

# Appeal Decision

Site visit made on 6 March 2017

**by Les Greenwood MRTPI**

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

**Decision date: 17 March 2017**

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## **Appeal Ref: APP/E5330/D/17/3167621**

### **2c Fairby Road, Eltham, London SE12 8JL**

- 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 Mohammed Magzoub against the decision of the Council of the Royal Borough of Greenwich.
  - The application Ref 16/3112/F was refused by notice dated 6 December 2016.
  - The development proposed is a 3 storey side extension and a single storey rear extension to an existing private family residence.
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## **Decision**

1. The appeal is dismissed.

## **Main issues**

2. The main issues are the effects of the proposal on:
  - i) the character and appearance of Fairby Road; and
  - ii) living conditions at neighbouring properties.

## **Reasons**

### *Character and appearance*

3. Fairby Road is a pleasant residential street of 3 storey terraced houses and flats, typically with significant gaps between the buildings. This spacing, together with the set back of the buildings from the street, provides a sense of spaciousness that is important to the character of the street.
  4. No 2c is located at the end of a short terrace of 3 houses, more than 4m away from the first building in the next terrace, a set of flats at Nos 2 to 6. This break is only infilled by a single storey height wall and garage door (with no garage behind). The proposal would add a 3 storey extension to the side of No 2c plus a single storey extension at the back to replace a smaller conservatory.
  5. The proposed side extension would close down the space between the 2 buildings, leaving only a narrow gap and creating a long, almost entirely built up frontage. Although the higher sections of the extension would be set back from the frontage and no important views would be blocked, the effective loss of the existing gap would nevertheless make the development look cramped,
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detracting substantially from the more loosely developed character of Fairby Road. I saw no similar extensions in the immediate vicinity.

6. I conclude that the proposal would unacceptably harm the character and appearance of Fairby Road. It therefore conflicts with the aims of Policies 7.4 and 7.6 of the London Plan, Policies DH1 and DH(a) of the Royal Greenwich Local Plan Core Strategy with Detailed Policies (CS) and the Council's Supplementary Planning Document (SPD) *Residential Extensions, Basements and Conversions Guidance*, to secure high quality designs that contribute to the improvement of the built environment, limiting extensions to a scale and design appropriate to the building and the locality. These aims align with the National Planning Policy Framework's emphasis on quality design that reinforces local distinctiveness.

#### *Neighbours' living conditions*

7. The main impact of the proposal on neighbours would be at the front, where the 3 storey extension would sit next to habitable room windows of the next door flats. The stepped form of the proposal would, however, reasonably minimise the impact on the light to and outlook from these windows. To the side, the flats at Nos 2 to 6 have a blank wall with no windows facing No 2c. At the back the proposed rear extension would not stretch much beyond the back of the flats, so the impact would be insignificant. The closest ground floor rear window at the house on the other side, No 2b, would be far enough away so that the low single storey rear extension would not significantly affect light and outlook. Finally, no significant overlooking or loss of privacy would be caused.
8. I conclude that the proposal would not unduly affect living conditions at neighbouring properties. In this respect it accords with the aims of CS Policy DH(b) and the SPD, to avoid unacceptable loss of amenity to neighbouring occupiers. It would furthermore accord with the Framework's aim to secure a good standard of amenity for all.

#### *Other matters*

9. I recognise the appellant's reasonable wish to improve his family home. I do not accept, however, that the existing land to the side is of little use as it is. It is not a particularly narrow strip of garden and is oriented to receive reasonable sunlight and daylight. I also note that the end of the building containing Nos 2 to 6 has projecting toothed brickwork, indicating that there was once an intention to continue building here. I have, however, considered this case on the basis of present circumstances. I do not find any of these matters to be of sufficient weight to override my concerns in regard to the first main issue.

#### **Conclusion**

10. For the reasons set out above, and having regard to all other matters raised, I conclude that the appeal should not succeed.

*Les Greenwood*

INSPECTOR