

Appeal Decision

Site visit made on 19 June 2017

by D. M. Young BSc (Hons) MA MRTPI MIHE

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

Decision date: 07 July 2017

Appeal Ref: APP/E5330/W/17/3173761

Ground Floor Flat, 30 Hillreach, Woolwich SE18 4AJ.

- 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 Thomas Devereaux against the decision of Royal Borough of Greenwich Council.
 - The application Ref 16/3528/F, dated 24 October 2016, was refused by notice dated 20 December 2016.
 - The development proposed is the retention of timber framed canopy in the rear garden.
-

Decision

1. The appeal is dismissed.

Preliminary Matters

2. I have taken the description of development from the Council's Decision Notice as this is more succinct than the version provided on the Application Form.
3. Access to the rear of the property was not possible when I conducted my site visit. I was however able to get a good view of the canopy over the rear boundary fence from the south side of Pellipar Gardens.
4. The Council's second reason for refusal refers to the Residential Extensions SPD. However, as a copy of this document was not provided with the Appeal Questionnaire I have been unable to assess its relevance to the appeal scheme.

Main Issues

5. The main issues are the effect of the proposal on, firstly, the character and appearance of the area and, secondly, the living conditions of the occupiers of neighbouring dwellings with particular regards to outlook.

Reasons

Character and appearance

6. The development comprises an L-shaped, timber framed structure supporting a series of translucent corrugated roof panels. It is located to the rear of 30 Hillview, a traditional terrace property that has been sub-divided into 2 private flats.
 7. The canopy is without doubt an unsightly and crudely built structure. Its incongruence is exacerbated by its height and materials which contrast markedly with the traditional brickwork in the area. I accept that the harm
-

could be reduced to some extent by painting the timber frame. However, in my view this would not overcome the discordant nature of the roof panels which relate poorly to their surroundings.

8. Consequently, I conclude that the canopy causes unacceptable harm to the character and appearance of the area. There is thus conflict with the aims and objectives of Policies 7.4 and 7.6 of "*The London Plan 2016*" and Policy DH1 of the "*Royal Greenwich Local Plan: Core Strategy with Detailed Policies 2014*" (the CS). Collectively these seek to protect the Borough's image and the way it is seen by ensuring new development is of a high quality that contributes to the improvement of the built environment.

Living conditions

9. Other than a fleeting reference to the occupiers of the first floor flat, there is scant evidence before me to explain how the Council came to the view that the canopy causes unacceptable harm to the outlook of neighbouring residents. I accept that the structure might well be visible in angled downward views from some of the first floor windows. However, mere visibility does not equate to an unacceptable loss of outlook. In this case given its siting the canopy cannot reasonably be described as overbearing or dominant particularly as this is a built up area where some intrusion into view is almost inevitable.
10. I have noted comments from the occupiers of 29 Hillreach that the canopy impinges on views from that property. However notwithstanding that there is no right to a view, for many of the reasons set out above, I am not persuaded that the level of harm is sufficient to bring the development into conflict with the development plan.
11. Overall on the second main issue I conclude that the development does not cause unacceptable harm to the living conditions of neighbouring occupiers with particular regard to outlook. Accordingly there is no conflict with Policy DH(b) of the CS.

Other Matters

12. Whilst I can understand the appellant's desire to make the fullest use of his garden during adverse weather, this does not outweigh the harm I have identified. In any event, it strikes me that there are other, less visual intrusive ways in which the appellant's requirements could be met.

Conclusion

13. For the reasons given above and taking into account all other matters raised, I conclude that the appeal should be dismissed.

D. M. Young

Inspector