

Appeal Decision

Site visit made on 8 December 2021

by C J Leigh BSc(Hons) MPhil MRTPI

an Inspector appointed by the Secretary of State

Decision date: 5 January 2022

Appeal Ref: APP/C5690/D/21/3281740
138 Engleheart Road, London, SE6 2ET

- 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 Qin Yu against the decision of the Council of the London Borough of Lewisham.
 - The application Ref DC/21/121827, dated 14 May 2021, was refused by notice dated 12 July 2021.
 - The development proposed is the erection of side and rear part one part two storeys extensions and associated works.
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Decision

1. The appeal is dismissed.

Main issues

2. The main issues are the effect of the proposed development on, firstly, the character and appearance of the surrounding residential area and, secondly, the living conditions of adjoining occupiers.

Reasons

Character and appearance

3. The appeal property is the end of a short terrace of relatively modern infill houses that lies within a street of older terraced houses. Properties along the road have short front gardens and, with the predominance of terracing in the road, the character of the area is one of relatively high density of housing when viewing along the street.
 4. The proposed extension to No. 138 would largely fill the gap at first floor to No. 136 adjoining. This existing gap contributes little to the character of the area due to the infill of Nos. 138-142 being an anomaly to the predominant design and form of housing in the street, and as the character is primarily that of long terraces filling the building line.
 5. The design of the extension shows that the existing front building line would continue, with no set-back in the elevation. The roof would, though, be set lower and back from the existing property. The Council's Alterations and Extensions Supplementary Planning Document 2019 (SPD) recognises that side extensions of more than one storey can significantly harm openness that forms
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part of the character of an area. The SPD then states that two storey extensions should be set in at least 1m from the front elevation to reduce this harm.

6. In this instance I have observed that the circumstances of the appeal property, the terrace within which it lies, and the character of the wider area means that the gap to No. 136 does not represent an impression of openness that is important to the character of the area. By following the existing front building line of the host property there is consequently no harmful effect on the openness of the area, nor on the wider character of the area. The set-back and lowered height of the roof would ensure the extension would be seen as a generally subservient addition to the original house and the terrace.
7. The extension would project to the rear of the house. In terms of general form and appearance this addition would sit comfortably on the host property, and reflect the tradition of rear closet wings seen in older properties on this side of Engleheart Road. Thus, it would not be visually obtrusive in terms of effect on character and appearance.
8. On the first issue it is therefore concluded that the proposed development would not be harmful to the character and appearance of the area. It would be consistent with the relevant provisions of Policy 15 of the Lewisham Core Strategy 2011, DM Policy 30 of the Lewisham Development Management Plan 2014 and the SPD, which seek to ensure all development is of a high standard of design and is compatible with the local character of the area.

Living conditions

9. The proposals would see a two storey addition extending to the rear of the property, close to the boundary with No. 136. I saw at my site visit there are windows in the rear elevation of that house at ground and first floor, which I understand serve habitable rooms.
10. The proposed extension would be to the depth of the existing closet wing to No. 136. The height and depth of this extension would have an appreciable impact on the outlook from No. 136 and, based on what I have read and seen, I share the concerns of the neighbouring occupier that the extension would lead to a material loss of light.
11. I note that the pattern of original houses along the road sees rear closet wings close to windows on adjoining houses. However, I must assess the situation as proposed at the appeal site, in relation to the existing situation at the neighbour's house. In my judgement the proximity of the proposed extension to the boundary and its depth mean there would be an appreciable loss of outlook and light, which would be materially harmful to living conditions.
12. The distance of the proposed extension to the boundary with No. 140 would mean no harm arises to the living conditions of occupiers in that property. However, on the second main issue it is concluded that the proposed development would be harmful to the living conditions of No. 136 and so conflict with Policy 15 of the Core Strategy, DM Policy 30 and DM Policy 31 of the Development Management Plan, and the SPD insofar as their objectives seek to ensure new development responds to the local context and does not harm residential amenity.

Conclusions

13. Although I have found in favour of the proposal in a number of respects, the conflict arising on the second main issue is sufficient to outweigh other considerations. The appeal is therefore dismissed.

C J Leigh

INSPECTOR