



Appeal Decision

Site visit made on 31 August 2021

by Eleni Randle BSc (hons) MSc FRICS FAAV MRTPI

an Inspector appointed by the Secretary of State

Decision date: 24 September 2021

Appeal Ref: APP/E5330/D/21/3276009

10, High Point, Eltham, SE9 3NZ

- 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 Narinderjit Kaur Panesar against the decision of the Royal Borough of Greenwich Council.
 - The application Ref 21/0245/HD dated 20 January 2021, was refused by notice dated 22 March 2021.
 - The development proposed is construction of a single storey side and rear wrap around extension.
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Decision

1. The appeal is allowed and planning permission is granted for a single storey side and rear wrap around extension at 10, High Point, Eltham, SE9 3NZ in accordance with the terms of the application ref: 21/0245/HD, dated 20 January 2021, subject to the following conditions:
 - 1) The development to which this permission relates must be begun not later than the expiration of three years, beginning with the date of this decision;
 - 2) The development hereby permitted shall not be carried out otherwise than in complete accordance with the following approved plans: PL01 (location map & block plan), PL08 (proposed elevations), PL09 (proposed section), PL06 (proposed roof plan), PL07 (proposed rear elevation), PL04 (proposed ground floor plan) and PL05 (proposed first floor plan);
 - 3) Unless otherwise agreed in writing the Local Planning Authority the materials used for the external surfaces of the development hereby permitted shall match those of the existing building and shall be maintained as such for the lifetime of the development.

Procedural Matters

2. I have utilised the Council's description of the development as per the decision notice as I feel it more concisely describes the development.
3. Since the determination of the application, and the submission of this appeal, a revised National Planning Policy Framework 2021 was adopted on 20 July 2021. Given the main issue for the refusal reason, and the fact the refusal reason does not refer directly to the Framework, it is not considered that this change impacts upon the determination of this appeal.
4. The Council have stated in the decision notice that the proposal would be contrary to Royal Greenwich Local Plan: Core Strategy 2014 (CS) Policy DH(b), however, this policy relates to protection of amenity for adjacent occupiers.

The Council's report specifically confirms that the proposal would be acceptable in respect of residential amenity. I have no reason before me to conclude differently. Conversely the draft refusal reason, in the Council's report, includes CS Policy DH(a) but this has not been specifically carried through to the refusal reason in the decision notice.

5. Additionally, the Council's overview, on page four of their report, does state that the proposal is acceptable with regard to the character and appearance of the existing dwelling and street scene despite the conclusions drawn. These mistakes suggest the report has been overtyped and not been corrected for the site in question. I have therefore dealt with the refusal reason, and policies, as stated on the decision notice only for the avoidance of doubt.

Main Issue

6. The main issues are the impact of the proposal upon the character and appearance of the host dwelling and the street scene.

Reasons

7. The appeal site is a two-storey, end of terrace, property in an irregular shaped plot as can be seen from the submitted location and block plans. The Council's delegated report confirms that the design in terms of roof profile, overall height, set back from the principal elevation and matching materials are acceptable. I have no evidence before me to conclude differently. The Council's refusal reason is essentially based upon the assertion that the extension would have a negative impact upon the character and appearance of the host property and street scene as a result of the proposed width and overall footprint compared to the host property only.
8. Whilst I note the Council's comments with regard to the width of the side projection, and proposed footprint, I find there is no assessment as to the actual impact of this other than a statement that it exceeds the guidance set out in the Residential Extensions, Basements and Conversions Guidance Supplementary Planning Document 2018 (SPD). The SPD is, ultimately, guidance which is a material consideration. I do not find that non-compliance with the SPD automatically warrants refusal, it is the impact of non-compliance with that general guidance (designed to cover a multitude of scenarios) that should be fully assessed. I find it falls to understand what the objectives of that guidance are with each case falling to be assessed on its own merits.
9. With specific regard to in-fill type extensions (which is the most applicable guidance to this wraparound appeal proposal) it is stated these are generally avoided because they can cause harm to neighbouring properties and block their daylight. There is no impact upon residential amenity as a result of this appeal proposal. The proposal would result in a single storey extension which would have a width of 4m (compared to the host property's width of 4.7m). The footprint of the proposal would be, regardless of which figure I use given the appellant and Council disagree as to footprint, double that of the existing ground floor.
10. Looking at the guidance for side extensions I note it is stated extensions should be less than half the width of the house but ultimately this is to ensure the proposal remains subservient to the host dwelling. The depth to the rear is within the Council's general guidance. Given the proposal is a wraparound

extension only the side element would be visible in the public realm and the remainder would be out of view from the main area of the public realm. I find this is well illustrated, with specific regard to the front elevation, by the 3D images submitted (PL10) and I do not find that it would appear dominant in the street scene. The width and footprint are noted, however, there would be a substantial set back from the front elevation that, combined with the modest height, I find means that the proposal would remain subservient to the host dwelling and would not have an impact upon the character or appearance of the host dwelling sufficient to warrant refusal. I therefore find that the appeal proposal is consistent with the general objectives of the SPD on this matter.

11. The key characteristic of the appeal site is the open nature surrounding the bend in the road to the side and front and it is this which I find makes a positive contribution to the street scene. The proposal does not impact upon this and would, none the less, be located comparably to the existing solid timber panel fencing to the side of the property with the grassed area to the front left undisturbed. This would result in the open aspect being maintained which would protect the character and appearance of the street. This is consistent with the general aims of the SPD. Furthermore the substantial set back I find would mean that the proposal would have no real impact upon the terrace or the street scene as a whole and I do not find it would result in a disproportionately large and jarring addition.
12. The proposal would be consistent with London Plan 2021 Policy D3 which requires proposals to respond to the existing character of a place and follow a design-led approach that respond to a site's context.

Conditions

13. A time condition is attached to comply with section 51 of the Planning and Compulsory Purchase Act 2004. A condition requiring the development to be in accordance with the approved plans is required to control and define the development which is granted consent. A condition requiring the materials to match the existing building is required to ensure a satisfactory finish and maintain the quality of the proposal for the lifetime of the development

Conclusion

14. For the reasons outlined above, and taking account all other matters raised, I conclude that the appeal should be allowed subject to conditions.

Eleni Randle

INSPECTOR