



Appeal Decision

Site visit made on 11 September 2017

by G D Jones BSc(Hons) DipTP DMS MRTPI

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

Decision date: 21 September 2017

Appeal Ref: APP/E5330/D/17/3181104

71 Foyle Road, Blackheath SE3 7RQ

- 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 Simon Hummel against the decision of Royal Borough of Greenwich Council.
 - The application Ref 17/1048/F, dated 13 March 2017, was refused by notice dated 25 May 2017.
 - The development proposed is the erection of a two-storey rear extension and internal re-planning.
-

Decision

1. The appeal is allowed and planning permission is granted for the erection of a two-storey rear extension at 71 Foyle Road, Blackheath SE3 7RQ in accordance with the terms of the application, Ref 17/1048/F, dated 13 March 2017, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved drawings: No 1002/01; No 1002/02 Rev A; No 1002/04; No 1002/05; No 1002/06; No 1002/07 Rev A; No 1002/08; No 1002/15 Rev H; No 1002/16 Rev B; No 1002/17 Rev E; No 1002/18 Rev E; No 1002/19 Rev D.
 - 3) The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those used in the existing building.

Preliminary Matters

2. The appeal scheme is for a two-storey rear extension. The evidence refers to an existing planning permission for a single storey extension which is said to be broadly equivalent to the ground floor element of the appeal scheme. When I conducted my site visit I noted that the approved scheme had not been constructed. Consequently, I have assessed and determined the appeal on the basis of the appeal scheme in its entirety. Nonetheless, I have found no reason to believe that the ground floor scheme does not represent a legitimate fallback option, nor that it would not be implemented in the event that the current appeal were to fail. I have also adjusted the description of the development in my formal decision as any 'internal re planning' would not amount to development and, therefore, would not require planning permission.

Main Issues

3. The main issues are the effect that the proposed development would have:
 - On the character and appearance of the host building as a locally listed building and the surrounding area, including whether it would preserve or enhance the character or appearance of the Westcombe Park Conservation Area; and
 - On the living conditions of the occupants of 73 Foyle Road in terms of sense of enclosure and loss of outlook.

Reasons

Character & Appearance

4. The appeal property is one half of a pair of two-story, semi-detached houses located within a predominantly residential area. It also forms part of a locally listed¹ group of buildings Nos 67-77 (odd) and is located within the Westcombe Park Conservation Area (the CA). The Council has produced an Appraisal document for the CA², which amongst other things reasonably defines the special historic interest of the area.
5. The first floor element of the proposed extension would replace an existing first floor rear projection, which features a reasonably large roof terrace above it at roughly mid-first-floor level. When I visited the appeal site I observed that a number of the neighbouring properties, including those within the locally listed group, have a similar projection and terrace above.
6. The loss of that projection and terrace feature at the appeal site would not harm the significance of the CA or the host building and group as locally listed buildings. This is principally because this feature would be retained at the neighbouring properties and as the additional mass proposed would represent a reasonably modest addition over and above that of the existing first floor rear projection. Moreover, its simple form would echo that of what it would replace, while leaving much of the rear first floor elevation and roof plane unaffected, thereby allowing the original built form to remain legible.
7. For all of the foregoing reasons, the appeal development would not have a detrimental effect on the host locally listed building and adjoining locally listed properties or the contribution these properties make to the significance of the CA and would preserve the latter's character and appearance. Consequently, in this respect, the scheme accords with Policies 7.4 (Local Character), 7.6 (Architecture) and 7.8 (Heritage Assets and Archaeology) of the London Plan 2016, Policies DH1 (Design), DH3 (Heritage Assets) and DH(h) (Conservation Areas) of the Royal Greenwich Local Plan: Core Strategy 2014 (the Core Strategy) and with the Residential Extensions, Conversions and Basements Supplementary Planning Document 2016 (the SPD) and the Westcombe Park Conservation Area Character Area Appraisal 2013.

Living Conditions

8. The proposed extension, although greater in height, width and depth than the existing first floor structure, would nonetheless represent a reasonably modest increase in built form relative to the existing rear projection combined with the

¹ Buildings of Architectural or Historic Interest

² Westcombe Park Conservation Area Appraisal, the Royal Borough of Greenwich Council, 2010

consented ground floor extension. The first floor element would also be set some distance back from the boundary with No 73. For these reasons, the appeal scheme would not have a significant effect on the living conditions of the occupants of No 73, including in terms of sense of enclosure and outlook, beyond that which would arise were the fallback scheme to be implemented. On this basis, therefore, the appeal extension would not materially conflict with Policy DH(b) (Protection of Amenity for Adjacent Occupiers) of the Core Strategy or with the SPD.

Other Matters

9. The appellant has raised a number of other matters that it considers should have been taken into account when the planning application was determined. While I have taken these into consideration, they have not altered my overall conclusion.

Conditions and Conclusion

10. In addition to the standard time limit condition the Council has requested two conditions which I have considered in the light of government guidance. In order to provide certainty, a condition requiring that the development is carried out in accordance with the approved plans would be necessary. A condition to control the facing materials of the extension would also be necessary to protect the character and appearance of the area.
11. I conclude, therefore, that the appeal should be allowed subject to the identified conditions.

G D Jones

INSPECTOR