



Appeal Decisions

Site visit made on 5 August 2019

by D Jackman BA(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16 September 2019

Appeal A: Appeal Ref: APP/E5330/D/19/3228088 149 Blackheath Park London SE3 0HA

- 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 Stephen True against the decision of the Council of the Royal Borough of Greenwich.
 - The application Ref 18/4340/F, dated 12 December 2018, was refused by notice dated 6 February 2019.
 - The development proposed is construction of a single storey rear infill extension.
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Appeal B: Appeal Ref: APP/E5330/D/19/3231998 149 Blackheath Park London SE3 0HA

- 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 Stephen True against the decision of the Council of the Royal Borough of Greenwich.
 - The application Ref 19/0991/F, dated 14 March 2019, was refused by notice dated 24 May 2019.
 - The development proposed is construction of a single storey rear infill extension together with alterations to the rear garden.
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Decisions

1. Appeals A and B are dismissed.

Procedural Matter

2. As set out above, there are two appeals relating to this site. They differ only in the proposed bridge over the pond to allow access to the raised bed from the proposed extension in Appeal B. I have considered each proposal on its individual merits. However, to avoid duplication I have dealt with the two schemes together, except where otherwise indicated.

Main Issue

3. The main issue in both appeals is whether the proposed development would preserve or enhance the character or appearance of the Blackheath Park Conservation Area.

Reasons

4. The Blackheath Park Conservation Area Appraisal 2013 (the Appraisal) identifies the special significance of the Conservation Area (CA) as being derived from the quality and diversity of its housing, ranging from grand Georgian and Victorian villas to compact flats. The significance of the CA is both architectural and historical.
5. One of the notable features of the CA is the quality of its post-war housing estates, especially the Span developments of the 1950's and 60's. Landscaping is a high priority and communal gardens, front and back gardens and mature trees create a green character. The Appraisal identifies that hallmarks of the Span developments include short terraces of houses and flats, often grouped round courtyards or set amongst shared gardens.
6. The appeal property is one of 19 houses, known collectively as Park End, within a cul-de-sac of similar properties at the east end of Blackheath Park. Park End is identified in the Appraisal as an example of a Span development. Despite some development in the rear gardens, such as outbuildings, most rear gardens are relatively development free and their open aspect, and cohesive and distinctive layout, significantly contribute to the character and appearance of the CA.
7. The appeal property is a mid-terrace house which is set in a landscaped environment with a shared, green amenity area to front. The appeal property has a front garden with a useable sitting out area and a rear garden which includes a pond and garden room. These features do not diminish its open and green character.
8. In each appeal the proposed extension would form a linkway from the kitchen in the main house to the garden room. Each would span much of the length of the garden and would be excessively large and dominant covering a significant proportion of the garden. For both proposals, the uncharacteristic layout would diminish the form and green character of the garden and as such they would detract from the appeal property's original character and be neither subservient nor sympathetic to the host dwelling.
9. I note that there has been some disagreement between the appellant and the Council regarding the percentage reduction in garden space from the proposed developments and whether the pond area should be included in the calculation of useable amenity space. The appellant proposes the bridge over the pond, in appeal B, to add to the useable nature of the pond.
10. The Council's Residential Extensions, Basements and Conversions Guidance Supplementary Planning Document (2016) states that extensions should not reduce the garden to such an extent that it is out of scale with the house nor should they over dominate the garden. The guidance suggests that this could be the case where an extension takes up more than 50% of the existing garden space, or in CA's where the open aspect of gardens is a characteristic of the spatial layout of the CA.
11. It is appreciated that the proposals would optimise the use and enjoyment of the rear, north facing garden and garden room, incorporating glazing to give a transparent aspect. Furthermore, the appearance of the extensions would reflect some details of the existing property such as yellow brickwork similar to

that existing, and include painted hardwood timber windows in the spirit of the original Span design. I recognise the valuable contribution that the pond makes to the amenity of the rear garden and acknowledge that the residents of the appeal property also enjoy a private front garden and use of the communal garden to front. However, each proposed extension would result in an excessive amount of built form in the rear garden, as detailed above, and it is this, rather than a slavish adherence to percentage figures which are merely guidance, that has led to my dismissing the appeals.

12. All in all, the visual qualities of the host property and the surrounding area would be harmed so that the character or appearance of the CA would be neither preserved nor enhanced. In each appeal, the rear extension would only be visible in private views but this would not diminish the harm that would be caused due to the excessive size of each of the proposed extensions.
13. The harm caused to the CA by the proposals would be less than substantial. In accordance with paragraph 196 of the National Planning Policy Framework, such harm needs to be weighed against the public benefits of the proposal. Whilst the development would allow the residents to interact more with the north facing garden and garden room, forming a 'winter garden' which could be enjoyed for 12 months of the year, this would be a private benefit and I have therefore attached little weight to this point. Having given considerable importance and weight to the special regard I must have to the desirability of preserving or enhancing the character or appearance of the CA, those benefits would not be sufficient to outweigh the harm identified.
14. The proposals would not accord with the local character and heritage requirements of policies 7.4 and 7.8 of the London Plan. Furthermore, there is a conflict with policies DH1, DH3, DH(a) and DH(h) of the Royal Greenwich Local Plan: Core Strategy with Detailed Policies (2014) which seek, amongst other things, to ensure that development proposals should be of a high quality of design that positively contributes to the improvement of the built environment, be of an appropriate design and scale and preserve or enhance the character or appearance of heritage assets.

Other Matters

15. Reference has been made to another Span house close by in The Plantation, which has a rear extension occupying about 50% of the rear garden with a mostly brick frontage onto the garden. The precise details of this development are not before me. In any event, I have considered both of the appeal schemes on their own merits.
16. I note that the Council raised no concerns with respect to the living conditions of the occupiers of neighbouring properties. Based on the evidence before me, together with observations during my site visit, I have no reason to take a different view. However, the absence of any issues in this respect does not justify the harm otherwise identified.

Conclusion

17. For the reasons given above, and taking all other matters raised into consideration, I conclude that both appeals should be dismissed.

D Jackman

INSPECTOR