The Planning Inspectorate

Appeal Decision

Site visit made on 4 October 2016

by Alexander Walker MPlan MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 24th October 2016

Appeal Ref: APP/E5330/16/3157581
58 Jerningham Road, London SE14 5NW

- 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 Dorian Lovett against the decision of Royal Borough of Greenwich Council.
- The application Ref DC/16/096133, dated 5 April 2016, was refused by notice dated 9 June 2016.
- The development proposed is a rear side return extension with window and rooflight and replacement of 4 number existing windows.

Decision

1. The appeal is allowed and planning permission is granted for a rear side return extension with window and rooflight and replacement of 4 number existing windows at 58 Jerningham Road, London SE14 5NW in accordance with the terms of the application, Ref DC/16/096133, dated 5 April 2016, 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 following approved plans: A0001, A0010, A0011 A, A0021, A0100 A, A101 A, A0200 B, A0201 B, A0220, A0221, A0300 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 Issues

2. The main issues are the effect of the development on the living conditions of the occupants of the neighbouring property, No 56 Jerningham Road, with regard to outlook, and whether it would preserve or enhance the character or appearance of the Telegraph Hill Conservation Area.

Reasons

Living Conditions

3. The extension would be within proximity of the boundary with the neighbouring property, No 56 Jerningham Road. The boundary comprises a low fence and planting. The extension would infill a return space between the boundary and the existing three-storey closet wing. In the Council's Officer's Report it states that the extension would be on the shared boundary with No 56. However, the appellant

states that it would be set back at a minimum of 600mm from the boundary and based on the plans submitted with the application I have considered the proposal on this basis.

4. Although the extension would be single-storey, due to its ceiling height and ground floor levels, which would be similar to the host dwelling, it would measure approximately 3.7m in height. Although there is a difference in ground levels between No 56 and the appeal property, due to the topography of the area, the extension would be set back from the boundary and would not project any further beyond the rear elevation of the existing three-storey closet wing. As a result, from the adjacent amenity space of No 56, the extension would be read against the backdrop of the adjacent closet wing. Overall, I do not find that it would have any significant harmful effect on the outlook from the neighbouring amenity space.

5. Furthermore, although there are windows in No 56's side elevation, they are obscure glazed and as such do not afford any degree of outlook. There are French doors on the rear elevation of No 56 that open onto the return space. However, due to the extension being set back from the boundary, and even further so from these doors, any loss of outlook would not be so significant as to result in any detriment to the usability of the room that the doors serve.

6. I therefore find that the extension would not significantly harm the living conditions of the occupants of No 56 Jerningham Road, with particular regard to outlook. As such, it complies with Policy 15 of the Lewisham Core Strategy Development Plan Document (CS) 2011 and Policy DM31 of the Lewisham Development Management Local Plan (DMLP) 2014, which, amongst other things, seek to ensure that development is of a high quality design and should result in no significant loss of privacy and amenity to adjoining houses and back gardens. In addition, it would also comply with the Lewisham Residential Standards Supplementary Planning Document (SPD) 2006, which provides guidance on residential extensions.

7. In respect of the effect of the development on the living conditions of the occupants of the neighbouring residential property, the Council have also referred to Policy 16 of the CS and Policy DM36 of the DMLP. However, these policies are with regard to the preservation and enhancement of heritage assets and therefore are not relevant in the assessment of this issue.

Telegraph Hill Conservation Area

8. Jerningham Road is a residential street located within the Telegraph Hill Conservation Area (CA). The Road predominantly comprises two-storey with basement to the front and three-storey to the rear, semi-detached 19th century dwellings that line either side of the Road. The largely unaltered front elevations of the properties and tree-lined street provide an attractive, spacious, leafy suburban character to the area. Furthermore, the regularity of the design, positioning and uniform building lines of the properties make a positive contribution to the overall significance of the CA.

9. The appeal property is a semi-detached, two-storey with basement to the front and three-storey to the rear dwelling. Its scale and design is typical of many other properties on the Road. The extension would be to the rear of the dwelling and therefore would not be present within the streetscene. The only views of the extension from outside the appeal site would be from the adjacent properties, in particular No 56 Jerningham Road.

10. The design of the extension is contemporary with a large portion of the rear elevation and the flat roof being glazed. The glazed element would be read as a continuation of the windows in the upper floor above the extension, reflecting the existing fenestration lines. Although the extension would be higher than a typical single-storey extension, it has been informed by the high ceilings and floor levels of the host dwelling and would respect the vertical emphasis of the building. Furthermore, the depth of the extension would match that of the existing three-storey closet wing. Whilst it would be high, the flat roof and extensive use of glazing would reduce its overall bulk. Overall, the extension would sit comfortably within the return space and would appear subservient against the existing three-storey elevations.

11. I note the Council's concern that the extension would destroy the symmetry of the rear elevation. Whilst the fenestration on the rear elevation of the closet wing provides some symmetry, the glazed element of the extension would provide a visual break that would in fact frame the symmetrical elevation rather than disrupt it.

12. I have had regard to the proposed replacement windows. The Council do not raise any concerns regarding this element of the proposal and based on the evidence before me, I agree with this view.

13. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, states that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of conservation areas. This is reflected in paragraph 132 of the National Planning Policy Framework (the Framework), which states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation.

14. I find therefore that the extension would have a neutral effect, and therefore preserve the character and appearance of the CA. As such, it would comply with Policies 15 and 16 of the CS, which seek to ensure high quality design in the Borough and that Conservation Areas are conserved and enhanced. Furthermore, it would also comply with Policies DM31 and DM36 of the of the DMLP, which require development proposals to be of a high standard of design that respect the original building and conserve or enhance the character or appearance of Conservation Areas. In addition, it would also comply with the SPD, which provides guidance on residential extensions in Conservation Areas.

Conditions

15. I have had regard to the conditions suggested by the Council. For the avoidance of doubt it is appropriate that there is a condition requiring that the development is carried out in accordance with the approved plans. In the interests of the character and appearance of the area a condition regarding materials is necessary.

Conclusion

16. For the reasons given above, having regard to all matters raised, I conclude that the appeal should be allowed.

Alexander Walker

INSPECTOR