



Appeal Decision

Site visit made on 15 May 2023

By Victor Callister BA(Hons) PGC(Oxon) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 31 May 2023

Appeal Ref: APP/C5690/D/23/3318819

201 Torridon Road, Lewisham, London SE6 1RF

- 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 Trushar Patel against the decision of the London Borough of Lewisham Council.
 - The application Ref DC/22/129577, dated 5 December 2022, was refused by notice dated 1 February 2023.
 - The development proposed is to demolish an existing single storey rear extension and rebuild a larger single storey rear extension. Reduce the size of an existing rear garden room.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issues are the effect on:
 - The character and appearance of the appeal dwelling; and
 - the living conditions of neighbouring residential occupiers.

Reasons

Character and Appearance

3. The appeal dwelling is a two storey mid terraced house in an area of similar properties, with some retail uses nearby. It has been the subject of an existing single storey rear extension with a lean-to roof, which would be demolished to provide for the proposed larger single storey crown roofed extension. There is an existing detached single storey annexe or 'garden room' at the bottom of the small rear garden, which it is also proposed would be reduced in depth by approximately 50%.
4. Similar to the existing rear extension the proposal would be almost the full width of the appeal dwelling. It would, however, project significantly further into the garden than the existing and would extend approximately 5.963 metres from the rear elevation of the appeal dwelling. As the floor level of the proposed extension would be at the same level as that of the existing dwelling, and the rear garden slopes away from the appeal dwelling, a set of steps is proposed to facilitate access from the door of the proposal down to garden level.

5. There are a variety of single storey rear extensions evident in the local area. These appear to be similar in scale to the existing rear extension and to have either flat or lean to roofs. At almost 6m deep and with a crown roof form that would result in an eaves height of approximately 2.85 metres and a roof height of approximately 3.85 metres, the proposal would be substantially in excess of the guidance given in the Lewisham Alterations and Extensions Supplementary Planning Document (2019) for such extensions in this context. As such, the proposal would be considerably larger than these other nearby extensions and would appear to dominate the appeal dwelling and result in an incongruous appearance. This would be accentuated by the level of the garden falling away from the house. The proposal would not therefore appear as a subservient addition to the appeal dwelling.

Living Conditions

6. Due to the almost full width of the proposed extension, it would sit adjacent to the boundary of the appeal property with its neighbouring terraced properties at 199 and 203 Torridon Road (No.'s 199 and 203). This proximity, when combined with the depth, height and scale of the proposal and the falling away of the garden level, would result in the proposal having an overbearing presence, which would be experienced by the occupiers of these neighbouring dwellings as oppressive.
7. The proposal includes the reduction in size of an existing garden annexe, which the appellant believes would offset the effect of the proposal on the living conditions of the occupiers of the appeal dwelling and neighbouring properties. This is certainly the case in terms of the amount of garden space available to the occupiers of the appeal dwelling. However, given the proximity of the proposal to the neighbouring dwellings, the proposed reduction in size of the existing garden annexe would not significantly offset the effect of the proposal on the living conditions of the occupiers of No.'s 199 and 203 that I have detailed above.
8. The appellant has drawn my attention to the large extension to the rear of commercial premises 195 Torridon Road. Whilst I have not been provided with any detail of the planning background to this extension, I agree with the appellant that this extension appears to have an overbearing effect on the neighbouring dwelling at 197 Torridon road and to be an oppressive presence visible from many neighbouring properties, including the appeal property. However, the effect of the proposal that I have identified would only add to the existing effect of this neighbouring extension on the living conditions of neighbouring residential occupiers.
9. For the reasons set out above I find that the proposal would result in substantial harm to the character and appearance of the appeal dwelling and moderate harm to the character and appearance of the local area. I further find, for the reasons given, that the proposal would result in substantial harm to the living conditions of neighbouring residential occupiers at No.'s 199 and 203.
10. The appellant has set out the benefits of the proposal in terms of the improvement in living conditions of the occupiers through the creation of a larger and more open plan living space. These benefits are, however, of a private nature and do not outweigh the harm of the proposal that I have identified.

11. The proposal would, therefore, fail to accord with policy 15 of the Lewisham Core Strategy (2021), Policies DM30 and DM31 of the Lewisham Development Management Local Plan (2014), Policy D3 and HC1 of the London Plan (2021) and paragraph 130 of the National Planning Policy Framework (2021). These collectively seek to ensure that developments are of a high standard of design, respond to local character and maintain a high standard of amenity for neighbouring residential occupiers.

Conclusion

12. The appeal is dismissed.

Victor Callister

INSPECTOR