



Appeal Decision

Site visit made on 16 November 2021 by M Long

Decision by K Taylor BSc (Hons) PGDip MRTPI

an Inspector appointed by the Secretary of State

Decision date: 6 December 2021

Appeal Ref: APP/C5690/D/21/3278033

137 Southend Lane, Bellingham, London SE6 3RP

- 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 Jagat Ramtahal against the decision of The London Borough of Lewisham.
 - The application Ref DC/21/120837, dated 11 March 2021, was refused by notice dated 3 June 2021.
 - The development proposed is described as a "proposed single and two storey rear extension (6m rear extension approved under planning approval Ref No DV/20.119572)".
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Procedural Matters

3. On 20 July 2021 the Government published a revised version of the National Planning Policy Framework (the Framework). I have had regard to this as a material consideration however, planning decisions must still be made in accordance with the development plan unless material considerations indicate otherwise. The issues most relevant to this appeal remain unaffected by the revisions to the Framework. I am therefore satisfied that there is no requirement to seek further submissions on the revised Framework, and that no party would be disadvantaged by such a course of action.

Main Issues

4. The main issues are the effect of the proposed development on:
 - the character and appearance of the area; and
 - the living conditions of the neighbouring residents at No 135 Southend Lane with regard to outlook and whether there would be an overbearing sense of enclosure.

Reasons for the Recommendation

Character and Appearance

5. The appeal site is a semi-detached property with a sizeable rear garden located on the southern side of Southend Lane; it is attached to No 135 on its eastern side. The appeal property has a hipped-to-gable roof conversion and a large rear dormer that covers nearly the full width of the rear roof slope. The surrounding residential area is largely comprised of two-storey, semi-detached and terraced housing, and there are a number of flats to the rear of the appeal site. While there are some ground floor extensions in the surrounding area, there appears to be a limited number of extensions at first floor level.
6. The proposed development is a ground floor extension that would extend approximately 6 metres from the rear elevation of the appeal property. It would cover the full width of the appeal dwelling and incorporate a flat roof. At first floor level, the proposal includes a smaller extension that would be set back from the shared boundary with No 135 by a considerable distance. The first floor extension would project a shorter distance than the ground floor extension below, it would also incorporate a hipped roof with the ridge line attached to the rear face of the dormer window. It is understood that the appellant has submitted a scheme for a single storey extension under the prior approval process which could now be implemented.
7. The combination of the proposed extensions and the existing roof conversion with a rear dormer would appear overly dominant and out of keeping with the character of the host dwelling. There appears to be a limited number of first floor alterations on the surrounding properties and so the proposed additional bulk at first floor would appear incongruous in this context. While the proposed materials would match those of the existing main dwelling, this would not sufficiently mitigate the harm that would arise from the proposal's overall design.
8. Furthermore, the joining of the hipped roof to the rear face of the dormer window would appear as an awkward arrangement on the rear elevation of the host dwelling, which would be detrimental to its character. This would be further exacerbated by its significant height, which would increase the prominence of the proposed roof form when viewed from the rear gardens of surrounding properties. Although there have been no objections from neighbours, I must consider the impact of the proposal on the character and appearance of this area.
9. Given the above, the proposed development would result in harm to the character and appearance of the area. As such, it would be contrary to DM Policy 30 of the Development Management Local Plan, adopted November 2014, which seeks to ensure development proposals attain a high standard of design. It would also conflict with The Core Strategy, adopted June 2011, specifically Policy 15 which seeks to ensure all development is sensitive to the local context and responds to local character. Although the Council have referred to Policy D1 of The London Plan, adopted March 2021, this Policy is primarily strategic in nature and focuses on the preparation of local plans in each borough, it does not appear relevant to the small-scale development proposed in this appeal.

Living Conditions

10. The appeal dwelling is attached to No 135 along its eastern boundary. No 135 is a two-storey terraced dwelling with a sizeable rear garden, it shares a tall, fenced boundary treatment with the appeal property. It is understood that the scheme submitted under the prior approval process includes the construction of a ground floor extension of substantial depth along this shared boundary.
11. Due to the large set back of the first floor extension from the shared boundary with No 135, the proposal would not result in harm to the level of outlook available from the rear of the neighbouring property. Similarly, its large set back and moderate depth would sufficiently mitigate any overbearing sense of enclosure resulting from the proposed additional bulk at first floor level. At ground floor level, the appeal scheme would not have a significantly greater impact upon the living conditions at No 135 than the prior approval scheme that could be implemented. Given the offset and moderate depth of the first floor element, there would be no further harm to the neighbouring occupiers.
12. For the above reasons, the proposal would not result in harm to the living conditions of the neighbouring residents at No 135 Southend Lane with regard to outlook and whether there would be an overbearing sense of enclosure. As such, it would accord with DM Policy 31 of the Development Management Local Plan, which seeks to ensure that residential extensions result in no significant loss of amenity to adjoining houses and their back gardens. It would accord with The Core Strategy, specifically Policy 15 which seeks to ensure that all development is sensitive to the local context. Nevertheless, the lack of harm identified with regard to living conditions would not outweigh the harm of the proposed development on the character and appearance of the area.

Other Matters

13. The appellant has stated that the proposed first floor extension would allow for the provision of an additional bathroom that is required at the property. However, this is a private benefit of limited weight that would not outweigh the harm identified to the character and appearance of the area.

Conclusion and Recommendation

14. The proposed development would not accord with the development plan, when considered as a whole. Based on the above, and having regard to all matters raised, I recommend that the appeal should be dismissed.

M Long

APPEAL PLANNING OFFICER

Inspector's Decision

15. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is dismissed.

K Taylor

INSPECTOR