
Appeal Decision

Site visit made on 16 May 2017

by L J O'Brien BA (Hons) MA

a person appointed by the Secretary of State for Communities and Local Government

Decision date: 23rd August 2017

Appeal Ref: APP/E5330/D/17/3171272

58 Foxes Dale, Blackheath, SE3 9BQ

- 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 and Mrs Robert McLeod against the decision of the Royal Borough of Greenwich Council.
 - The application Ref 16/3507/F, dated 21 October 2016, was refused by notice dated 16 December 2016.
 - The development proposed is described as "Construction of a 3-storey front extension, formation of table-top roof including two rear dormer windows and various fenestration and facade alterations to front elevation".
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Preliminary Matter

1. The description of development was altered between the application form and appeal form. I have taken the description of the development from the appeal form as it best reflects the proposal.

Decision

2. The appeal is allowed and planning permission is granted for construction of a 3-storey front extension, formation of table-top roof including two rear dormer windows and various fenestration and facade alterations to front elevation at 58 Foxes Dale, Blackheath, SE3 9BQ in accordance with the terms of the application, Ref 16/3507/F, dated 21 October 2016 subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.
 - 3) The development hereby permitted shall be carried out in accordance with the following approved plans: TGA.0178/01 D, TGA.0178/02 and S15/5100/01.

Main Issue

3. The main issue in this appeal is the effect of the proposal on the character and appearance of the host dwelling and the wider area; including whether or not the development would preserve or enhance the Blackheath Park Conservation Area.

Reasons

4. No. 58 Foxes Dale, the appeal property, is a two-storey detached dwelling set back from the road within a front garden area. There is a large garden area to the rear. The site is situated within the Blackheath Park Conservation Area (CA).
5. The CA is a "heritage asset" as defined by the National Planning Policy Framework (NPPF), which seeks to ensure that heritage assets are conserved in a manner appropriate to their significance. Where a development would lead to less than substantial harm to the significance of an asset, the harm should be weighed against the public benefits.
6. Foxes Dale is a wide tree-lined road characterised by fairly large properties giving the area an open, green appearance and a sense of grandeur. Whilst there is a variety in the architecture there are a number of very similar properties with key characteristics, including gabled projections at the front.
7. The appeal property does not display these key characteristics and has a distinctly different character and appearance to many others in the vicinity and does not reflect any one prevailing architectural style. The character of Foxes Dale is increasingly varied in the immediate vicinity of the appeal site. The neighbouring property at No. 56, for example, has a vastly different character and appearance from others in the locality.
8. Indeed, the Blackheath Park Conservation Area Appraisal 2013 (the Appraisal) states that the special significance of the area comes from the quality and diversity of its housing and goes on to say that some designs are progressive whilst others are more conservative.
9. The proposal would dramatically alter the front of the host dwelling. A substantial three-storey gabled projection would be introduced in roughly the centre of the front elevation and the building line would be brought slightly forward at ground floor level. This would represent a significant addition to the dwelling and would give the building a markedly different appearance.
10. However, the dwelling is already unlike others in the area and the use of complementary materials would ensure a sense of cohesion with other neighbouring properties remained. The gabled projection would also reflect others along Foxes Dale.
11. The fenestration would be altered to respect the increase in the scale and proportions of the property and would have panels of cedar cladding alongside to reflect the materials found elsewhere in the area. I accept that the proposed table-top roof would add to the bulk of the property and would not match the roof forms of a number of the other properties in the area. Nevertheless, as discussed above, the existing dwelling, including its roof, differs from those around it and further differences would not be such that it would appear incongruous or out of keeping with others in the area. Moreover, a variety of different roof forms are apparent along Foxes Dale and no single style is dominant.
12. Whilst I appreciate that the altered dwelling would be large, in my view, the plot is capable of accommodating a dwelling of this size and the scale of the property would be in keeping with the sense of grandeur along the street. Though the dwelling would not be the same as others around it, it would reflect

key design elements and materials and would not look out of place within the street scene. The verdant character of the area would also ensure that the dwelling would be softened when viewed from a number of vantage points along Foxes Dale.

13. The alterations to the rear of the dwelling also involve changes to the fenestration to better suit the appearance of the altered dwelling and the brick facade would be rendered. Two dormer windows would be introduced which, whilst reasonably large, would be set-back from the eaves and down from the ridge of the dwelling thus appearing subservient and of an appropriate scale. These dormers would be sufficiently distant from neighbouring properties so as not to harm living conditions at those properties in respect of privacy.
14. For the reasons outlined above, I conclude that the development would not be harmful to the character and appearance of the host dwelling and would further enhance the quality and diversity of the housing in the CA in accordance with the special significance identified in the Appraisal. The character and appearance of the CA and the significance of the heritage asset would be preserved.
15. The proposal would, therefore, accord with the aims of policies DH1 and DH(a) of the Royal Greenwich Local Plan Core Strategy (CS), adopted July 2014. Amongst other things, these policies require all developments to be of a high design quality, to promote local distinctiveness by providing a site specific design solution and to provide a positive relationship between the proposed and existing urban context. I have also found no conflict with policies DH3 and DH(h) of the CS. These policies are concerned with protecting and enhancing the borough's heritage assets, including conservation areas.
16. The proposal would also meet the aims of policies 7.4 and 7.6 of the London Plan (LP), March 2016 which require development to provide a high quality design response which complements the local architectural character and optimises the potential of sites. There would also be no conflict with policy 7.8 of the LP which states that development should conserve the significance of heritage assets.
17. I acknowledge that elements of the proposal would not be consistent with guidance contained within the Residential Extensions, Basements and Conversions Guidance Supplementary Planning Document, July 2016 (SPD). The SPD advises that front extensions will normally be refused if they are larger than a porch. However, the SPD is guidance and I consider that the proposal would not conflict with its aim of preventing bulky additions which adversely affect the character and appearance of the host dwelling. The SPD also offers guidance that the total width of a dormer window should ideally be no greater than the window openings on the storey below. In this instance the dormers would be slightly wider than the windows on the storey below, however, due to the proportions of other glazed areas to the rear of the property, and the fact that they would be set-back and set-down, the dormers would not cause the dwelling to appear unbalanced and would not cause harm to its character and appearance.
18. Having regard to my conclusions on the main issue and all other matters raised, including the objections raised by local residents, and the conclusions of my colleague who dealt with a broadly similar appeal nearby (APP/E5330/A/08/2070324), I conclude that the appeal proposal is acceptable

and would not adversely affect the character or appearance of the CA. The appeal therefore succeeds.

Conditions

19. In addition to the standard commencement condition, one that requires the development to be undertaken in accordance with the approved plans is necessary in the interests of certainty. A condition which requires the external surfaces to match those of the existing building is necessary in order to ensure a satisfactory appearance to the proposed development.

L J O'Brien

APPOINTED PERSON