



Appeal Decision

Site visit made on 17 June 2021
by C Rafferty LLB (Hons), Solicitor

Decision by L McKay MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16 August 2021

Appeal Ref: APP/E5330/W/21/3268571

148 Middle Park Avenue, Eltham SE9 5SD

- 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 E Peters against the decision of the Council of the London Borough of Greenwich.
 - The application Ref 20/1368/F, dated 15 May 2020, was refused by notice dated 28 August 2020.
 - The development proposed is a proposed rear dormer to existing loft conversion.
-

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 Issue

3. The main issue is the effect of the proposed development on the character and appearance of the host dwelling and the surrounding area.

Procedural Matters

4. The Council's decision notice refers to Policies 7.4 and 7.6 of the London Plan (2016). These policies have now been superseded by publication of the 2021 London Plan. Appeals must be determined in accordance with the policies in force at the time the decision is made. The main parties were given the opportunity to comment on the change in policy and these comments and the relevant policies of the new London Plan have therefore been considered in reaching this recommendation.
5. The Government published on 20 July 2021 a revised version of the National Planning Policy Framework. Accordingly, and in light of the reference made to the previous iteration of the Framework within the submitted evidence, the parties have been provided with a further opportunity to make submissions in respect of the publication. In this respect, I am mindful that neither the appellant nor the Council have made any further submissions regarding the revised Framework. However, in light of this re-consultation, I am satisfied that any references made to the revised Framework within this decision would not be unreasonable to the parties.

6. The Council's officer report sets out dimensions for the proposed dormer which differ significantly from those shown on the plans submitted for the appeal. There are also discrepancies between the plan numbers listed on the Council's decision, which do not include any revisions, and those before me, some of which are revision B. Clarification has been sought from the Council and appellant. It has been confirmed that the plans submitted for the appeal were those that were before the Council at the time it made its decision. I have therefore made my recommendation on the basis of the plans before me.

Reasons for the Recommendation

7. The appeal site contains a two-storey property which, while split into two dwellings, retains the external appearance of a semi-detached dwelling. The area is residential with properties that vary somewhat in scale and design but retain a generally consistent character. This is particularly the case along the immediate stretch of Middle Park Avenue where the original form and traditional detailing are evident and rear roofslopes are free from extensions. In this sense, the appeal property contributes positively to the surrounding area as, even with the presence of discreet rooflights, its rear roofslope remains free from extended elements.
8. The proposed dormer would span across a significant proportion of the roof. It would be of a reduced scale than a previously refused scheme at the site and set in from the sides and down from the ridges, with no change to the building line or projection above roof height. However, despite its subservient nature it would nonetheless introduce an element of bulk that would upset the roof form. By nature of its protrusion it would fail to respect the simple proportions of the dwelling and would interrupt the unbroken roofslope, causing visual harm. Therefore, it would not preserve or enhance the existing appearance of the property in line with the Supplementary Planning Document Residential Extensions, Basements and Conversions Guidance (2018) (SPD).
9. The proposal would be experienced primarily alongside the surrounding unbroken rear roofscape and would appear as an out of place addition, visually interrupting the simple roof form. This would particularly be the case when viewed from Middle Park Avenue. Here the side elevation of the dormer would be clearly visible against an otherwise consistent backdrop where no other dormer developments are visible.
10. Some nearby roofs have been altered by the introduction of roof lights, including the appeal property. However, these are notably more discreet than the proposed dormer, which would cause a greater level of harm to the character and appearance of the dwelling and surrounding area. As such, their presence does not justify the harm identified given that the dormer would be a much more visually obtrusive addition due to its size, positioning, and visibility.
11. For the reasons given above I find that the development would be harmful to the character and appearance of the host dwelling and surrounding area. As such, it would fail to accord with Policy D3 of the London Plan (2021); Policies DH1 and DH(a) of the Royal Greenwich Local Plan Core Strategy with Detailed Policies (2014) and the SPD, which together seek to promote good design.

Other matters

12. The appellant has stated that, had the property been a single family dwelling, the proposal could be constructed under permitted development rights. However, it is not a single dwelling and as such does not benefit from

permitted development rights for roof extensions. Therefore, there is no legitimate fallback position in this respect. Limited weight is therefore attached to this argument.

Conclusion and Recommendation

13. There are no material considerations that indicate the appeal should be determined other than in accordance with the development plan. For the reasons given above, I therefore recommend that the appeal is dismissed.

C Rafferty

APPEAL PLANNING OFFICER

Inspector's Decision

14. I have considered all the submitted evidence and the Appeal Planning Officer's report, and, on that basis, I agree that the appeal should be dismissed.

L McKay

INSPECTOR