



Appeal Decision

Site visit made on 11 August 2020 by C Brennan BAE (Hons) M.PLAN MIPI

Decision by Andrew Owen BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 1 September 2020

Appeal Ref: APP/E5330/D/19/3242634

139 Eltham Palace Road, Eltham SE9 5NA

- 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 Ms Elena Cernakovs against the decision of the Council of the Royal Borough of Greenwich.
- The application Ref 19/3634/HD, dated 18 October 2019, was refused by notice dated 4 December 2019.
- The proposed development is construction of rear single storey extension, front porch and first floor extension above attached garage/conversion of existing garage into habitable space.

Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Main Issues

3. The main issues are:
 - i) the effect of the proposed development on the character and appearance of the site and surrounding area.
 - ii) The effect of the proposal on the living conditions of the occupants of No 141, with particular reference to outlook.

Reasons for the Recommendation

Character and Appearance

4. The appeal site accommodates an end-of-terrace dwelling on the northern side of Eltham Palace Road. The appeal property forms part of a terrace of four dwellings (Nos 133-139) which are characterised by their Arts and Crafts detailing, distinctive half-hipped roof forms and overall symmetrical appearance. Similar terraces of four dwellings are seen along the street, such as Nos 141-147 to the immediate east of the appeal site. As such, the appeal property and the host terrace are consistent with and contribute to the character and appearance of the established local townscape.
 5. As seen from the street, the proposed first-floor side extension would unbalance the symmetry of the terrace of Nos 133-139. The associated hipped
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roof over the first-floor side extension would also result in the loss of the distinctive half-hipped roof form, further distorting the symmetrical proportions and coherent appearance of the terrace.

6. Furthermore the extension would be wider than half the width of the main house, and so would therefore appear as a disproportionate addition to the appeal property. In addition, the combined depth and width of the side extension and the part-two storey rear extension would also appear excessively bulky in relation to the simple form of the appeal property and so would be unacceptable on this basis. Moreover, as the associated roof extension would not be set down in height from the roof ridge of the host property, the proposal would fail to appear appropriately subservient to the appeal property at roof-level. Within the context of Nos 141-147 to the east, which would continue to retain the distinctive form and appearance of terraces seen within the local streetscene, the proposed works would appear particularly incongruous and would detract from the established character and appearance of the site and surrounding area.
7. The appellant has drawn my attention to examples of nearby development. The two-storey rear extension at No 151 is a distinctly different proposal to that before me. Furthermore, this property forms part of a terrace which does not conform to the same architectural style or form as Nos 133-139 and so is not directly comparable to nor sets any justifiable precedent for the proposal. While I acknowledge that it appears that the single-storey side element of No. 133 was a garage and has since been converted to living space, there is no first-floor side extension as per the proposal and so this also fails to justify the proposal. While there is a first-floor side extension at No. 106, this property forms the end of a particularly long terrace rather than a short terrace of four dwellings which is more characteristic of the overall character and appearance of the surrounding area. Furthermore, unlike the proposal, the extension at No.106 is set below the ridge of the host property and so does not provide a directly comparable precedent for the proposal. Regardless, the details and circumstances of this extension, or any other example cited by the appellant, are not before me to consider and each appeal must be considered on its own merits.
8. While I accept that the proposal would not result in any terracing effect, it would nonetheless be unacceptable for reasons set out above.
9. For the above reasons, I conclude that the proposal would cause unacceptable harm to the character and appearance of the site and surrounding area. The proposal would therefore conflict with Policies 7.4 and 7.6 of the London Plan (2016), which respectively state, amongst other things, that design proposals should respond positively to local character and that proposals should be of the highest architectural quality. The proposal would also conflict with Policies DH1 and DH(a) of the Royal Greenwich Local Plan: Core Strategy with Detailed Policies (2014), which respectively state, amongst other things, that development should be of a high quality of design and that extensions should be limited to a scale and design appropriate to the building and locality.
10. In addition, the proposal would conflict with the Residential Extensions, Basements and Conversions Guidance Supplementary Planning Document (2018) which states that all residential extensions should be sensitive to the original building and respect the character of the area.

Effect on Living Conditions of Occupants of No 141

11. From the submitted plans, the flank wall of No 141 to the east would be sited around 2.5m away from the flank wall of the proposed first-floor side extension. I saw during my site visit that there was a window set within the flank wall of No 141 at first-floor level. As the design and form of No 141 matches that of the appeal property, it is probable that the internal floorplans are similar and that No 141's side-facing window likely serves a staircase rather a primary living space or bedroom. As such, any overbearing effect or loss of outlook from this window would be unlikely to cause harm to the living conditions of the occupiers of No 141.
12. For the above reasons the proposal would therefore comply with Policy 7.6 of the London Plan and Policy DH(b) of the Royal Greenwich Local Plan: Core Strategy with Detailed Policies, which broadly state that development must not cause unacceptable loss of amenity to adjacent occupiers.
13. The proposal would also comply with the Residential Extensions, Basements and Conversions Guidance Supplementary Planning Document (2018) which states that extensions should respect the amenity of neighbours.

Other Matters

14. The Council found the appearance of the proposed porch to be acceptable. I find no reason to disagree.

Planning Balance, Conclusion and Recommendation

15. I have found that the proposed development would not be unacceptable in terms of its effect on the living conditions of the occupants of No 141 with particular regard to outlook. However, this is outweighed by the identified harm that would be caused to the character and appearance of the site and surrounding area.
16. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be dismissed.

C Brennan

APPEAL PLANNING OFFICER

Inspector's Decision

17. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is dismissed.

Andrew Owen

INSPECTOR