
Appeal Decision

Site visit made on 22 March 2017

by Brendan Lyons BArch MA MRTPI IHBC

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 12 April 2017

Appeal Ref: APP/E5330/D/17/3168315
7 Manorbrook, Blackheath, London SE3 9AW

- 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 Mukhtar, UTL Limited, against the decision of Royal Borough of Greenwich Council.
 - The application Ref 16/3210/F, dated 28 September 2016, was refused by notice dated 14 December 2016.
 - The development proposed is described as garage alterations including additional storey and front and rear dormer windows.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issue arising from the Council's reason for refusal of the application is the effect of the proposed garage alterations and extension on the character and appearance of the host property and of the surrounding conservation area.
3. A second issue is the effect on the living conditions of neighbouring residents by reason of overlooking and loss of privacy.

Reasons

4. The appeal property is a large detached house that stands in a generous plot accessed from the end of a cul-de-sac road. The house has two main storeys with attic-level accommodation lit by dormer windows. The surrounding residential area forms a distinctive enclave of planned suburban development, served by private roads. This estate forms the bulk of the Blackheath Park Conservation Area.
5. The house is flanked by a detached brick garage, whose tiled mansard roof contains an upper floor lit by small dormer windows centred above the three vehicle doors. Planning permission has recently been granted¹ to add large extensions to the house, which would link the house with the garage on the line of an existing screen wall. Part of that proposal would include a two-storey frameless glass enclosure around new stairs at one gable end of the garage.

¹ Ref 16/0617/F

6. Permission is now sought to add a further level to the garage block, with a new first floor faced in brick and with three tall sash windows to match those in the main house. A new zinc-covered mansard roof would have three single-paned glass dormers on each side. The glazed stair enclosure would rise by another storey and a second-floor balcony would be added to the projection at the opposite gable end.

Character and appearance

7. The submitted Design and Access Statement ('DAS') explains that the house dates only from 2003. The house's painted front adopts an overtly 'Georgian' style, while the garage is designed as a subsidiary outbuilding, also treated in quasi-traditional style, with the dormers expressed as small-scale multi-paned openings. The garage's compact scale is emphasised by the dormers' location directly above eaves level, and not as shown on the submitted plans. With the linking screen wall, the two buildings form a coherent group around the entrance drive.
8. The approved alterations would introduce a degree of change, as the screen wall would be replaced by the front of a single-storey wing, with a large clearly contemporary style window opening, and a glazed balustrade appearing above the parapet. The fully glazed stairwell would form a prominent replacement for one of the hipped-roof brick projections at each end of the garage block. But despite the introduction of these contrasting stylistic elements, the original buildings would maintain their essential relationship of a main house discreetly linked to a clearly subsidiary service building.
9. By contrast, the appeal proposal would involve a much more radical change. The additional storey with full-height windows and the raised position of the dormers on the new roof would inflate the scale of the garage block, which would become much closer in size and scale to the main house. The greatly increased scale of the taller glazed stair enclosure would emphasise its incongruous relationship with the more traditional style and materials of both original buildings. Zinc sheeting could weather to provide a sympathetic roof covering, but the sheer glazing of the proposed dormers would contrast starkly with the subdivided windows below. The raised projection at the western end of the garage, topped by a glass balustrade, would provide a more assertive replacement for the existing hipped roof.
10. As a result, the garage would appear as a rather top-heavy structure, with an over-sized glazed stairwell and an unresolved mix of styles and materials. The garage's relationship with the parent building would be harmed by its increased scale and bulk and by the assertive form and style of the alterations. The coherence of the domestic group would be adversely affected.
11. In considering proposed development affecting a conservation area, section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 imposes a duty to pay special attention to the desirability of preserving or enhancing the area's character or appearance. Policy guidance set out in the National Planning Policy Framework ('NPPF') confirms the great weight in favour of the conservation of 'designated heritage assets', such as conservation areas. The particular significance of any such assets likely to be affected by a development proposal should be identified and assessed. Any harm should require clear and convincing justification.

12. The DAS provides very limited assessment of the character and appearance of the conservation area, and the likely effects of the proposed development. The Council's Conservation Area Appraisal ('CAA') explains that the special interest of the area derives from the development of the former estate as select suburban housing, from the early nineteenth century to the present day. The character of the area is defined by its network of broad private roads and the quality and diversity of its housing, of all periods.
13. As a recent development of some status and quality, the appeal property makes a modest contribution to this character. Although the site lies in a relatively secluded position at the edge of the conservation area, the house and garage provide the public face of the property and are clearly visible through the entrance gates, as well as partly from nearby houses. The proposed alterations, including part of the glazed tower feature, would be seen from the road. The adverse effects of the proposed development would not preserve or enhance the character or appearance of the area.
14. Given the scale of the conservation area and the limited contribution made by the appeal property, the harm to the significance of the heritage asset would be considerably less than substantial. The NPPF advises that any such harm should be weighed against the public benefits of the proposal. In this case, the DAS does not outline the specific purpose of the enlargement of the property. However, I consider that the extra space would be essentially a private benefit. There is no suggestion that the house could not continue in viable residential use in its present form. The harm to heritage significance from alterations of the size and design now proposed would not be outweighed.
15. To conclude on this issue, I find that the alterations and extensions would be contrary to the design objectives of national policy² and of Policy 7.4 of the London Plan (Consolidated with alterations to 2016) ('LP') and of Policy DH1 of the Royal Greenwich Local Plan: Core Strategy with Detailed Policies, adopted 2014 ('CS'), as well as contrary to the specific criteria on the design of residential roof extensions stated by CS Policy DH(a). The proposal would also conflict with national policy on the conservation of heritage assets and with the heritage protection objectives of LP Policy 7.8 and CS Policies DH3 and DH(h),

Living conditions

16. The house immediately to the north, No.5 Manorbrook, is a two-storey detached house with a long rear garden. Its owners' concern about adverse effects on their living conditions due to likely overlooking has been endorsed by interested parties, but not by the Council.
17. The garage stands close to the common boundary but at an angle, and screened by a row of trees. In my assessment, the trees would prevent direct overlooking of the rear-facing rooms and first-floor terrace at No.5 from the proposed new first-floor window on the garage's west elevation. However, owing to the height of the proposed balcony, views over and through the tops of the trees might be possible. I also consider that there would be some overlooking from both the window and the balcony of the more private area of the garden near to the house, which is not already overlooked by neighbours.

² As set out in the Core planning principles and Chapter 7 of the NPPF

18. The proposed rear dormers would directly overlook the lower end of the garden, but this appears to be used more for storage and maintenance and is already overlooked to a degree. Although the proposal would increase close-range overlooking, the effect on residents would not be unacceptably harmful.
19. While the intended use of the proposed upper floors and balcony has not been outlined, it appears likely that there would be some harmful loss of privacy at No.5. The adverse effect on neighbours' living conditions would be contrary to the core principles of the NPPF and to CS Policy DH(b).

Conclusion

20. For the reasons set out above, and having taken all representations into account, I conclude that the appeal should be dismissed.

Brendan Lyons

INSPECTOR