The Planning Inspectorate

Appeal Decision

Site visit made on 27 January 2023

By A. J. Boughton MA (IPSD) Dip.Arch. Dip.(Conservation) RIBA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 7th March 2023

Appeal Ref: APP/N5660/D/22/3304732
33 Kestrel Avenue, London SE24 0ED

- 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 Ms. Alice Normington against the decision of The London Borough of Lambeth.
- The application Ref:22/01051/FUL dated 22 March 2022 was refused by notice dated 17 May 2022.
- The development proposed is ground floor side extension with floor plan redesign and all associated works.

Decision

1. The appeal is allowed and planning permission is granted for demolition of existing single storey extension and replacement with ground floor side extension at 33 Kestrel Avenue, London SE24 0ED in accordance with the terms of the application Ref: 22/01051/FUL dated 22 March 2022 and the plans submitted with it, subject to the following conditions:

    1) The works authorised by this consent 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 following approved plans: 1343-04A; 1343-05A; 1343-06A; 1343-07A; 1343-09A.

    3) No development shall commence until details / samples of the materials to be used in the construction of the external surfaces of the extension hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details / samples.

Main Issue

2. The main issue is the effect of the proposal upon the character and appearance of the host dwelling and the surrounding area.

Reasons

3. The appeal site, 33 Kestrel Avenue (No.33) is a substantial three-storey semi-detached house dating from the late Victorian period within an area of similar housing. There is a broad consistency in appearance of housing in Kestrel Avenue and nearby streets many featuring original and substantial rear outriggers but also a variety of single storey ancillary structures and extensions in the rear garden areas.

Turning to the design of the proposal, Policy Q11 of the Lambeth Local Plan 2021 (LLP) provides criteria for extensions and alterations and Policy Q5 of the LLP indicates support for proposals which demonstrate design excellence and make a positive contribution to context. The Council's Building Alterations and Extensions Supplementary Planning Guidance (2015) (Building Alterations SPG) sets out guidance as to infill extensions such as that proposed here referring to their potential acceptability 'so long as subordination can be achieved and there is no harm to amenity'.

4. It is apparent that due to its low, flat-roofed profile, partial infilling to the rear return will have little impact on the adjacent dwelling which has been extended in a similar way. Whilst what is proposed extends beyond the line of the original rear outrigger, the mix of materials used, including brickwork that could accord with that found in the host building would ensure the proposal is not obtrusive, and, further, that the proposal serves to better associate interior space created with the rear garden as a positive aspect of the design. I note the Council say this undermines the subordination of the extension to No.33; however, to my mind in the use of appropriate materials and by its relatively low profile, the extension would appear as a distinct, modest addition that does not dilute or undermine the character or appearance of the host dwelling. Nor, by virtue of its discrete rear location, would it affect the character and appearance of the surrounding area.

5. I therefore conclude that, for the reasons given and having taken into account all matters raised that the proposal would not conflict with policies Q5 or Q11 of the LLP or with the Building Alterations SPG which, together, seek to ensure alterations and extensions protect amenity and character and appearance. In consequence the proposal would accord with the development plan taken as a whole and, therefore, the appeal succeeds subject to the usual plans and timing conditions together with a condition to ensure the materials employed are compatible with the basis of this decision and the brickwork of the host building.

Andrew Boughton

INSPECTOR