



Appeal Decision

Site Visit made on 16 November 2021

by John Gunn DipTP, DipDBE, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 02 December 2021

Appeal Ref: APP/E5330/W/21/3277320

106 Churchbury Road, Eltham, London SE9 5HZ

- 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 Suleyman Bilgin against the decision of the Royal Borough of Greenwich.
 - The application Ref 21/0706/F, dated 24 February 2021, was refused by notice dated 10 May 2021.
 - The development proposed is described on the application form as a front porch.
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Decision

1. The appeal is allowed, and planning permission is granted for a front porch at 106 Churchbury Road, Eltham, SE9 5HZ in accordance with the terms of the application, Ref 21/0706/F, dated 24 February 2021, subject to the following conditions:
 - 1) The development hereby permitted shall be carried out in accordance with the following approved plans: K04-1, K04-2, K04-3, K04-4, K04-5 Rev. A1 and Site Location Plan.
 - 2) The materials to be used for the external surfaces of the extension hereby permitted shall match those of the existing building. All new works and works of making good to the retained fabric shall be finished to match the adjacent work unless otherwise stated on the approved drawings and retained for the lifetime of the development.

Main Issue

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

Reasons

3. The appeal site lies in a residential area comprising of predominantly two storey semi-detached and terraced properties. Hipped roofs are a prominent feature of the area. The properties are set a modest distance back from the road and utilise a similar palette of materials.
4. The proposed porch would be set part way along the side elevation of the host property, and to the rear of an existing fence. It would be built in materials to match the host property. Whilst the upper part of the structure would be visible over the fence, for a limited part of street, it would be viewed against the backdrop of existing buildings. Consequently, it would not appear as a prominent feature that would cause any significant or unacceptable harm to the character and appearance of the area.

5. Notwithstanding the above, I am mindful of the Councils concern about the incorporation of a flat roof in the design of the proposed porch, and the appellants willingness to accept a condition requiring a revised plan showing a pitched roof. In this regard I find that the flat roof would be limited in area and as a result it would not appear highly visible. Furthermore, the roof to the host property would retain its own individuality. Consequently, harm to the host dwelling would not occur.
6. In light of the above I conclude that the proposal would respect the host building and not be harmful to the character and appearance of the street. Consequently, it would be in accordance policy D3 of the London Plan 2021, policies DH1 and DH(a) of the Royal Greenwich Local Plan 2014 and the guidance under the Residential Extensions, Basements and Conversions Guidance SPD (2018). These require, amongst other matters, that new developments should enhance local context by delivering buildings that positively respond to local distinctiveness with due regard to existing building types, forms and proportions.

Conditions

7. The Council has suggested several conditions it would wish to see imposed in the event that the appeal was allowed. I have considered these against the guidance set out in the Framework and the Planning Practice Guidance.
8. A condition requiring commencement of the development within 3 years is not required as the construction of foundations to the proposed development has already taken place.
9. To ensure that the development is undertaken as approved a condition referring to the approved plans is necessary. A condition is also necessary requiring the extension to be constructed of materials to match the host property in the interests of the character and appearance of the area.

Conclusion

10. There are no material considerations that indicate the application should be determined other than in accordance with the development plan. For the reasons given above, I therefore conclude that the appeal should be allowed subject to the conditions set out above.

John Gunn

INSPECTOR