
Appeal Decision

Site visit made on 30 November 2020

by David Fitzsimon MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16 December 2020.

Appeal Ref: APP/C5690/D/20/3253912

169 Chudleigh Road, Brockley, London SE4 1EG

- 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 Kirsten Bingham against the decision of the Council of the London Borough of Lewisham.
 - The application Ref DC/20/115989, dated 3 March 2020, was refused by notice dated 28 April 2020.
 - The development proposed is 'the construction of a first floor side extension and dormer extension to the rear roofslope together with the installation of rooflights in the front roofslope'.
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Decision

1. The appeal is allowed and planning permission is granted for the construction of a first floor side extension and dormer extension to the rear roofslope together with the installation of rooflights in the front roofslope at 169 Chudleigh Road, Brockley, London SE4 1EG in accordance with the terms of the application, Ref DC/20/115989, dated 3 March 2020, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision
 - 2) The development hereby permitted shall be carried out in accordance with the unreferenced plans submitted with the application:
North Elevation (Proposed), South Elevation (Proposed), Flank (Proposed), Roof Plan (Proposed), Ground Floor (Proposed), First Floor (Proposed), Second Floor (Proposed), Section A-A and Section B-B.
 - 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 proposal on the character and appearance of the host dwelling and the street scene within which it sits.

Reasons

3. The appeal relates to a traditional semi-detached house. It sits within a road which is home to a mix of similar semi-detached houses and terraced houses. A noticeable number of the semi-detached dwellings within the road have been extended to the side. Many of the two storey side extensions have a limited set back from the front elevation of the host dwelling and a very small gap to the side boundary. As a result, the space between a significant number of the pairs of semi-detached dwellings within the road has been eroded. When combined with the presence of the terraced houses, this arrangement gives the road a predominantly enclosed rather than an open character.
4. The Council raises no objection to the proposed rear dormer and nor do I. The Council's concern relates to the proposed first floor extension to the side of the appeal dwelling which would be set back about 900mm from the principal front elevation and it would not be set off the common boundary. The Council points to the fact this arrangement would not comply with the guidance contained within its adopted Supplementary Planning Document titled '*Alterations and Extensions*' (SPD), which advises that two storey side extensions should be set at least a metre from the main front elevation of the host dwelling and should be set off the boundary by a similar distance in order to reduce the harm to '*the openness that forms the character of much of the Borough*'.
5. Be that as it may, the SPD is, by its very nature, only guidance and each proposal must be considered against the specific context within which it would sit. As I have explained, a noticeable number of the semi-detached dwellings within Chudleigh Road have two storey extensions which are not set back at least a metre from the main front elevation of the host dwelling and are not set off the common boundary by a similar amount. These have caused something of a terracing effect which means that a sense of openness between many of the sets of semi-detached houses does not prevail. Whilst I do not know the precise planning circumstances behind all examples, I note my colleague Inspectors observed this when allowing appeals for similar proposals at No. 121 Chudleigh Road (Ref. C5690/D/16/3162976) and No. 148 Chudleigh Road (Ref. APP/C5690/D/19/3235770).
6. I am mindful that the proposal would reduce the gap between the appeal dwelling and No. 167 Chudleigh Road at first floor level. Nevertheless, when considered against the context outlined above, I am satisfied that the set back of the proposed extension at first floor level combined with its lower ridge height would provide a '*clear break between existing buildings and the new work in order to maintain architectural subordination to the original building*' as specifically required by policy 31 of the Council's adopted Development Management Local Plan (LP). It would also ensure that the first floor side extension sat comfortably within the street scene that I have described.

Other considerations

7. I note the application generated a representation from a third party. The submission outlined the potential for the development to cause structural issues, but this is a matter more appropriately dealt with by civil legislation. It also expressed concern that the proposed extension would affect the light entering the windows on the side elevation of the neighbouring property. It is

not clear what spaces these windows serve and whether they are 'habitable rooms'. Nevertheless, I share the Council's view that a sufficient gap would remain to ensure that any effect arising from the extension in such terms would be within acceptable parameters for such a suburban environment.

Overall Conclusion

8. I conclude that the proposed extension would not harm the character and appearance of the host dwelling or that of the street scene within which it sits. Accordingly, I find no conflict with policy 7.4 of the London Plan, policy 15 of the adopted Lewisham Local Development Framework Core Strategy and policies 30 and 31 of the LP or indeed, the overall aims of the SPD, which collectively promote high quality design which is appropriate to its context.

Conditions

9. In addition to the standard conditions which limit the lifespan of the planning permission and direct that the development takes place in accordance with the approved plans, the Council has suggested one other condition in the event the appeal is successful. I agree that a condition requiring the external finishes of the extension and alterations to match those of the host dwelling is necessary in order to ensure a visually acceptable development.
10. In allowing the appeal, I shall impose these conditions.

David Fitzsimon

INSPECTOR