

Appeal Decisions

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 A Ref: APP/E5330/W/17/3171835

56 Bushmoor Crescent, Plumstead SE18 3EF.

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application for planning permission.
 - The appeal is made by Mr Mark & Mrs Serwa Agyeman-Botchey against the decision of Royal Borough of Greenwich Council.
 - The application is Ref 16/3076/F, dated 19 September 2016.
 - The development proposed is a loft conversion comprising rear dormer window and two front roof lights.
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Appeal B Ref: APP/E5330/W/17/3171844

56 Bushmoor Crescent, Plumstead SE18 3EF.

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application for planning permission.
 - The appeal is made by Mr Mark & Mrs Serwa Agyeman-Botchey against the decision of Royal Borough of Greenwich Council.
 - The application is Ref 16/3077/F, dated 19 September 2016.
 - The development proposed is the demolition of the existing garage and erection of single storey rear extension.
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Decision

1. Appeal A is dismissed insofar as it relates to the front and side rooflights. The appeal is allowed insofar as it relates to the rear dormer window and planning permission is granted for a loft conversion with rear dormer at 56 Bushmoor Crescent, Plumstead SE18 3EF in accordance with the terms of the application, Ref 16/3076/F, dated 19 September 2016, subject to the conditions set out in the schedule to this decision.
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 1/1250 location plan, R16/03/P/02 rev A.
 - 3) No development shall take place until details of the materials to be used in the construction of the external surfaces of the dormer window hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details and retained thereafter.
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2. Appeal B is allowed and planning permission is granted for the demolition of the existing garage and erection of single storey rear extension at 56 Bushmoor Crescent, Plumstead SE18 3EF in accordance with the terms of the application, Ref 16/3077/F, dated 19 September 2016 subject to the conditions set out in the schedule to this decision.
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 1/1250 location plan, R16/03/P/05 rev A and R16/03/P/04 Rev A.
 - 3) No development above slab level shall take place until details of the materials to be used in the construction of the external surfaces of the extension hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details and retained thereafter.

Procedural Matters

3. Both appeals are made against the failure of the Council to determine the applications within the prescribed period. In relation to Appeal A, the Questionnaire indicated that the Council were to submit a Statement of Case, however none was received. No Questionnaire or associated documents have been received in respect of Appeal B and no development plan policies have been cited or provided in relation to either appeal.
4. I have taken the description of development in Appeal A from the Council's Acknowledgement letter as this is more accurate than the version provided by the appellant on the Application and Appeal Forms. Two sets of plans were submitted with the appeal documentation for Appeal A. Following a request for clarification, the appellant has confirmed that he wishes the appeal to be determined on the basis of Drawing no R16/03/P/02 rev A.
5. As set out above there are two separate appeals. However, whilst I have considered each appeal on its individual merits, as they raise similar issues I have dealt with them in a single decision letter.
6. The site and surrounding area are within the Shrewsbury Park Estate Conservation Area (SPECA). Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) requires that in the exercise of planning powers in conservation areas, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

Main Issues

7. In the absence of any supporting information from the Council, I consider the main issue in both appeals to be the effect on the character and appearance of the SPECA.

Reasons

8. Paragraph 131 of the "*National Planning Policy Framework*" (the Framework) requires account to be taken of the desirability of sustaining and enhancing the significance of heritage assets and the desirability of new development making

- a positive contribution to local character and distinctiveness. When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation.
9. The SPECA is a high quality 1930's planned estate development of detached and semi-detached properties set in spacious tree lined streets. The appeal property is a semi-detached residence located on the south side of Bushmoor Crescent roughly opposite Shrewsbury House.
 10. A defining characteristic of the estate is the consistency of design particularly to the road facing facades. This includes the retention of many of the original features including windows, doors and chimneys. As I saw when I visited the area the majority of roofs remain unaltered. These features contribute positively to the character and appearance of the SPECA as a whole and its significance as a designated heritage asset.
 11. In Appeal A the scheme includes the insertion of two small rooflights in the front and side roofslope to facilitate the conversion of the loft space to living accommodation. Although small, these would be clearly visible in views from Bushmoor Crescent and neighbouring properties.
 12. In my opinion the rooflights would detract from the uniform and original roofscape that distinguishes this part of the SPECA. Given the special attention that has to be paid to the desirability of preserving or enhancing the character or appearance of conservation areas as set out in the Act, this harm weighs substantially against the proposal. Paragraph 134 of the Framework indicates that where a development proposal will lead to less than substantial harm this harm should be weighed against the public benefits; I have not identified any significant public benefits in this case. As a result I consider that the rooflights would detract from the character and appearance of the SPECA.
 13. Given the siting of the rear dormer window, it would not be readily visible from the public domain. Moreover, I noted when I visited the site that rear roof additions/extensions of one form or another are not uncommon. Consequently and in the absence of any argument from the Council to the contrary, I conclude that the development would not cause material harm to the character and appearance of the SPECA.
 14. As the front and side rooflights are clearly severable both physically and functionally from the rear dormer, I intend to issue a split decision in this case and grant planning permission for the rear dormer only.
 15. In Appeal B, permission is sought for a modest rear extension following the removal of the existing unsightly flat-roof garage which is visible from Bushmoor Crescent. When I conducted my site visit I was able to see that several large rear extensions have been erected to the rear of houses in the vicinity. Like the rear dormer, the extension would have very limited visual exposure from public vantage points. The extension would be of an appropriate scale and would not dominate the host building. It would also be constructed in matching materials. Based on the foregoing, I conclude that the extension would not harm the character and appearance of the SPECA.

Other Matters

16. I have noted concerns about the potential of the loft conversion to cause structural damage to the neighbouring property. However, there is no

evidence before me to explain why this should be so and in any event, even if this were to occur it would be a private matter between the relevant parties.

17. Finally, I have noted concerns about overlooking. However, taking account of the position and height of the rear dormer as well as the presence of existing habitable room windows in the rear elevation, I find that any loss of privacy would be negligible.

Conclusion

18. For the reasons given above and taking into account all other matters raised, I conclude that Appeal A should be dismissed insofar as it relates to the rooflights and succeed insofar as it relates to the rear dormer. Appeal B should succeed. In both appeals I have imposed conditions specifying the approved plans as these provide certainty. I have also imposed conditions relating to external facing materials to ensure the satisfactory appearance of the development.

D. M. Young

Inspector