

Appeal Decision

Site visit made on 11 September 2020

by Patrick Hanna MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 9 October 2020

Appeal Ref: APP/E5330/W/20/3252921
12 Charlton Dene, Charlton, London SE7 7BZ

- 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 K Vinotharan against the decision of Royal Borough of Greenwich Council.
 - The application Ref 19/3705/F, dated 25 October 2019 was refused by notice dated 28 February 2020.
 - The development proposed is erection of 1x1 bed dwelling adjoins to 12 Charlton Dene.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposed dwelling on:
 - the character and appearance of the surrounding area; and
 - the living conditions of occupants of No 14 Charlton Dene, with particular regard to outlook and loss of daylight and sunlight.

Reasons

Character and appearance

3. The appeal site is a two-storey end-of-terrace dwelling within a residential area. The effect of the proposal would be to extend the terrace to provide a new dwelling within the existing side garden, and tight to the boundary with the adjacent corner plot at No 14.
4. Whilst the Council are concerned that the proposed design would fail to maintain openness between the appeal site and No 14, this existing gap is not, from my observations, a prevalent characteristic of the area. Opposite the appeal site is No 7 Charlton Dene which has a much smaller gap, such that its relationship with 9 Charlton Dene is not dissimilar to the relationship between the appeal proposal and No 14. Indeed, in this regard, the proposal would not be substantially different from most of the existing relationships between the end-terraces and corner plots on the Charlton Dene/Indus Road junction.
5. The plot frontage would be narrower than many nearby plots, but the visual impact of this would be limited, as the proposal simply extends the existing terrace. From the public realm, the proposed two-storey element to the rear would appear no different to the current rear extension. From private gardens behind, the proposed form would be seen alongside and adjoining the existing extension of similar size and scale, and in the context of a variety of dormers, extensions, and alterations, such that no harm would be caused.

6. Accordingly, I conclude that the proposal would not have a significant adverse effect on the character and appearance of the surrounding area. The proposal complies with policies DH1, H(c), and H5 of the Royal Greenwich Local Plan Core Strategy with Detailed Policies (2014)(CS), policies 3.5, 7.4 and 7.6 of the London Plan (2016)(LP), and the Royal Borough of Greenwich Residential Extensions, Basements and Conversions Guide Supplementary Planning Document (2018)(SPD). These policies require new development to be of high-quality design that positively contributes to the built environment.

Living conditions

7. The rear elevation of No 14 faces south west, towards the appeal site at an angle of some 45 degrees, with present outlook being predominantly over neighbouring gardens. The existing two-storey rear extension at the appeal site is within the field of view, but beyond the mutual boundary far enough that it does not currently dominate that view. However, the proposal would bring the side elevation tighter to the boundary and closer to the windows of No 14 and, as a consequence, the first-floor rear component in particular would be prominent in the direct field of view. Given the proximity to No 14 of the proposed solid and blank side elevation, the first-floor rear component of the proposal would appear over dominant for the occupants of No 14.
8. Due to orientation, any additional loss of sunlight above that already caused by the existing extension would be restricted to a relatively limited period of time in the late afternoon or evening. From my observations on site, no harm would be caused in this respect. In terms of daylight, insufficient evidence has been provided to me on what habitable spaces within No 14 would be affected, or the extent or limit of any loss of such daylight. Nonetheless, even were there no loss of daylight, this would not outweigh the harm I have otherwise found.
9. I conclude that the proposal would have a significant adverse effect on the living conditions of occupants of No 14, with particular regard to outlook, notwithstanding that conditions would not be affected with regard to sunlight and that I am unable to conclude on loss of daylight. The proposal conflicts with policy DH(b) of the CS, policy 7.6 of the LP, and the SPD which together require that new development does not cause an unacceptable loss of amenity.

Other matters

10. The appellant argues that the proposal would result in much needed additional housing and generate economic and social benefits which, whilst welcome, would not outweigh the harm caused by the proposal.

Conclusion

11. I have found that the proposal would not have a detrimental impact on the character and appearance of the area, or on living conditions in terms of sunlight. However, this would be outweighed by the loss of outlook for occupants of No 14, notwithstanding that I am unable to conclude on the effects of daylight. For the reasons given above, and having had regard to all other matters raised, I conclude that the appeal should be dismissed.

Patrick Hanna

INSPECTOR