



Appeal Decision

Site visit made on 27 July 2023

by Victor Callister BA(Hons) PGC(Oxon) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15 August 2023

Appeal Ref: APP/E5330/D/23/3323367

36 Eltham Park Gardens, Eltham, Greenwich SE9 1AW

- 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 A Ashley, against the decision of the Royal Borough of Greenwich Council.
 - The application Ref 23/0114/HD, dated 13 January 2023, was refused by notice dated 10 March 2023.
 - The development proposed is the removal of the existing conservatory and creation of a single storey rear extension.
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Decision

1. The appeal is allowed and planning permission is granted for the removal of the existing conservatory and creation of a single storey rear extension at 36 Eltham Park Gardens, Eltham, Greenwich SE9 1AW, in accordance with the terms of the application Ref 23/0114/HD, dated 13 January 2023, and the plans submitted with it, 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: 22, 25 and 26.
 - 3) The materials to be used in the construction of the development hereby permitted shall match those used in the existing building.

Main Issues

2. The main issue is the effect of the proposed development on the character and appearance of the appeal dwelling.

Reasons

3. The appeal dwelling is a two storey semi-detached house with a good sized rear garden that rises up towards a railway embankment. It is on a street and in wider local area made up of similar properties.
4. The proposal is for a rear extension that would be the full width of the original house and project approximately 5.0 metres from the rear elevation of the main house. The roof of the proposal would be sloped with rooflights and would be approximately 4.0 metres in height, where it attaches to the appeal dwelling, reducing to approximately 2.6 metres to the eaves.

5. Due to the change in levels to the garden the proposal requires an extension of the existing level paved area adjacent to the house. The proposal would sit well away from the fenced boundary with the neighbouring property at 38 Eltham Park Gardens (No.38) and would attach to, and be as deep as, the existing rear extension at 34 Eltham Park Gardens (No.34).
6. The proposed depth of the proposal would appear to reflect the depth of many of the extensions and outriggers to the rear of other houses on the same side of the street. The maximum height of the proposal, where it would attach to the original house, would appear to reflect that of the existing single storey outrigger and would be set down from the windowsills of the first floor windows. This would reflect the height and appearance of other rear extensions visible in the local area, including that at No.34.
7. Although the proposal would extend from the rear elevation more than half of the depth of the original house, its extent, height and scale would reflect that of single storey rear extensions evident in the local area and would appear to be in keeping with the scale of the original house. As such, it would be a proportionate and subordinate addition to the appeal dwelling, which would not be unduly prominent or dominating or erode its existing character.
8. The Council have made reference to the Royal Borough of Greenwich Residential Extensions and Conversions Guidance Supplementary Planning Document (2018). This advises that single storey rear extensions should not normally project out more than 3.6 metres, as a deeper extension could block daylight and sunlight from neighbouring properties. This is, however, design advice and guidance that should be applied to individual circumstances and development proposals. Due to the extent of the existing extension at No.34 and the distance to the boundary with No.38 the proposal would not result in such an effect on daylight and sunlight. As such, the proposal would not be harmful to the living conditions of neighbouring residential occupiers and is not given as a reason for refusal by the Council.
9. For the reasons given above, I find that the proposal would not result in any significant harm to the character and appearance of the appeal dwelling and would accord with policy DH1 and DH(a) of the Royal Greenwich Local Plan: Core Strategy (2014), policy D3 of the London Plan (2021) and paragraphs 130 of the National Planning Policy Framework (2021). These collectively seek to ensure that development, including extensions, demonstrate high quality design.

Conditions

10. I have included the standard condition relating to the timing of the implementation of development, and to ensure design quality I have attached conditions requiring compliance with approved plans and materials that match those of the appeal dwelling.

Conclusion

11. The appeal is allowed.

Victor Callister

INSPECTOR