
Appeal Decision

Site visit made on 30 September 2019

by M Cryan BA(Hons) DipTP MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date 15 November 2019

Appeal Ref: APP/E5330/D/19/3233543
135 Kingsground, Eltham, London SE9 5EX

- 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 Gregory Teasdale against the decision of Royal Borough of Greenwich Council.
 - The application Ref 19/1483/HD, dated 17 April 2019, was refused by notice dated 17 July 2019.
 - The development proposed is the demolition of an existing conservatory and the construction of a single storey rear extension.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. I have taken the description of development used in the banner heading above from the appeal form as it is a more accurate description of the proposal than that used on the original planning application form. At the time of my site visit, the conservatory referred to had in fact already been demolished, although this has no bearing on my decision.

Main Issues

3. The main issues are the effect of the proposal on:
 - The character and appearance of the host dwelling and its terrace block; and
 - The living conditions for occupants of the neighbouring properties at 133 and 137 Kingsground, with particular regard to daylight, sunlight and outlook.

Reasons

Character and appearance

4. The appeal site is a two-storey house situated towards the centre of a terrace of six similar properties. It is traditionally built of red brick with a pitched tiled roof. A passageway between the appeal property and 133 Kingsground gives access to the relatively long and narrow rear garden.
5. The proposed development is the erection of a single-storey rear extension to replace a conservatory. The extension would have a height of around 3m,

project around 5.15m from the rear wall of the property and be approximately 4.5m wide.

6. Policies DH1 and DH(a) of the 2014 Greenwich Local Plan Core Strategy with Detailed Policies (LPCS), and Policies 7.4 and 7.6 of the 2016 London Plan¹ together require development, including residential extensions, to be of a scale and design appropriate to the surrounding buildings and areas. The Council's 2018 Residential Extensions, Basements and Conversions Guidance Supplementary Planning Document (the SPD) provides additional advice intended to ensure that proposals for extensions are sensitive to the original building.
7. The original dwelling is around 7.45m deep, so the proposed extension would represent a substantial addition to the property. It would also span most of the width of the rear garden. It would consequently appear as disproportionately large and dominant with regard to the host dwelling. There are no similarly-sized extensions in the terrace including the appeal site, and it would also therefore fail to respect the character and appearance of the block as a whole. Although the extension's brick construction to complement the existing property and the proposed flat roof would comply with advice in the SPD, this would not mitigate the harmful effects of its size and bulk.
8. I conclude that because of its depth and bulk, the proposed extension would fail to respect the character and appearance of the host property and its terrace block. It would not be of an appropriate size and scale for either the host property or the surrounding buildings and area and would therefore conflict with Policies DH1 and DH(a) of the LPCS, and Policies 7.4 and 7.6 of the London Plan.

Living conditions

9. Policy DH(b) of the LPCS and Policy 7.6 of the London Plan require that development proposals should not cause unacceptable harm to neighbours' living conditions in terms of, among other things, reduced daylight or sunlight, or by an increased sense of enclosure. This is reinforced by guidance in the SPD, which advises that extensions should not project from the rear of a dwelling by more than 3.6m in order to protect neighbouring properties from a harmful loss of light or sense of enclosure.
10. As described above, the proposed extension would project around 5.15m beyond the rear elevation of the host property. There would be a gap of around 1m between the side wall of the extension and the boundary with 133 Kingsground to the north. The height and length of the proposed extension would create an increased sense of enclosure in a considerable part of the garden of No 133. Its bulk would also harmfully reduce the daylight and sunlight reaching the rear windows of that property.
11. 137 Kingsground lies to the south of the appeal site, and consequently the proposed extension would not have any significantly detrimental effect on daylight or sunlight reaching that property. However, the change in the level of the land means that the appeal property sits around 0.5 m higher than No 137, and this would increase the effective height of the extension when viewed from No 137. This would result in an oppressive expanse of brick wall being visible

¹ The London Plan: The Spatial Development Strategy for London, consolidated with alterations since 2011 (2016)

immediately above and behind the boundary fence between the properties. Consequently the extension would appear overbearing when viewed from the rear garden of No 137, and would severely constrain the outlook from the rear ground floor windows of that property.

12. I therefore conclude that the proposed extension would be detrimental to the living conditions of the occupants of neighbouring properties. It would therefore conflict with Policy DH(b) of the LPCS and Policy 7.6 of the London Plan.

Other matter

13. The appeal site borders the Eltham Palace Conservation Area to the east, which has a non-urban character mainly comprising agricultural grazing land, public and private open space, playing fields and allotment gardens. It also includes a collection of historic buildings including and related to Eltham Palace itself, which lies some 250m from the appeal site. The rear garden of the appeal site is well separated and screened from the Conservation Area by trees and other mature vegetation, and the proposed development would therefore not harm views of the Palace or the setting of the Conservation Area.

Conclusion

14. For the reasons given above the appeal is dismissed.

M Cryan

Inspector