



Appeal Decision

Site visit made on 13 March 2025

by M Cryan BA(Hons) DipTP MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23 April 2025

Appeal Ref: APP/E5330/D/24/3351867

19 Lavidge Road, Eltham, London SE9 3NE

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
- The appeal is made by Mr Denis Tufour against the decision of the Council of the Royal Borough of Greenwich.
- The application reference is 24/1888/HD.
- The development is a single storey rear extension and associated external works.

Decision

1. The appeal is allowed and planning permission is granted for a single storey rear extension and associated external works at 19 Lavidge Road, London SE9 3NE in accordance with the terms of the application, reference 24/1888/HD, and the plans submitted with it, subject to the following condition:
 - 1) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), the use of the flat roofed extension hereby approved shall be as set out in the application and no development (including the formation of any door) providing access to the roof shall be carried out, nor shall the roof area be used as a balcony, roof garden or similar amenity area.

Preliminary Matter

2. The planning application form described the scheme as a “Retrospective application for retention of a single storey rear extension and associated external works”. I have omitted the “retrospective” and “retention” elements in the banner heading and my formal decision above, as they are not a description of development. Nevertheless, the development for which planning permission is sought has been carried out, so I was able to see it in place during my site visit.

Main Issue

3. The main issue is the effect of the development on the character and appearance of the area.

Reasons

4. No 19 Lavidge Road is a two-storey semi-detached house dating from around the 1930s. It is within a suburban residential area predominant characterised by dwellings of similar size, style and age, though within that broad similarity there are considerable differences of detail. The appeal property and the attached No 17 are faced with orange-red brick at ground-floor level, with the upper floor finished in white-painted render.

5. The appeal relates to a single-storey extension which has been erected at the rear of the building. It projects around 3.5m beyond the main rear elevation, and spans the entire width of the building, wrapping in an L-shape to connect with an existing two-storey side extension. As part of the development a conservatory which stood at the side of the house has been replaced, and the ground-floor part of a two-storey bay on the rear elevation has been lost. The extension is flat roofed, and faced in orange-red brick.
6. The Council's 2023 *Urban Design Guide* Supplementary Planning Document ("the SPD") provides guidance, including for rear extensions; it says that "where the original rear wall of a house is stepped [...] the original stepped appearance of the property [should be] maintained". It goes on to advise that extensions that do not follow that principle will be discouraged unless it can be demonstrated "that the impact on neighbouring properties and amenity [would be] negligible". Given the differences in materials, the previous conservatory would have maintained the stepped appearance of No 19 in a way which the appeal scheme clearly has not. However, the adjacent property on that side, No 21, is on a corner plot at the junction of Lavidge Road and Birbetts Road, and has an angled relationship with the appeal property; there is also a considerable physical separation between the two dwellings. Notwithstanding any possible conflict with the advice in the SPD in respect of the form of the extension, I am satisfied that it does not harm the amenity of any neighbouring properties.
7. The extension which has been erected is undoubtedly a large addition to the appeal property. However, there remains a generous amount of rear garden (even if it appears from the submitted maps to be a relatively small one compared to many neighbouring properties), and this provides sufficient space to ensure that the extension is not dominant or overwhelming. The removal of the ground-floor part of the rear bay window represents a regrettable loss of an interesting detail, not least as that at the attached No 17 has been retained, and it also appears that Nos 13 and 15 have been extended at the rear without the loss of their two-storey bays. However, given that the extension is at the rear of the property, and in an area where houses have been given a wide variety of extensions and alterations, this loss cannot in my view be said to have caused significant harm to the property or to the wider area. I saw also that the retained first-floor part of the rear bay can still be viewed in the gap between Nos 22 and 24 Birbetts Road, so parts of that original feature can still be seen in public views.
8. I conclude that the effect of the development on the character and appearance of the area has been acceptable. It therefore complies with the requirements of Policies DH1 and DH(a) of the 2014 Royal Greenwich Local Plan ("the RGLP"), and Policy D3 of the London Plan 2021. Together, and among other things, those policies seek to ensure that development takes account of the established layout and spatial character of the area, and that residential extensions are of a scale and design appropriate to the building and locality.

Conditions

9. Paragraph 55 of the Framework states that planning conditions should not be used to restrict national permitted development rights unless there is clear justification for doing so, and the Planning Practice Guidance advises that conditions restricting the future use of permitted development rights or changes of use "may not pass the test of reasonableness or necessity". In this case, given the proximity

of the flat-roofed extension to neighbouring gardens, and the elevated views it would offer across them from close range, I consider that it is reasonable to impose a condition preventing an access way (such as a doorway) to the roof being created, and the use of the roof as a balcony or similar, as suggested by the Council (though I have made very minor alterations to the proposed wording for clarity and consistency with similar cases elsewhere). This condition is necessary to protect neighbours' living conditions in respect of privacy, and to comply with Policy DH(b) of the RGLP.

Conclusion

10. For the reasons given above I conclude that the appeal should be allowed.

M Cryan

Inspector