



Appeal Decision

Site visit made on 14 December 2021

by Paul Thompson DipTRP MAUD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23 December 2021

Appeal Ref: APP/A5840/D/21/3276557

13 Chadwick Road, London SE15 4RA

- 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 F Saint-Hilaire against the decision of London Borough of Southwark.
 - The application Ref 21/AP/1214, dated 8 April 2021, was refused by notice dated 4 June 2021.
 - The development proposed is described as 'Proposed Double Storey Rear Extension Measuring 5.1 metres'.
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Decision

1. The appeal is dismissed.

Procedural Matters and Background

2. Despite the description of development, it is evident from the application drawings that the proposal includes rear single and two-storey extensions, and at the time of my site visit, I observed that extensions of this form had been constructed. In England under Article 7(1)(c) of the Town and Country Planning (Development Management Procedure) (England) Order 2015, no plans are necessary to determine appeals for development already in situ but, if plans have been submitted that show it, they should be considered.
3. Permission already exists for an otherwise identical single storey extension of 4.0 metres¹ in depth (the approved scheme). While the proposed floor plan for the appeal scheme (ref: P-002A) shows the extension to be 4.0 metres deep, on the proposed elevation (ref: P-004A) this is shown to be 4.5 metres. A discrepancy therefore exists between the depth of the single-storey extension in situ and that shown on the application drawings. The approved scheme also included a rear two-storey extension of 4.5 metres. Given that the form and appearance of the extensions do not differ in both schemes, the principal difference is their length, and the proposed two-storey extension is 0.6 metres deeper.
4. I am mindful that the Council made its determination in relation to the application drawings and the comments received from interested parties on the proposals therein. Were I to allow the appeal, the single storey extension could be constructed to the dimensions shown on the application drawings, so I have determined the appeal on that basis.
5. The National Planning Policy Framework was revised on 20 July 2021 (the Framework). I have had regard to the Framework in my decision and I am

¹ Planning Reference: 20/AP/2716

satisfied that this has not prejudiced any party, particularly as the revisions do not alter the policies upon which this appeal turns.

Main Issues

6. The main issues are the effect of the proposed development on:
- the living conditions of the occupiers of 15 Chadwick Road, with regard to outlook, daylight and sunlight; and
 - the character and appearance of the host property and its surroundings.

Reasons

Living conditions

7. The properties in Chadwick Road are arranged symmetrically so that rear returns incorporate a double pitch, the ridges of which are positioned along the shared boundary. Between the rear returns, each house has a narrow external space, which adjoin the window and door openings in the house and rear returns. The entire length of the approved single storey extension, which is in situ, is arranged along the boundary between Nos 13 and 15. The proposal would add to the length of the constructed single storey extension and adjoin the proposed two storey extension, which is also in situ.
8. Together the additional scale and mass created from the increase in length of both extensions, and their proximity to No 15, mean that they are likely to appear unduly oppressive and imposing when viewed from the ground floor of No 15 and the outdoor space adjacent to its rear return. This would/will lead to the creation of a greater sense of enclosure than with the approved scheme, which would/will have an unacceptably harmful effect on the outlook experienced from the property and its outdoor space.
9. Notwithstanding the above, based on the evidence before me, given the orientation of the properties in Chadwick Drive and the extent of the approved scheme, it is unlikely that the additional scale and mass associated with the appeal scheme would/will lead to further degradation of the extent of daylight and sunlight experienced within No 15.
10. Despite my findings in relation to daylight and sunlight, the proposed development would/will have an unacceptably harmful effect on the living conditions of the occupiers of 15 Chadwick Drive, with regard to outlook. Hence, the proposal fails to accord with the aims in respect of living conditions as expressed in Policies 3.2 and 3.11 of the Council's Local Plan².

Character and appearance

11. The appeal concerns a two-storey end-of-terrace house located to the southern side of Chadwick Road. The properties are designed with butterfly roofs situated behind a parapet at the front. Rear returns vary between one and two storeys, or combination of both, and are paired at the boundary between properties. The roof form and arrangement of rear returns make a positive contribution to the character and appearance of the properties, where this is visible from neighbouring houses and their gardens.

² Southwark Plan (2007).

12. The proposed two-storey extension projects further than the existing rear returns of other properties in the same terrace. However, where it would be visible, it would be seen in the context of the longer rear returns at the terrace of houses to the west. Similarly, the proposed single storey extension would project no further than the existing rear returns found to the east and be of an identical height and appearance to the approved scheme. Given these factors, the proposed extensions have/would have a similar appearance to the approved scheme, and the additional scale and mass is not/would not be so considerably greater than that in the approved scheme to equate to unacceptable additions to the appeal property or the wider terrace of like properties in Chadwick Road.
13. In light of the above, I consider that the proposed development is/would not be harmful to the character and appearance of the rear of the host property and its surroundings. Hence, the proposal accords with the design aims of saved Policy 3.12 of the Council's Local Plan, Strategic Policy 12 of the Council's Core Strategy, the Council's updated Residential Design Standards³ and the Framework.

Other Matters

14. The appeal property is situated within the Holly Grove Conservation Area (CA). I have had regard to Section 72(1) of the of the Planning (Listed Buildings and Conservation Areas) Act 1990, which requires that special attention be given to the desirability of preserving or enhancing the character or appearance of a conservation area. The significance of the CA is widely experienced, so proposals must be judged according to their effect on it as a whole and must therefore have a moderate degree of prominence. Given that the proposal relates to development to the rear of the property, of which there would be limited visibility from within the street scene or other public areas, it would not be detrimental to the character and appearance of the CA and thus preserve its significance. I note that the Council arrived at a similar conclusion.

Conclusion

15. While I have not found harm in relation to character and appearance, I have identified unacceptable harm to living conditions of neighbouring occupiers in respect of outlook. Therefore, for the reasons given above I conclude that the appeal should not succeed.

Paul Thompson

INSPECTOR

³ 2015 Technical Update to the Residential Design Standards (2011) Supplementary Planning Document.