
Appeal Decision

Site visit made on 8 October 2019

by T J Burnham BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 28th October 2019

Appeal Ref: APP/E5330/D/19/3234189

34 Chestnut Rise, Plumstead, London SE18 1RL

- 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 Abdul Malik & Qammar Javid against the decision of Royal Borough of Greenwich Council.
 - The application Ref 19/1343/HD, dated 9 April 2019, was refused by notice dated 5 June 2019.
 - The development proposed is a single storey rear extension.
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Decision

1. The appeal is allowed and planning permission is granted for a single storey rear extension at 34 Chestnut Rise, Plumstead, London SE18 1RL in accordance with the terms of the application, Ref 19/1343/HD, dated 9 April 2019, subject to the following conditions:
 - 1) The development hereby permitted shall be begun before the expiration of three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in strict accordance with the following approved plans: Site Location Map, 9241_3 & 9241_4.
 - 3) The external surfaces of the extension hereby permitted shall match those used in the construction of the existing dwelling.

Procedural Matter

2. I have noted the presence of the unfinished raised structure at the dwelling. I am unaware of its planning status and it differs from the appeal proposal before me. I have determined this appeal based on the submitted plans.

Main Issues

3. The main issues are:
 - i. the effect of the proposal on the living conditions of the occupiers of 32 & 36 Chestnut Rise, with particular regard to loss of daylight, sunlight, privacy & overlooking and sense of enclosure; and
 - ii. the effect of the proposal on the character and appearance of the existing dwelling and the surrounding area.

Reasons

4. The area is residential in nature. The appeal site, a terraced residential dwelling, has a flat roofed single storey rear extension of 6m in depth which is attached to a two-storey outrigger. The appeal site and the adjoining dwellings benefit from lengthy rear gardens. The appeal proposal would be 3m in depth and would extend from the existing single rear extension to provide additional bedroom accommodation.

Living conditions

5. No 36 has not been extended beyond its two-storey rear outrigger and incorporates a ground and first floor window within its outward facing elevation. A conservatory sits within its side return. It is the ground floor window within the outrigger that would be most affected by the appeal proposal.
6. However, this window already suffers somewhat from a sense of enclosure and some restriction in daylight by reason of the presence of the 6m rear extension along the shared boundary. Given that the extension proposed would have a significant separation from this window, I do not consider that the appeal proposal would cause any significant additional sense of enclosure or loss of daylight.
7. The appeal proposal would be set to the north of No 36 and as a result of this orientation, it would not cause any significant restriction in sunlight reaching the neighbouring property. In relation to overlooking towards the garden of No 36, I am mindful of an existing window and door in the outward facing elevation of the existing extension at the appeal site. Consequently, I am not persuaded that the extension would result in any significant additional loss of privacy. Further, any impact would be restricted to the bottom end of the garden only.
8. Subsequently, the proposal would not give rise to any significant additional sense of enclosure or loss of daylight or sunlight to No 36 and would not result in any significant additional loss of privacy to its garden.
9. I note the appeal site is at a higher level than the other neighbouring dwelling at No 32. However, the existing extension already incorporates three windows facing towards the adjoining garden. No additional windows are proposed to the side elevation. Although a window would be provided to the outward facing elevation of the extension, this would allow only very limited views towards the bottom section of the garden at No 32 and subsequently, the proposal would not give rise to any unacceptable loss of privacy to the rear garden of this property.
10. Therefore, I conclude on this issue that the proposal would not have a significant adverse effect on the living conditions of the occupiers of 32 and 36 Chestnut Drive with particular regard to loss of daylight, sunlight and privacy & overlooking and sense of enclosure and would therefore accord with Policies 7.6 of the London Plan (LP) (2016), Policy DH(b) of the Royal Greenwich Local Plan: Core Strategy with Detailed Policies (RGLP) (2014) and guidance within the Royal Borough of Greenwich Residential Extensions, Basements and Conversions Guidance Supplementary Planning Document

(SPD) (2016) all of which are concerned with the protection of living conditions for adjacent occupiers.

Character and appearance of the existing dwelling and the surrounding area

11. Guidance within the SPD suggests that single storey rear extensions should not normally project out more than 3.6m from the rear wall of the original house. The appeal proposal would add 3m to the existing rear extension and breach this guidance through its projection of 9m from the rear of the two storey outrigger.
12. Although neither of the adjoining properties incorporate a similar rear extension, the appeal proposal needs to be considered in the context of the existing 6m rear extension at the property and its lengthy rear garden. The appeal proposal would be the same width and height as the existing extension and would incorporate a flat roof to match. Given its restrained additional projection, it would form a modest addition to the existing extension which would not be of excessive scale or bulk. It would therefore remain a subordinate addition and could not be considered to over dominate the appeal property nor detrimentally alter its rear profile.
13. Therefore, I conclude on this issue that despite breaching the guidance within the SPD, the proposal, within this particular context, would not detract from the character and appearance of the existing dwelling or the surrounding area and would therefore comply with the aims of Policies 7.4 and 7.6 of The LP and Policies DH1 and DH(a) of the RGLP which seek amongst other things, developments of a high quality design that would be appropriate to local character.

Other Matters

14. The Council have raised concern about a lack of correlation between the proposed floor and elevation plans. However, on the basis of the submitted plans I have not identified such an inconsistency. It is clear that there would be no doors or windows in the side elevation of the extension. The only lack of consistency I could identify was the fact that one of the existing side facing kitchen windows shown on both the existing and proposed side elevation has been omitted from the proposed ground floor plan.

Conditions

15. Planning permission is granted subject to the standard three year time limit. It is necessary that the development be carried out in accordance with the approved plans for the avoidance of doubt and in the interests of certainty. Matching materials are required to ensure a complementary relationship with the host dwelling and the character and appearance of the area.

Conclusion

16. For the reasons set out above, I conclude that the appeal should be allowed subject to the conditions.

T J Burnham

INSPECTOR