The Planning Inspectorate

Appeal Decision

Site visit made on 17 August 2020

by P W Clark MA(Oxon) MA(TRP) MRTPI MCMI

an Inspector appointed by the Secretary of State

Decision date: 18 August 2020

Appeal Ref: APP/C5690/D/19/3239275
80 Daneby Road, Catford, London SE6 2QG

- 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 Ms Sonia Kemble against the decision of the Council of the London Borough of Lewisham.
- The application Ref DC/19/112337, dated 10 May 2019, was refused by notice dated 8 August 2019.
- The development proposed is to demolish existing rear conservatory and rebuild new conservatory increased in width with solid roof to falls with velux type roof lights.

Decision

1. The appeal is allowed and planning permission is granted to demolish existing rear conservatory and rebuild new conservatory increased in width with solid roof to falls with velux type roof lights at 80 Daneby Road, Catford, London SE6 2QG in accordance with the terms of the application, Ref DC/19/112337, dated 10 May 2019 subject to the following conditions:

    1) The development hereby permitted shall begin not later than 3 years from the date of this decision.

    2) The development hereby permitted shall be carried out in accordance with the following approved plans: 00, 001, 002, 005, 006, 09.

Procedural matter

2. The description of development has been abbreviated to focus on the matters requiring planning permission.

Reasons

3. The sole main issue is the effect of the proposal on the living conditions of neighbours at 78 Daneby Road. Nos 78 and 80 Daneby Road are a pair of handed semi-detached houses, each with a L-shaped plan. The longer arm of the L is on the detached side of each house, separated by about 2.7m from the common boundary. It extends about 1.5m deep and has a two-storey chamfered bay window attached.

4. Attached to the longer arm of the L at 80 Daneby Road is a single storey conservatory which extends about 4.8m further, still about 2.7m from the boundary with 78. The proposal would demolish this conservatory and replace it with a single storey extension to the same depth but infilling all but about

300mm to the joint boundary with number 78. Consequently, on the joint boundary, it would be about 6.3m deep.

5. Number 78 already has a single storey extension on the common boundary, about 1.7m deep, so that, when seen from number 78, the proposed single storey extension would appear about 4.6m deep. The underside of its eaves fascia board, about 200mm high, is shown to be about 2.4m above damp proof course level, itself about 150mm above ground level. So, at the eaves, the height of the proposal would be about 2.75m above ground level.

6. There is a 2m high fence on the boundary, so that from number 78 only the top 0.75m of the extension would be visible over the boundary fence. But, after a few metres, the ground level rises anyway by about 0.75m and the fence level with it, so that the further parts of the proposed extension would be barely visible, if at all, over the common boundary fence.

7. For this reason, I conclude that the proposal would have a negligible adverse effect on the sense of enclosure to, or loss of outlook from, number 78. It would therefore comply with policies CS15 (6) (b) and (d) of the Core Strategy adopted in June 2011 which require any adverse impact on neighbouring amenity to be addressed and for small householder extensions to be designed to protect neighbours' amenity and with policy DM31(2)(c) of the Development Management Local Plan adopted in November 2014 which requires no significant loss of amenity to adjoining houses.

8. In the event of this appeal being allowed, the Council suggests three conditions; to limit the period within which commencement of development must occur, to require matching materials and compliance with the approved plans. The second condition suggested would apply policy DM30 which requires matching materials but is unnecessary because matching materials are specified on the approved plans and so the third condition would require them in any event. With the two remaining conditions, I allow this appeal.

P. W. Clark

Inspector