



Appeal Decision

Site Visit made on 19 July 2021

by Chris Baxter BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12 August 2021

Appeal Ref: APP/C5690/D/20/3259448

48 Arngask Road, London SE6 1XU

- 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 David Mallows against the decision of London Borough of Lewisham.
 - The application Ref DC/20/116477, dated 31 March 2020, was refused by notice dated 23 June 2020.
 - The development proposed is the construction of a part one/part two storey extension to the rear of 48 Arngask Road, SE6 including two new window openings in the side elevation.
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Decision

1. The appeal is allowed and planning permission is granted for the construction of a part one/part two storey extension to the rear of 48 Arngask Road, SE6 including two new window openings in the side elevation at 48 Arngask Road, London SE6 1XU in accordance with the terms of the application, Ref DC/20/116477, dated 31 March 2020, 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: 318_P_000; 318_P_001; 318_P_002; 318_P_003; 318_P_004; 318_P_005; 318_P_101; 318_P_102; 318_P_103; 318_P_104; 318_P_105
 - 3) The materials used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.
 - 4) Notwithstanding the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking, re-enacting or modifying that Order), the use of the flat roofed extension hereby approved shall be as set out in the application and no development or the formation of any door providing access to the roof shall be carried out, nor shall the roof area be used as a balcony, roof garden or similar amenity area.

Preliminary Matters

2. Since the submission of the appellant's appeal the revised National Planning Policy Framework (the Framework) was published and came into force on 20 July 2021. In light of this I have sought the views of the main parties in writing and comments received have been taken into consideration.

3. For the sake of clarity and brevity I have used the description of development from the Council's decision notice.

Main Issues

4. The main issues are the effect of the proposal on (i) the living conditions of occupiers of 46 and 50 Arngask Road in regard to outlook and (ii) the character and appearance of the surrounding area.

Reasons

Living conditions

5. The proposal would be set away from the common boundary with 50 Arngask Road (No 50). The proposal has been sensitively designed with the two storey element been low in height with a hipped roof form. Due to the design of the proposal and the positioning of the windows in No 50, the proposal would not appear as a visually dominating feature that would be adversely overbearing to the occupiers of No 50.
6. The proposal would extend up to the boundary with 46 Arngask Road (No 46) however, the flat roof design and orientation of the buildings would ensure that there are no adverse overbearing effects created. The bulk, scale and positioning of the proposal would ensure that the proposal is not a dominating structure to the rear windows of No 46.
7. The rear gardens of Nos 46 and 50 are large and I am satisfied, particularly due to the positioning of the proposal, that the extensions would not create a sense of enclosure that would compromise the living conditions of neighbouring occupiers of Nos 46 and 50.
8. The proposal would not have a harmful effect on the living conditions of occupiers of Nos 46 and 50 with regards to outlook. The proposal would be in accordance with Policy 15 of the Lewisham Core Strategy Development Plan Document 2011, Policy 30 Lewisham Development Management Local Plan 2014, Policies 7.4 and 7.6 of the London Plan, the Lewisham Alterations and Extensions Supplementary Planning Document and the Framework which seeks development to provide a high standard of design and level of amenity, and not cause unacceptable harm to the amenity of surrounding land and buildings.

Character and appearance

9. The area surrounding the appeal site is characterised predominantly of residential properties. Whilst first floor rear extensions are not a typical feature in the area, there are various alterations to the rear of properties in the locality including ground floor additions and roof extensions.
10. The first floor extension would be set down from the ridge line of the main roof with a hipped design ensuring that it would not appear as an overly dominant feature. The design, size and depth of the first floor extension would be sensitive to the host property and not be an incongruous feature that would detract from the appearance of the surrounding area.
11. The Council have stated that the single storey extension is considered to be of a high design quality that would respect and compliment the form and detailing of the original building. I concur with this statement.

12. Accordingly, the proposal would not have a harmful effect on the character and appearance of the surrounding area. The proposal would be in accordance with Policy 15 of the Lewisham Core Strategy Development Plan Document 2011, Policy 30 Lewisham Development Management Local Plan 2014, Policies 7.4 and 7.6 of the London Plan, the Lewisham Alterations and Extensions Supplementary Planning Document and the Framework which seeks development to provide a high standard of design.

Other Matters

13. I have had regard to the Council's officer report including the planning history of the site. Insufficient evidence has been submitted with regards to the previous scheme and therefore cannot be sure if it represents a direct parallel to the appeal scheme particularly in regards to size and design. In any case, I have determined this appeal on its own merits.

Conditions

14. Conditions relating to timeliness and the identification of plans are necessary in the interests of proper planning and to provide certainty. In the interests of character and appearance a condition is necessary in relation to materials. A condition is also necessary relating to the use of the flat roof in the interests of living conditions of neighbouring occupiers.

Conclusion

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

Chris Baxter

INSPECTOR