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# Appeal Decision

Site visit made on 17 November 2023

**By Victor Callister BA(Hons) PGC(Oxon) DipTP MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 12.12.2023**

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**Appeal Ref: APP/C5690/D/23/3327275**

**131 Bellingham Road, Catford, Lewisham, London SE6 2PP**

- 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 Momed Ahmed against the decision of The London Borough of Lewisham Council.
  - The application Ref DC/23/131145, dated 13 April 2023, was refused by notice dated 27 June 2023
  - The development is a first floor addition to the rear.
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## Decision

1. The appeal is dismissed.

## Procedural Matters

2. The appeal relates to an application for planning permission for development that has been implemented, therefore the application is retrospective, and I have determined the scheme accordingly.

## Main Issue

3. The main issues are the effect on:
  - The character and appearance of the appeal dwelling and that of the local area; and
  - The living conditions of neighbouring residential occupiers.

## Reasons

### *Character and Appearance*

4. The appeal dwelling is a two storey semi-detached house located in a street of similarly scaled semi-detached and terraced two storey properties. From my site visit, it was evident that many of these, including the appeal dwelling, appear to have been the subject of substantial alteration and extension, particularly at ground floor level.
5. To the rear of the appeal dwelling is an existing single storey flat roofed extension. On top of this is the appeal extension, a fully glazed plastic framed structure, measuring approximately 3.2 metres wide and 4.6 metres deep, with a shallow sloped gazed roof approximately ranging between 2.5 to 2.6 Metres in height. This extension is accessed from a door opening that replaces an original

rear window.

6. The design of the appeal extension as a fully glazed plastic framed structure is of a type usually associated with a ground floor conservatory or green house extensions or installations. It does not reflect the design of the existing dwelling at first floor level, or the more solid traditional design of other rear first floor extensions or outriggers evident in the local area. This results in the appeal extension appearing as an incongruous addition to the appeal dwelling.
7. The combination of the scale of the appeal extension and its incongruity results in it appearing as an overly dominant feature which does not appear as a subservient addition to the appeal dwelling. Given the first floor position of the appeal extension, it is very visible in views from the rear of surrounding properties, from where it appears as an unduly prominent feature that does not reflect the local rear street scene of more traditionally formed solid first floor dwellings and extensions.

#### *Living Conditions*

8. The appeal extension is positioned 0.4 metres from the Boundary with 133 Bellingham Road (No.133) and is positioned close to a first floor window in the rear of this neighbouring property. Although No.33 is approximately 0.25 metres higher than the appeal dwelling, the depth and height of the appeal extension results in a degree of enclosure to the rear of No.33, particularly to the adjacent first floor window. This results in the appeal extension having an enclosing and overbearing effect that causes a substantial loss of outlook to the rear of No.33.
9. The appellants plans indicate that that the appeal extension has an opaque finish to the glazing on its side elevations, however, from my site visit this opaque finish does not appear to have been installed and clear glazing is evident on site. This does result in a degree of overlooking of neighbouring properties that is intrusive and oppressive, leading to a substantial loss of privacy to occupiers of properties No.133 and 129 Bellingham Road. This loss of privacy could, however, be overcome through a suitably worded condition attached to an approval requiring the application and retention of an opaque finish to these windows.
10. For the reasons given above, the appeal extension results in substantial harm to the character and appearance of the appeal dwelling and that of the local area, and further substantial harm to the living conditions of residential occupiers at No.133. The development does not, therefore, accord with Policy 15 of the Lewisham Core Strategy (2011) Policies DM30, DM31 of the Lewisham Development Management Local Plan (2014), Policy D3 of the London Plan (2021) and paragraphs 130 and 134 of the National Planning Policy Framework (2023). These collectively seek to ensure that development is of a high standard of design and that extensions respect and/or complement the original building, are sympathetic to local character and do not undermine the quality of life of neighbouring residential occupiers.

#### **Conclusion**

11. The appeal is dismissed.

*Victor Callister*

INSPECTOR