



Appeal Decision

Site visit made on 20 August 2019

by Alison Scott BA(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 1 October 2019

Appeal Ref: APP/A5840/D/19/3231712

24 Avondale Rise, London SE15 4AL

- 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 Mrs Vimala Drury against the decision of Southwark Council.
 - The application Ref 19/AP/0267, dated 27 January 2019, was refused by notice dated 20 May 2019.
 - The development proposed is a single storey rear/side extension.
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Decision

1. The appeal is allowed and planning permission is granted for a single storey rear/side extension at 24 Avondale Rise, London SE15 4AL in accordance with the terms of the application reference 19/AP/0267, dated 27 January 2019, 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: Existing Site/Roof & Location Plans, Existing Ground Floor Plan, Existing Rear & Side Elevations, Proposed Ground Floor Plan, Prop. Site/Roof & Location Plans, Proposed Rear & Side Elevations Proposed Section A-A.
 - 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.

Procedural Matter

2. The description of the development as described within the application form has been condensed by the Council and I also agree that it accurately describes the development.

Main Issue

3. The main issue is the effect of the development on the living conditions of the occupiers of 26 Avondale Rise with regard to outlook.

Reasons

4. The appeal site is a two storey Victorian mid terrace house located close to the junction with Bellenden Road within a suburban area, residential in character.

The five houses that make up this terrace are largely identical in appearance to the front, but set amongst a variety of house types, styles and sizes. The rear garden of the appeal site is relatively long and narrow and land levels on site rise slightly to the west. The appeal property has an existing single storey lean-to attached to the return of the property.

5. The proposed development is intended to in-fill the narrow gap between the side wall of the return of the dwelling and the boundary with 26 Avondale Rise and would wrap around the lean-to extending slightly further into the garden. The extension would form an "L" in shape as a result, and includes a part glazed angled roof and part flat roof.
6. The area where the extension is proposed currently serves a limited purpose due to its narrow width and provides a pathway and a landscaped border. I could see from my site inspection that the neighbouring dwelling at 26 Avondale Rise largely follows the same layout pattern at the rear, with a modern lightweight extension attached to the return of their house. The narrow space between 26 Avondale Rise and the appeal site is used extensively for the purpose of outdoor storage of garden waste bins, raised planting beds and landscaping. Their kitchen window looks onto this space as well as a glazed door that is perpendicular to the kitchen window. The remainder of their garden functions as a domestic garden.
7. The extension would not project further than the building line of the neighbour's extension and given the limited height at approximately 2400mm at the highest point, and the slight step in land levels between gardens, this contributes to reducing the extension's overall massing. The proposed glazing panels that form part of the new roof would slope away from the party boundary and this element would add interest to what would otherwise be a blank wall along the boundary. The outlook from the neighbour's windows I have identified is obscured by their own planting and this extension would not significantly alter that outlook. In my view, given its design, land levels change and current outlook from the neighbour's windows, the development would not give rise to a sense of enclosure that would detrimentally compromise the living conditions of the occupiers of this dwelling. In respect of outlook and the protection of amenity levels of present occupiers of No 26, I consider the proposal does comply with policy 3.2 of the Southwark Plan 2007.
8. It is also drawn to my attention by the appellant the approved and erected extension at 20 Avondale Rise¹ that has in-filled the gap between the return of 20 and the boundary with 22 Avondale Rise, it's design, height, projection and land levels being similar in nature to the appeal site. Looking at the extension here, I could see from the rear garden of the appeal site that 20 and 22 Avondale Rise have created a comparable relationship to what would occur at the appeal site and number 26, and I apply weight to this comparison.
9. In respect of the design of the development, the combination of flat roof and grey coloured glazing panels and matching facing brick will ensure the proposal appears as a modern extension and an appropriate design solution that takes account of scale, height and massing, and is relevant to its local context. This complies with the core objectives of policies 3.12 and 3.13 of the Southwark Plan 2007. On this basis, I consider the development is acceptably subservient to the host dwelling.

¹ Application Reference 16/AP/0213

10. I have considered conditions in light of the National Planning Practice Guidance and Paragraph 55 of the National Planning Policy Framework. In addition to the standard time limit condition, a condition relating to the approved plans is necessary to provide certainty. A condition in relation to materials is reasonable in order to protect the character and appearance of the area.

Conclusion

11. For the reasons given above, I conclude that the appeal should be allowed.

Alison Scott

INSPECTOR