



Appeal Decision

Site visit made on 9 October 2020

by Baljit K Muston BA(Hons) PGDip MBA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 03 November 2020

Appeal Ref: APP/E5330/D/20/3249334

42 Mereworth Drive, Plumstead, London SE18 3EE

- 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 Mrs Fiona Lore against the decision of the Council of the Royal Borough of Greenwich.
 - The application Ref 19/3156/HD, dated 10 September 2019, was refused by notice dated 30 December 2019.
 - The development is the demolition of the existing single storey side extension and the erection of a two storey side extension with garage doors at ground floor level to the front and the installation of one rooflight to the side elevation.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The application form described the proposal as "*to create a 4th bedroom in the form of a 2 storey side extension above the garage*". However, this gives the impression that a further two storeys are proposed to be constructed above the garage, which is not the case. The Council changed the description to one that makes it clearer what is proposed and included all aspects of the proposal. It is also the description used by the appellant in her appeal form. I have therefore used it in determining this appeal.

Main Issue

3. The main issue is whether the proposal preserves or enhances the character or appearance of the Shrewsbury Park Conservation Area.

Reasons

Two storey side extension

4. The appeal site is within the Shrewsbury Park Conservation Area. As set out in the Shrewsbury Park Estate Conservation Area Character Appraisal and Management Strategy 2013 (CAMS), the Conservation Area (CA) covers a 1930s estate designed by the house builder John Laing and Son and laid out near the top of Shooters Hill in the grounds of Shrewsbury House. Its significance stems in large part from the spacious layout of the estate, the verdant street scene and the style and detailing of the period domestic houses.

5. No 42 Mereworth Drive is a semi-detached dwelling, typical of many others within the estate, and sits amongst other semi-detached and detached houses in Mereworth Drive. It contributes to the character and significance of the CA by, in particular, its form and proportions and by the gap at first floor level between it and 44 Mereworth Drive.
6. The appeal proposal would involve the removal of much of the existing garage and its replacement by a two storey extension, set back from the existing front elevation of the house. It would also be set down below the existing eaves level of the main house and significantly below the ridge of its roof. It would remain secondary in size and appearance to the main house. In these respects, the proposal would comply with the guidance on side extensions in paragraphs 5.26-5.29 of the Council's Supplementary Planning Document on Residential Extensions, Basements and Conversions Guidance (SPD).
7. However, this SPD also points out in paragraph 5.34 that two storey side extensions must be designed so as to avoid a terracing effect, or the loss of open character between properties. On its own, the proposed development would not close the gap between Nos 42 and 44 and would not create a terracing effect. However, by occupying approximately half of the gap, the proposed extension would erode the open character between the two houses and would therefore conflict with this advice in the SPD.
8. The appellant argues that the gaps between the houses are primarily seen in a transient and oblique fashion, with the gaps between the houses only really appreciable when standing directly in front of each gap. This is true; however the gaps, whilst small, are experienced repeatedly whilst walking around the estate. They are characteristic of the estate and eroding one of these gaps would be harmful to the character and appearance of the CA and to its significance.
9. The SPD also refers to Guidance Notes for areas covered by Article 4 Directions, and says that these should be referred to where they are in place. A revised Article 4 Direction Guidance Note (GN) exists for this Conservation Area, dated June 2016. It states that its purpose is to provide residents living in the CA, particularly those covered by an Article 4 Direction, with planning guidance. It says in paragraph 3.19 that two storey extensions are not considered appropriate on the Laing Estate. As noted by the appellant, this statement does not comprise planning policy. Indeed, this GN is not cited in the Council's reasons for refusal. However, its publication does highlight the Council's thinking in respect of two storey extensions on this estate.
10. The appellant has drawn my attention to a considerable number of existing two storey side extensions on this estate, and I was able to view all of these on my site visit. These existing examples show how harmful such extensions can be to the character and appearance of the CA. In many cases, they appear incongruous and unduly dominant, and detract from the spacious layout of the estate by reducing the size of gaps at first floor level between houses.
11. The Council acknowledges that the appeal proposal is significantly better designed than many of these examples, and I agree. The appellant says that the most recent of these extensions is at 74 Bushmoor Crescent (permitted in 2013), and that the appeal proposals would be similar to these. I saw this property on my site visit, and agree that it appears similar to the appeal proposal. Like the appeal proposal, the extension is set back from the front

elevation, and down from the ridge and eaves levels of the main house.

However, No 74 is on a corner plot, and as a result there is no small gap to an adjoining property, which the extension might otherwise occupy. As a result, it is not directly comparable.

12. The Council states that the 2016 GN was brought forward specifically to prevent additional harm being done to the CA by two storey side additions. Whilst the GN does not constitute planning policy, it does appear to mark an acceptance by the Council that at least some of the examples of two storey side extensions cited by the appellant are harmful to the character and appearance of the CA. It states that no further permissions have been granted for two storey side extensions since 2016, and this is not disputed by the appellant.
13. In view of the harm already done by many of the existing extensions to the character and appearance of the CA, and given that none of these have been permitted since the Council revised its GN, I do not consider that their existence justifies permitting a proposal that I have identified as harmful.

Rooflight

14. The Council point out that the 2016 GN says that rooflights are not considered acceptable for front, side or garage roof slopes. The logic behind the omission of rear roof slopes from this list appears to be because they are generally not visible from public viewpoints. Indeed, the Council's second reason for refusal states that the proposed rooflight would be visible from the street. However, I am not convinced that this would be the case.
15. There would only be a need for the proposed rooflight to light the stairwell if the proposed two storey extension were to be constructed. I agree with the appellant that the form of that extension would prevent the rooflight being visible from the street, whilst the existing 'outrigger' containing the first floor bathroom would obstruct views from the rear. The proposed rooflight would therefore hardly be visible from anywhere and would not add materially to the harm caused by the proposed extension that I have identified.

Conclusion on the main issue

16. I consider that the proposed two storey extension, by eroding the gap between 42 and 44 Mereworth Drive, would cause less than substantial harm to the significance of the CA. Paragraph 193 of the National Planning Policy Framework (the Framework) says that "*when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation*" and that "*this is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.*" The Framework goes on to say in paragraph 196 that "*where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal*".
17. Part of the proposal is to replace the existing 'up and over' garage doors and PVCu front windows with doors and windows more in keeping with the originals, and to pave the front garden in a manner sympathetic to the CA. These alterations would enhance the character and appearance of the CA and in so doing would constitute public benefits as set out in the Framework. I

have also concluded that the proposed rooflight would not add materially to the harm caused by the extension. However, a lack of harm does not amount to a benefit and weighs as neutral in the balance.

18. I consider that the harm that would be caused to the significance of the CA outweighs the public benefits included in the scheme. I therefore conclude that the proposal neither preserves nor enhances the character or appearance of the Shrewsbury Park Conservation Area, contrary to Policies 7.4, 7.6 and 7.8 of the London Plan (2016), Policies DH1, DH3, DH(a) and DH(h) of the Royal Borough of Greenwich Local Plan: Core Strategy with Detailed Policies (2014), and the Council's SPD. These development plan policies seek to ensure, amongst other things, that new development is of high quality design, is appropriate to its context, and preserves or enhances the conservation area in which it sits.

Conclusion

19. For the reasons set out above, I conclude that the appeal should be dismissed.

Baljit K Muston

INSPECTOR