



Appeal Decision

Site visit made on 7 August 2019

by Michael Wood RIBA

an Inspector appointed by the Secretary of State

Decision date: 2nd September 2019

Appeal Ref: APP/N5660/D/19/3231590
250 Abercairn Road, LONDON, SW16 5AL

- 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 Rob Griffiths against the London Borough of Lambeth Council.
 - The application Ref 19/00091/FUL dated 11 January 2019 was refused by notice dated 21 March 2019.
 - The development proposed is the retention of a two storey side extension and a single storey rear extension.
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Decision

1. The appeal is allowed and planning permission is granted for the retention of a two storey side extension and a single storey rear extension at 259 Abercairn Road, London, SW16 5AL in accordance with the terms of the application Ref 19/00091/FUL dated 11 January 2019, subject to the conditions contained in the attached schedule.

Procedural Matters

1. The Appellant submitted an application in order to obtain permission to retain extensions which have already been constructed. Whilst the Appellant has stated that he wishes to occupy the building as two separate dwellings, the works undertaken have not resulted in self-contained flats and the plans before me show a single dwelling. I have made my decision on this basis.

Main Issues

2. The main issues are; firstly, the effect of the development on the character and appearance of the area; and secondly, the effect of the development on the living conditions of the nearby occupants of No 252 Abercairn Road with particular reference to outlook.

Reasons

Character and appearance of the area

3. This area comprises predominantly two storey terraced properties of reasonably uniform character and appearance. The appeal relates to an end terrace property on an unusually shaped plot which widened towards the rear. The appeal scheme seeks to take advantage of this with the form of the side extension relating to the existing house but with a new, lower pitched roof as seen from the road.

4. The principle of extending the property in this way has been established by two previous approvals which between them have allowed a similar extent of accommodation.
5. The appearance of the extension, from the road and from the park beyond the rear boundary, is visually subservient to the host property and does not appear overbearing. The two storey part is set back from boundaries and from the rear face of the single storey extension. The development is not out of character in a residential area which already has a variety of extensions to existing properties. There is adequate garden space and I conclude that the development conforms with policies Q5 and Q11 of the Lambeth Local Plan of September 2015 (the Local Plan) which require the design of developments to respond positively to local context and the original architecture of the host building.

Living conditions of nearby occupants

6. The two storey part of the extension which has previously been approved by the Council is set back from the common boundaries and ensures that the extension will not over dominate the side boundaries. It is also set in from the rear of the house. The garden has an open aspect with trees and vegetation along the boundary with the adjacent park.
7. The south westerly aspect would allow direct sunlight into the existing garden of the adjoining house at No 252 Abercairn Road for much of the day and I find that the single storey part of the new extension, from my observations on site, does not have an unacceptable impact on levels of daylight and sunlight and does not seriously overshadow a neighbours window. I find that the location of rooms and the position of windows have maintained privacy and have not led to unacceptably reduced standards or overlooking between neighbouring houses.
8. No 252 has not been extended to the rear and the single storey addition extending 6m along the shared boundary between these properties is a prominent addition. However, I am mindful of the fact that this element scheme has previously gained prior approval and also that it falls with the parameters of permitted development. Furthermore, the main rear outlook for properties on this side of Abercairn Road is across their gardens to the park with a bright and open outlook.
9. I conclude that the development has retained adequate outlook for the occupiers of No 252, without undue sense of enclosure. It therefore accords with Policy Q2 of the Local Plan.

Conditions

10. In this case there is no need to impose the standard conditions in relation to time and materials where the building has already been constructed and the appearance is satisfactory. The conditions imposed reflect those suggested by the Council which have been amended in the interests of clarity and precision. Condition 1) is necessary for the avoidance of doubt and proper planning Condition 2) is protect the amenity of nearby occupiers from intrusive disturbance.

Conclusion

11. For the above reasons the appeal should be allowed.

Michael Wood

INSPECTOR

Schedule of Conditions

- 1) The development hereby permitted shall be carried out in accordance with the following approved plans: 17/250C/P700; 17/250C/P701: and 17/250C/P702.
- 2) The flat roof of the extension hereby approved shall, hereafter, not be used as a roof terrace, sitting out area or other amenity space and shall be accessed only for the maintenance of the roof and in the case of an emergency.