



Appeal Decision

Site visit made on 16 January 2024 by Ifeanyi Chukwujekwu BSc MSc MRTPI
MIEMA CEnv

Decision by Chris Forrett BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 19 April 2024

Appeal Ref: APP/E5330/D/23/3329022

62 Basildon Road, Abbey Wood, Greenwich, London SE2 0EW

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant approval required under Article 3(1) and Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (the GPDO).
 - The appeal is made by Mr Carlos Rivera against the decision of the Council of the Royal Borough of Greenwich.
 - The application Ref 23/1501/PN1, dated 5 May 2023, was refused by notice dated 14 June 2023.
 - The development proposed is demolition of the existing conservatory and construction of a single storey rear extension which will extend beyond the rear wall of the original dwelling by 5.50m, for which the maximum height will be 3.00m and the height at the eaves will be 2.40m.
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by a representative of the Inspector whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Main Issue

3. The main issue is the effect of the development on the amenity of the occupiers of 60 Basildon Road with particular regard to outlook.

Reasons for the Recommendation

4. The appeal property is a two-storey mid-terraced dwelling with a uPVC conservatory at the rear. It is adjoined to the south by 60 Basildon Road. The proposal would replace the existing conservatory with a brick walled extension which would span almost the entire width of the host dwelling and would extend out to around 5.5 metres from the main rear wall of the property.
5. The appeal proposal, by virtue of its extent of projection, combined with its height and massing would appear as a dominant and oppressive addition particularly when viewed from the ground floor rear habitable room window of 60 Basildon Road.

6. In coming to that view, I acknowledge that there is an existing boarded fence, approximately 1.8 metres high, which separates the rear garden of the appeal property and 60 Basildon Road. I also acknowledge that the appeal property is set at a lower land level than 60 Basildon Road. Notwithstanding these factors, the proposed extension would still be much higher than the existing fence and would appear as an intrusive form of development.
7. In conclusion, the proposal would have an unacceptable impact on the amenity of the occupiers of 60 Basildon Road with regard to outlook. To that end, it is therefore considered that prior approval for the development should not be granted.

Other Matters

8. The Council has raised concern regarding an inconsistency of information provided by the appellant. This appears to relate to the overall height of the proposal and the inclusion of a roof lantern. However, it is clear from the application as well as the submitted drawings that the ridge height of the proposal would be 3 metres with the lantern being slightly higher. It is evident from the submitted plans that the overall height of the proposal (including the roof lantern) would not exceed 4 metres as stipulated by the GPDO. The Council also agree that would be the case. Taking this into account the proposal would be 'permitted development' and I consider that any inconsistency is not sufficient to invalidate the whole submission. Notwithstanding that, given my conclusion on the matter of impact to neighbour amenity, I see no reason to consider this matter any further.

Conclusion and Recommendation

9. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be dismissed, and prior approval should not be granted.

Ifeanyi Chukwujekwu

APPEALS PLANNING OFFICER

Inspector's Decision

10. I have considered all the submitted evidence, and my representative's report, and on that basis the appeal is dismissed.

Chris Forrett

INSPECTOR