experienced by the occupier.
10. Furthermore, an appeal decision in 2014 in Romford² allowed a similar depth of extension as proposed, with a reported 3 m deep variance to its neighbour. Nevertheless, the evidence does not establish the context including the arrangement and location of neighbour's windows. In any event, whilst these decisions are material considerations, I must primarily consider the proposal on its own merits. Furthermore, the appellant has likened the effect of the proposal to a permitted development extension. However, no fall-back position exists in this case and this is therefore of limited relevance.

Conclusion

11. For the above reasons, and having taken all matters raised into account, the appeal is dismissed.

Ben Plenty INSPECTOR

¹ Planning Application Reference: 2002/2189

² Planning Appeal Decision: APP/W5780/D/14/2211597