



Appeal Decision

Site visit made on 7th April 2022

by Megan Thomas Q.C. Barrister-at-Law

an Inspector appointed by the Secretary of State for Levelling Up, Housing and Communities

Decision date: April 2022 A

Appeal Ref: APP/E5330/D/22/3292863

83 Westcombe Hill, Blackheath, Greenwich SE3 7DU

- 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 Rajinder Sanger against the decision of the Royal Borough of Greenwich.
 - The application Ref.21/3520/HD, dated 20 September 2021, was refused by notice dated 30 December 2021.
 - The development proposed is the "construction of rear ground floor wraparound extension, remodelled rear first floor and loft conversion over outrigger."
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues in the appeal are the effect of the proposal on the character and appearance of the host dwelling and surrounding area, and the effect on the living conditions of the occupants of 85 Westcombe Hill in respect of outlook, light and privacy.

Reasons

Character and Appearance

3. The appeal site is a two-storey mid-terraced property on the eastern side of Westcombe Hill. Its frontage faces west and its main roof is pitched. The terraced property to its north is no.81 Westcombe Hill and the terraced property to its south is no.85. The appeal property has a two-storey outrigger at the rear with a mono-pitched roof and it has a small rear narrow garden at differing levels. It is very close to, but outside, the Westcombe Park Conservation Area. The site bounds the Blackwall Tunnel Southern Approach to the east which is a multi-lane strategic road.
4. Westcombe Hill consists predominately of terraced properties with similar design and appearance. A number of these properties have been extended at the rear at ground floor level. There are also a handful of rear dormer extensions, some are to the main roof only, whilst some are also to the rear outrigger. No.81 Westcombe Hill has loft extensions.
5. No.85 at the rear is separated from the appeal site by a wooden fence. On its main rear elevation the openings include an external door with large window above at first floor level. Its outrigger has a bay window and external

door/window facing the fence/no.83 at ground floor level and at first floor level it has a minimum of two windows.

6. The proposed development would include a single storey infill wraparound extension to the side and rear of the outrigger, first floor and second floor extensions which would include a bay wraparound structure on the first floor at the side and the rear whilst the second floor/outrigger roof extension would be constructed on top of the extended first floor of the outrigger.
7. Compared to the existing outrigger that is about 3.35m wide (excluding bay window), about 6.15m deep and about 6m high, the proposal would result in a structure to the rear of the main dwellinghouse that would be about 5.1m wide, about 9.2m deep and about 2.5m high on the ground floor, about 3.9m wide, about 6.8m deep and about 5.3m high on the first floor and about 3.2m wide, about 7.7m deep and about 7.6m high on the second floor where it would further extend onto the main roof of the host dwelling. Apart from the bay wraparound feature on the first floor which would have a hipped roof, the remainder of the extensions would have flat roofs.
8. The proposal would result in a significant bulk and mass of development at the rear of the property which would almost entirely obscure the character of the original property. The existing design of the outrigger would be indiscernible. The proposed box-like structure on the second floor would breach the eaves line of the main dwelling and with its deep/long flat roof would look awkward and discordant. The proposed first floor with the bay window and partially pitched perimeter roof would also appear incongruous, particularly with the box-like structure sitting on top of it. The ground floor full width and deeper extension with glass doors facing the garden would be very dominant, even assessed in isolation. Looked at as a whole the proposal is poorly designed and visually unattractive. As it would be possible to see it from private gardens and glimpse it from public vantage points particularly from the Blackwall Tunnel Southern Approach road, it would be visually detrimental to the appearance of the wider area also.
9. Consequently, on this issue, I conclude that the proposed development would seriously harm the character and appearance of the host dwelling and the wider area. It would conflict with paragraphs 130 and 134 of the National Planning Policy Framework (2021), policy D3 of the London Plan 2021, policies DH1 and DH(a) of the Royal Greenwich Local Plan: Core Strategy with Detailed Policies (adopted 2014) and the Council's Residential Extensions, Basements and Conversions Guidance Supplementary Planning Document (2018).

Living Conditions of Occupants of 85 Westcombe Hill

10. The occupants of no.85 Westcombe Hill to the south of the appeal site would be the neighbours most affected by the proposal. The proposed ground floor extension would have its southern wall along the common boundary with no.85 at a height of about 2.5m and a depth of over 9m. The impacts of this would be far more detrimental than the current boundary treatment. It would result in a strong sense of enclosure and a tunnel-like effect for the occupants when looking out of the east-facing ground floor window and the bay window on their outrigger. In respect of loss of light, the combined impact of the proposal would unacceptably reduce the light reaching the ground floor outrigger

windows/openings. The affected ground floor rooms would be likely to be particularly dark.

11. Whilst outriggers of the type found on 85 and 83 facing each other often allow a degree of mutual overlooking, in this case the introduction of additional flank windows facing the outrigger of no.85 at both first and second floor levels would result in unacceptable loss of privacy for the occupants of no.85. There would be very close and generally direct views given the orientation and limited separation distance between the two outriggers. It would not be reasonable to require all the proposed flank windows to be non-opening and fitted with obscured glass, but even if that was a planning condition, it would not prevent the occupants experiencing a strong perception of being overlooked. I have taken into account the views of the current residents of no.85 Westcombe Hill but I am obliged to consider the impacts on an objective basis and on any future residents. In this case, as confirmed by my site visit, I consider that the impacts on occupants' residential amenities would clearly be unacceptable.
12. In respect of this second main issue, I conclude that the proposed development would cause an unacceptable loss of outlook, loss of light and loss of privacy to the occupants of no.85 Westcombe Hill. The proposal would be contrary to policy DH(b) of the Royal Greenwich Local Plan: Core Strategy with Detailed Policies (adopted 2014) and the Council's Residential Extensions, Basements and Conversions Guidance Supplementary Planning Document (2018).
13. I have borne in mind that many properties in Westcombe Hill have been extended and how they have been extended, and I have taken note of the appellant's highlighted examples. However, I have considered this proposal on its own individual merits and on its own particular impacts, as I am obliged to do, and I have found that it would cause serious harm. The appellant needs additional living space to support his elderly parents and to support his children for their university study/accommodation, but whilst I can sympathise with these needs, they do not outweigh the harm I have identified above.
14. I have borne in mind that national and local policy strongly encourages making use of urban land in an effective and efficient way and optimising the potential of a development site (as it is generally sustainable to do so), but in this case the resulting harm to the environment and living conditions of neighbours clearly outweighs all other factors.

Conclusion

15. Having taken into account all representations made, for the reasons given above, I dismiss the appeal.

Megan Thomas Q.C.

INSPECTOR