



Appeal Decision

Site visit made on 9 March 2020

by D Hilton-Brown BSc (Hons) CIEEM

an Inspector appointed by the Secretary of State

Decision date: 07 April 2020

Appeal Ref: APP/E5330/W/19/3241122
126 Charlton Road, Charlton SE7 7EY

- 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 Bastas against the decision of Royal Borough of Greenwich Council.
 - The application Ref 19/0390/F, dated 01 February 2019, was refused by notice dated 13 May 2019.
 - The development proposed is the demolition of existing hipped roof at 124 Charlton Road to construct a gabled roof over 124 & 126 Charlton Road with three front rooflights, three rear rooflights, two rear dormer windows to facilitate the formation of a 1-bed flat at 126 Charlton Road and construction of a part 1/ part 2 storey extension with green roof at 126 Charlton Road.
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Decision

1. The appeal is dismissed.

Application for costs

2. An application for costs was made by Mr Bastas against Royal Borough of Greenwich Council. This application is the subject of a separate Decision.

Procedural Matter

3. The address given in the original planning application was 126 Charlton Road. However, this proposed development relates to works at Nos 124, 126 and 128 Charlton Road. This is referenced by both the appellant and the Council and I have therefore assessed the appeal on this basis.

Main Issues

4. The main issues are the effect of the development:
 - (a) on the character and appearance of the host dwellings and the immediate area and;
 - (b) on the living conditions of the future occupiers of No 126 Charlton Road, having particular regard to privacy.

Reasons

Character and appearance

5. The appeal site consists of 3 residential units, (Nos 124, 126 and 128) within a

pair of semi-detached dwellings at the end of Charlton Road. Both parties acknowledge that No 124, with its hipped roof, was originally a detached property, whilst Nos 126 and 128 were constructed at a later date with a flat roof.

6. The proposed development would result in the demolition of the hipped roof at No 124 and its replacement with a new hip-to-gable roof extension with 2 rear dormers above Nos 124, 126 and 128. Furthermore, the development would create a part 1-storey and part 2-storey extension to the rear of Nos 126 and 128. Together, along with other alterations, this would increase the internal size of the existing units and create a new one-bedroom studio flat within the roof space above Nos 126 and 128.
7. The houses on the south side of Charlton Road between the appeal properties and No 88 are mainly of a similar design and character. Hipped roofs are the predominate feature of this row of houses except for Nos 90 and 94 at the far end which have undergone conversion to gable ends.
8. This proposed development would provide additional housing stock and add some uniformity between the pair of semi-detached dwellings. However, despite the use of sympathetic materials, it would still be at odds with the prevailing roofscape in the immediate vicinity on this side of Charlton Road. This would be exacerbated by its end of row position. The gable end on Nos 126 and 128 would be clearly visible when traveling in a westerly direction along Charlton Road. This would create a prominent and discordant feature which would be incongruous within the streetscape when viewed from this end of the housing row. Furthermore, the gable end on No 124 would also result in a loss of symmetry with the neighbouring property at No 122.
9. The appellant and Council are in disagreement about whether other properties within this row of housing could introduce hip-to-gable extensions under permitted development rights. Notwithstanding, I can give this little weight and I must assess this appeal on its own planning merits and in relation to what was present during my site visit.
10. The symmetry of this row of houses is further characterised by matching bay windows and fenestration. At the present time, the fenestration of Nos 126 and 128 does not match the majority of this row of houses. However, the proposed development would not propose any major changes to the front elevation. Therefore, I can give the matter of the asymmetric front elevation, as referenced by the Council, little weight in this appeal.
11. The proposed 2-storey element of the rear extension would be partially visible from the eastern end of Charlton Road. Although, I deem that this could not be considered to be significant, as the majority of the structure would be screened by the existing boundary wall and trees. I have taken into consideration that the trees are not permanent structures and there would be little to prevent their removal in the future. Nevertheless, the views of the 2-storey roof, from Charlton Road would be oblique and fleeting, whilst most of the rear extension would be screened by the wall rather than the trees. I have also taken into account the benefits that would be provided by the flat roof in relation to outlook and biodiversity.
12. Pedestrian access was available from Charlton Road up on to Birch Tree Court, Rectory Field Crescent and beyond to the neighbouring housing estates.

However, I can give this little weight as the Council's policies and guidance on 2-storey flat roofs mostly relate to visibility from the public highway.

13. The appellant has provided examples of other approved schemes within the London Borough of Greenwich. These cases are not within the locality of this particular case, are not directly comparable to the appeal development in terms of their context and relate mainly to mansard roof extensions. In any case, the existence of development elsewhere does not represent an appropriate reason to find in favour of a proposal that would cause harm to the character and appearance.
14. Reference has been made to policy H2 of the draft London Plan, Spatial Development Strategy for Greater London (December 2019). However, this has not been adopted yet and does not hold the same weight as the Council's adopted planning policies. Notwithstanding, I have taken this into consideration in this case. It is evident that the Council have not objected to the principle of this development and that policy H2 still requires development to be well designed. I have therefore assessed the proposals against the existing adopted policies and guidance as set out below.
15. Overall, I judge that the development would have a detrimental effect on the character and appearance of the host dwellings and the immediate area due to the proposed hip-to-gable roof. Although in this case I do not find harm due to the proposed 2-storey rear extension. As such, it would fail to accord with policies 7.4 and 7.6 of the London Plan, The Spatial Development Strategy For London Consolidated With Alterations Since 2011, March 2016 (the London Plan), policies DH1, and DH(a) of the Royal Greenwich Local Plan Core Strategy with Detailed Policies, July 2014 (the Core Strategy), and the Royal Borough of Greenwich, Residential Extensions, Basements and Conversions Guidance Supplementary Planning Document, 2018 (the SPD). Together these require development to be of a high quality design that is appropriate and makes a positive contribution to the character of a place.

Living conditions

16. The garden to the rear of Nos 126 and 128 would remain as a shared recreational space as part of these proposals. It would be large enough to incorporate any additional occupants of these flats. The occupiers of the new second floor studio flat would not have access to this shared space, as additional internal space has been provided. Therefore, no potential increase in use of the garden would be anticipated from this unit.
17. Number 126, the ground floor unit, would benefit from larger windows as part of this development. The Council has concerns that this would reduce the privacy for the occupiers of this flat. I acknowledge that visibility into the habitable rooms of No 126 would increase due to this proposed fenestration. This would have a detrimental impact on the living conditions of the occupiers of this flat due to the recreational use of the shared garden. However, I consider that were I going to allow this appeal, that a suitable condition could have been imposed which reconfigured and segregated the garden. This would have ensured that the occupants of No 128 used the rear of the garden, thereby reducing the issue of overlooking and privacy for the occupiers of No 126.

18. Consequently, a condition relating to the reconfiguration of the shared garden, could therefore prevent any detrimental impact on the living conditions of No 126 in relation to privacy. As such the proposal would comply with policy 3.5 of the London Plan, policies H5 and DH1 of the Core Strategy and the Mayor of London, Housing Supplementary Planning Guidance, London Plan 2016. These require development to provide access to private gardens and ensure that external spaces have a high quality of design.

Other Matters

19. The appellant has raised issues regarding the inconsistency of the Council's planning guidance and assessment. However, I can give this matter little weight in this appeal and it remains a matter between the Council and the appellant.

Conclusion

20. I conclude that the appeal proposal would not harm the living conditions of the occupiers of No 126. However, it would have a detrimental effect on the character and appearance of the host dwelling and the immediate area due to the proposed hip-to-gable roof. This outweighs the lack of harm found on the issue of living conditions. For the reasons given above, and having had regard to all other matters raised, I conclude that the appeal should be dismissed.

D Hilton-Brown

INSPECTOR