



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/20/3249908

18 Tuam Road, Plumstead, London SE18 2QU

- 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 Adam Winifield-Freed against the decision of the Council of the Royal Borough of Greenwich.
 - The application Ref 19/3863/HD, dated 3 November 2019, was refused by notice dated 15 January 2020.
 - The development proposed is a side return extension to an existing property including demolition of the existing boundary wall, 'lean-to' extension at the rear of the property and installation of a rooflight.
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Decision

1. The appeal is allowed and planning permission is granted for a side return extension to an existing property including demolition of the existing boundary wall, 'lean-to' extension at the rear of the property and installation of a rooflight at 18 Tuam Road, Plumstead, London SE18 2QU, in accordance with the terms of the application, Ref 19/3863/HD, dated 3 November 2019, and the plans submitted with it, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) Except where explicitly stated otherwise in the application, the materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing dwelling.
 - 3) The development hereby permitted shall be carried out in accordance with the following approved plans: site location plan and drawings numbered 101 Rev B, 110 Rev B, 111 Rev B, 200 Rev A, 201 Rev B, 210 Rev B and 211 Rev B.

Procedural Matter

2. The description of the proposed development on the application form did not include mention of the proposed rooflight in the existing dwelling. The Council included it in its revised description, and I have added it to the description to make the full extent of the proposal clear.

Main Issues

3. The main issues are the effect of the proposed development on:-
- the character and appearance of 18 Tuam Road; and
 - the living conditions of the occupiers of 20 Tuam Road, with particular regard to sunlight, daylight and sense of enclosure.

Reasons

Character and appearance

4. The Council refused the application on the grounds that the proposal would cause harm to the character of 18 Tuam Road. It did not allege harm to the character or appearance of the wider area. Indeed, I was able to confirm on my site visit that the proposed extension would not be visible from any public viewpoint. However, I still need to consider whether unacceptable harm would be caused to the character of the host dwelling.
5. Policy DH(a) of the Royal Borough of Greenwich Local Plan: Core Strategy with Detailed Policies (2014) (CS) states that residential extensions should be limited to a scale appropriate to the building and the locality, and should be designed to respect the established pattern of development. The Council's Supplementary Planning Document on Residential Extensions, Basements and Conversions Guidance (SPD) also says at section 5.4 that: "*It is important that rear extensions do not dominate and remain subservient to the original house.*"
6. The London Plan (2016) (LP) policies cited in the first reason for refusal seek, amongst other things, development that has regard to the form, function and structure of an area and the scale, mass and orientation of surrounding buildings and to be of a proportion, composition, scale and orientation that complements the local architectural character.
7. The proposed extension would project some 6.4 metres from the rear wall of the original house. However, it would not extend beyond the rear wall of the two storey outrigger, which is also part of the original dwelling. The extension would be of modest width and, with a flat roof, not unduly high. In my opinion, it would constitute a relatively small scale of addition when compared to the bulk and form of the existing dwelling and would not obscure any significant element of that house's original features. I consider that its scale would be appropriate to the host building, it would remain subservient to that building and not dominate it, and would not harm its character.
8. I conclude that the proposed development would not have an unacceptably adverse effect on the character and appearance of 18 Tuam Road, and would comply with Policies 7.4 and 7.6 of the LP and Policies DH1 and DH(a) of the CS, as well as guidance in the SPD.

Living Conditions

9. The Council is also concerned that the proposed extension would result in a significant loss of daylight/sunlight, and the creation of an unneighbourly sense of enclosure, to the occupants at 20 Tuam Road. It considers the proposal to be contrary to Policy DH(b) of the CS, which says that proposed development should "*not cause an unacceptable loss of amenity to adjacent occupiers by*

reducing the amount of daylight, sunlight or privacy they enjoy or result in an unneighbourly sense of enclosure."

10. As the appellant points out in his grounds of appeal, the orientation of Nos 18-20 Tuam Road and the presence of some tall trees to the south-west of the two houses would significantly reduce any loss of sunlight during much of the year. This is because, during the time of day that the proposed extension might otherwise prevent sunlight from reaching some of the habitable rooms and garden of No 20, it is already blocked by these trees. This may not be the case at times when the sun is very high in the sky, but would nonetheless significantly reduce any loss of sunlight caused by the extension.
11. At present, the boundary between the outriggers at Nos 18 and 20 is formed by a boundary wall close to the house and a panelled fence. The clear-glazed windows of habitable rooms to No 20 currently look out onto this boundary wall, which projects some 2.8 metres from the main back wall of the two houses. The submitted plans show it sloping down from over 3.8 metres in height adjacent to the main houses to a little over 3 metres furthest from them. This wall must already have a significant impact on the amount of daylight that reaches No 20's rooms and must create a sense of enclosure when seen from those rooms or from the garden area outside them.
12. In addition, the panelled fence must also play a part in reducing current levels of daylight and in creating a sense of enclosure. However, its impact is less than the boundary wall, due to both its reduced height compared to the wall and its location opposite an obscurely glazed door and window at No 20.
13. The existing wall and fence would be removed and replaced by the side wall of the extension, which would be lower than any part of the existing boundary wall and higher than the existing fence. Overall, some loss of daylight to parts of No 20 would take place, and a limited increase in a sense of enclosure may result. However, I am not convinced that this would amount to an unacceptable loss of amenity or an unneighbourly sense of enclosure. The proposal would therefore comply with Policy DH(b) of the CS. It follows that the proposal would also comply with Policy 7.6 of the London Plan, which requires buildings not to cause unacceptable harm to the amenity of surrounding buildings.
14. As well as conflict with development plan policies, the Council's second reason for refusal also alleges conflict with the SPD in relation to this main issue. However, the Council's report does not specify what this conflict might be, and I have not identified any.
15. For the above reasons I conclude that the proposed development would not have an unacceptably adverse effect on the living conditions of the occupiers of 20 Tuam Road, with particular regard to sunlight, daylight and sense of enclosure, and would comply with Policies 7.4 and 7.6 of the LP and Policy DH(b) of the CS.

Other matters

16. The Council has suggested that there are discrepancies in the plans, in particular the proposed side elevation not accurately showing existing windows, and have included this as an informative on the decision notice. However, this

overlooks the fact that this is a proposed elevation and that these windows would not exist in the finished scheme.

Conditions

17. As well as standard conditions relating to when the development should commence and compliance with the approved plans, the Council has also suggested a condition requiring the external materials used to match the existing house. I broadly agree with this. However, some of the proposed materials set out in the application vary from those in the existing house, and the Council's report confirms that these are acceptable. I see no reason to disagree, so have amended the standard condition to make this clear.

Conclusion

18. For the reasons set out above, I conclude that the appeal should be allowed, subject to the conditions set out above.

Baljit K Muston

INSPECTOR