
Appeal Decision

Site visit made on 18 May 2021

by John D Allan BA(Hons) BTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15 June 2021.

Appeal Ref: APP/E5330/D/20/3265157

30 Durham Rise, Plumstead, SE18 7TE

- 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 Darrell Briggs against the decision of the Council of the Royal Borough of Greenwich.
 - The application Ref 20/2278/HD, dated 3 August 2020, was refused by notice dated 6 October 2020.
 - The development proposed is the erection of single-storey side and rear extensions.
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Decision

1. The appeal is allowed and planning permission is granted for the erection of single-storey side and rear extensions at 30 Durham Rise, Plumstead, SE18 7TE in accordance with the terms of the application, Ref 20/2278/HD, dated 3 August 2020, subject to the following condition:
 - 1) The development hereby permitted shall be carried out in accordance with the following approved plans: Drg Nos 20044-100 Rev. A and 20044-101 Rev. A.

Procedural Matters

2. The application was retrospective and at the time of my visit the development was largely complete but unfinished internally.
3. Since the date of the decision The London Plan 2021 (LP 2021) was published on 1 March 2021 and is now part of the development plan. The Council's decision notice referred to Policies 7.4 and 7.6 of The London Plan 2016 (LP 2016), which are now superseded. The main parties for the appeal were invited to express their views on the LP 2021 insofar as it relates to the appeal.

Main Issues

4. The main issues are the effect of the extension on the character and appearance of the appeal property and surrounding area, and upon the living conditions at 32 Durham Rise with particular regard to visual impact.

Reasons

5. The appeal property is a two-storey, dwelling set within a terrace of four properties and within a wider residential area comprising broadly similar style and aged houses. Each of the dwellings in the terrace has an existing two-storey outrigger and with a further single-storey projection beyond. The appeal property shares this arrangement with the attached property at No 28. The dwelling to the opposite side at No 32 reflects a mirror image of this. The built extension has filled the void between the outrigger and the common side boundary with No 32 and wraps around the single-storey part of the outrigger, projecting beyond by 3m. The overall depth of the extension along the boundary with No 32 measures around 9m.
6. The Council's *Residential Extensions, Basements and Conversions Guidance Supplementary Planning Document 2018* (SPD), when dealing with single-storey rear extensions, states that it is important for this type of extension to not dominate and for it to remain subservient to the original house. It goes on to state that they should not normally project out more than 3.6m from the rear wall of the original house (if the house is attached) as a deeper extension could block daylight and sunlight for neighbouring properties. With regard to infill extensions, the SPD goes on to say that they will be discouraged because they can cause harm to the neighbouring properties and block their daylight although significantly it states that what will be considered acceptable will depend on the impact upon neighbouring occupiers and their amenity.
7. The extension is undeniably large. However, the circumstances between Nos 30 and 32 are unusual due to the fairly steep gradient of Durham Rise at this point. There is a step to the terrace, with No 32 sitting roughly 1m higher than the appeal property. As a consequence, the flank elevation of the extension sits marginally lower than the traditional fence panels that originally ran between both properties and which I saw continue to extend along the remainder of the boundary beyond the extension. This height difference is further illustrated by photographs within the appellant's grounds of appeal. These show that the extension projects to a height roughly equivalent to half the height of the nearest ground floor window to No 32. The relationship between these two properties is not typical of a normal terrace and, given the levels changes, it is evident that the new structure has not affected levels of daylight or sunlight to the living spaces within No 32 beyond that associated with any typical means of enclosure. For these same reasons I cannot agree with the Council's assertion that the depth of the extension has caused any sense of enclosure that unacceptably impacts the neighbour's living conditions. I further note that no objections were received by the Council from any neighbours when the application was being considered.
8. There is disagreement between the parties over the percentage coverage of the extension over the original garden. The Council place the figure at around 58%. The appellant at just under 50%. Notwithstanding, there is no suggestion that the property has an unacceptable amount of rear garden amenity space, which I saw to be reasonable in size, accessible, and usable.
9. The rear gardens to these properties, and those surrounding, are tightly enclosed. The extension is out of sight from the public domain. The Council has not identified any visual harm to the outlook from any other properties and

with the extension being single-storey, the original L-shaped, two-storey form of the dwelling remains dominant.

10. Overall, whilst there is some conflict with the general guiding principles of the SPD, the specific circumstances in this case lead me to conclude that the extension has harmed neither the character nor appearance of the host property, the wider area, or the living conditions at 32 Durham Rise. As such, I find no conflict with Policies DH(a) and DH(b) of the Royal Greenwich Local Plan: Core Strategy with Detailed Policies (July 2014), which respectively require residential extensions to be limited to a scale and design appropriate to the building and locality and to protect the amenity of adjacent occupiers. Neither is there conflict with Local Plan Policy DH1, which more generally requires high quality design in all developments. I also find no conflict with LP 2021 Policy D3, which has been drawn to my attention by the Council since the appeal was made as a relevant replacement for LP 2016 Policies 7.4 and 7.6. This requires development proposals to respond positively to local distinctiveness through, amongst other things, their scale, appearance, and shape, and to deliver appropriate outlook, privacy, and amenity.

Conditions

11. As the development has already commenced there is no need for me to impose the standard time limit condition. The external materials of construction are expressly stated as being of horizontal timber boarding, which the Council considered to be acceptable. I have no reason to disagree and therefore a condition requiring materials to match the existing building is not necessary although a condition specifying the relevant plans is required to provide certainty.

Conclusion

12. For the reasons given, and in the absence of any other conflict with the development plan, I conclude that the appeal should be allowed.

John D Allan

INSPECTOR