



Appeal Decision

Site visit made on 18 October 2022

by Lynne Evans BA MA MRTPI MRICS

an Inspector appointed by the Secretary of State

Decision date: 2 November 2022

Appeal Ref: APP/C5690/D/22/3296214
96 Guibal Road, London SE12 9LZ

- 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 Dilip Patel against the decision of the Council of the London Borough of Lewisham.
 - The application Ref: DC/21/124529 dated 26 November 2021, was refused by notice dated 26 January 2022.
 - The development proposed is ground floor single storey and part first floor rear extension.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues in this appeal are:
 - a) The effect of the proposal on the character and appearance of the existing property and on the local area, and
 - b) The effect of the proposal on the living conditions of the neighbours at No 98 Guibal Road, with particular regard to overlooking and loss of privacy.

Reasons

Issue a) Character and Appearance

3. The appeal property is a large detached house on the west side of Guibal Road within a predominantly residential area, including a mix of both detached and semi-detached properties. The existing property sits on a large plot and has generous open side margins to the adjoining properties, particularly on the southern side.
4. The proposal would, following some demolition and alteration works comprise a part single storey and part two storey extension, both to the rear of the existing property. I agree with the Council that there is no issue over the principle of an extension to the property, and the single storey extension would, in terms of its scale, length and overall massing, respect the character and appearance of the existing property.
5. The two storey extension on the southern side would be a very long and bulky extension in relation to the scale and massing of the existing property. The roof

would be set down from the main roof; however, the overall length and massing of the two storey extension would be overly large in relation to the scale and proportions of the existing property. I have taken into account the generous size of the plot, but the scale of the two storey extension and particularly its length would be a visually overly dominant feature that would not respect the character or appearance of the existing property.

6. Although there are a variety of houses in the immediate vicinity, the house as proposed to be extended would become substantially deeper than the depth of many of the surrounding properties. Furthermore, the excessive length of the proposed extension would be visible from the street, particularly when approaching from the south and would appear incongruous and out of character with the overall pattern of development along the street. It would not therefore respect the character and appearance of the local area.
7. I therefore conclude that the proposal would not respect and would harm the character and appearance of the existing property and of the local area. It would therefore conflict with Policy 15 of the Lewisham Core Strategy 2011, Policies 30 and 31 of the Lewisham Development Management Local Plan 2014 and the Council's Supplementary Planning Document: Alterations and Extensions 2019 as well as the National Planning Policy Framework and in particular Section 12, all of which, amongst other things, seek for a high quality of design which respects the local context.

Issue b) Living Conditions of Neighbours at No 98 Guibal Road

8. The proposed two storey extension would have, at first floor level, windows to bedrooms on the side elevation facing towards No 98 Guibal Road. The rear room would also benefit from a rear facing window and the window in the side elevation is marked on the elevation plan as being in frosted glass. Were no other matters of concern and planning permission were to be granted, the glazing and opening of the side facing window could be controlled by condition. A similar condition could be imposed on the proposed side facing window to a new bathroom shown on the plans.
9. The other bedroom would only have the one window facing towards the side garden and towards No 98 Guibal Road. It would be sited beyond the rear wall of the property at No 98. On the plan it is indicated to be a bedroom; this is a habitable room and the way in which the room would be used would be a matter of personal choice. Notwithstanding the generous open gap to the common boundary and the existing dense planting along that boundary, I share the Council's concerns that there would be harm to the living conditions of the neighbours in their rear garden, through overlooking and loss of privacy. Furthermore, there can be no assurance that the existing planting would endure as a permanent screen along the boundary.
10. I therefore conclude that the proposed development would harm the living conditions of the neighbours at No 98 Guibal Road, through overlooking and loss of privacy. This would conflict with Policy 15 of the Lewisham Core Strategy 2011, Policies 30 and 31 of the Lewisham Development Management Local Plan 2014 and the Council's Supplementary Planning Document: Alterations and Extensions 2019 as well as the National Planning Policy Framework and in particular paragraph 130 f), all of which, amongst other things, seek to protect the amenities of existing and future occupiers.

Other Considerations

11. I have taken into account that the proposed extension would provide accommodation for an extended family, but these personal benefits do not outweigh the harm I have concluded from the particular proposal before me, under both of my main issues.
12. The Appellant has referred to alternative extensions that might be undertaken with the benefit of permitted development rights. I acknowledge that there may be extensions that might be possible to be undertaken using permitted development rights, including to the side of the main property taking up part of the open gap on the southern side of the dwelling, although no such scheme is before me, and the impact of such schemes cannot therefore be properly considered.
13. Nonetheless I have concluded harm to both the character and appearance of the existing property and of the local area as well as to the living conditions of the neighbours from the two storey rear extension proposed. I am not persuaded to reach a different view on the basis that it may be possible to extend the property in a different way under permitted development rights, given the harm I have concluded from the proposal before me.
14. The Appellant has offered to accept a condition that permitted development rights be removed in the event of permission being granted, but this would not affect the conclusions I have reached.

Conclusion

15. For the reasons given above and having regard to all other matters raised, I conclude that the appeal should be dismissed.

L J Evans

INSPECTOR