
Appeal Decision

Site visit made on 4 April 2022 by T Bennett BA (Hons) MSc

Decision by Martin Seaton BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27 April 2022

Appeal Ref: APP/E5330/D/22/3292194

98 Langton Way, London, SE3 7JU

- 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 Hannah Paik against the decision of Royal Borough of Greenwich.
 - The application Ref 21/3633/HD, dated 8 October 2021, was refused by notice dated 22 December 2021.
 - The development proposed is for the Construction of a dormer extension to the rear; installation of a new slate roof with zinc clad; installation of 2 No. rooflights at the front; other associated external alterations.
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Decision

1. The appeal is allowed and planning permission is granted for the Construction of a dormer extension to the rear; installation of new slate roof with zinc clad; installation of 2 No. rooflights at front; other associated external alterations at 98 Langton Way, London, SE3 7JU in accordance with the terms of the application, Ref 21/3633/HD, dated 8 October 2021, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: LE001 Front Elevation, LE002 East Elevation, LE003 Rear Elevation, LE004 West Elevation, LP002 Second Floor Layout, LP00RP Roof Plan, LS001 & LS002 Sections and LP00LP Site Location Plan.

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.

Procedural Matters

3. In the interest of accuracy, the description of development used in the header above is based on that used on the Council's decision notice, which I note has also been adopted by the appellant in the Grounds of Appeal.
4. There is a discrepancy between the appellant's name on the appeal form and the applicant's name on the application form, which has been addressed in correspondence during the course of the appeal. As the right of appeal rests with the original applicant, I have used the name set out on the application form in the heading above.

Main Issues

5. The main issues are the effect of the proposed development on:

- The character and appearance of the host dwelling and whether it would preserve or enhance the character and appearance of the Blackheath Conservation Area.
- The living conditions of the occupiers at 65 Shooters Hill Road in relation to privacy.

Reasons for the Recommendation

Character and Appearance

6. The appeal property is a two-storey, white rendered detached house of mid to late 20th century design, situated in the Blackheath Conservation Area (CA) on Langton Way. The wide variety of architectural styles, the unmade narrow road and close-knit nature of the properties in the vicinity of the appeal site creates an informal character with an intimate feel. The conservation significance of Langton Way lies in its informal streetscape and interesting blend of architecture.
7. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires special attention to be paid to the desirability of preserving or enhancing the character or appearance of a conservation area. In this respect national policy on heritage assets, which includes conservation areas, is set out in the National Planning Policy Framework (the Framework). At paragraph 197, it sets out matters which should be taken into account including sustaining and enhancing the significance of the heritage asset and the desirability of new development making a positive contribution to local character and distinctiveness.
8. The appeal property sits close to the road with a narrow frontage. This, along with the high eaves of the property would mean that the proposed rooflights would not be easily visible from public vantage points and would not appear as prominent additions to the host dwelling. Moreover, on my site visit I observed numerous properties in this part of Langton Way with rooflights to their front elevation which add to the established character of this part of the road.
9. Whilst I accept that the rooflights are comparatively large and close to the roof edge, contrary to the Council's Residential Extensions, Conversions and Basements Guidance SPD (2018) (SPD), I find there to be an overall lack of harm in this context to the character or appearance of the host dwelling or CA.
10. The proposed flat roofed, zinc clad rear dormer would have limited visibility from the public realm and thus no significant impact on the street scene. This is due to the forward position of the appeal property in contrast to the neighbouring properties which aid in screening the proposed dormer. Also, trees located in the street scene further obscure the proposal.
11. To the rear of the property, the views of the dormer are mainly limited to those properties at the rear which sit at a higher elevation. From these views, the proposal would form a minor element of the wider CA and be seen in the context of the different roofscapes and architectural styles of properties along Langton Way, which I consider inform the character of the area. For these

reasons this has also led me to conclude that the proposed zinc cladding would be an acceptable material in the context of the wider site and host property and would complement the proposed slate roof.

12. I acknowledge that the flat roof, full width dormer does not fully accord with the guidance in the SPD. However, the dormer would be set down from the roof ridge and set back from the eaves and gable ends. It would also reflect the form of the flat roofed ground floor extension where large amounts of glazing is present. As a consequence, it would not overwhelm or appear incongruous and top heavy in the specific context of the modern host property.
13. For the reasons above, I conclude that the proposed development would preserve the character and appearance of the CA and would not have an adverse impact on the character and appearance of the host dwelling. The proposal therefore meets the requirements of Policy D3 and HC1 of the London Plan (2021) by responding to the local context and character. I also find no conflict with the Royal Greenwich Local Plan: Core Strategy with Detailed Policies July 2014 (LP) Policies DH1, DH3 and DH(a), which seek, amongst other matters, the promotion of development that protects or enhances the historic environment and respects scale and characteristics of the host property and surrounding environment.

Living Conditions

14. The proposed rear dormer would be at second floor level. The dormer would have glazing spanning its width which would enable broader views of the neighbouring rear garden at 65 Shooters Hill Road given the existing separation distances and plot sizes. However, any such opportunities would be obscured by the mature screen of tall trees at the rear of the appellant's garden. Whilst I recognise that the trees could be cut down by the appellant, these trees are mutually beneficial to the appellant in preventing overlooking from existing dormers on neighbouring properties at the rear of the appeal site.
15. I am also mindful that the appeal property has a balcony at the first-floor level which already allows a degree of overlooking to 65 Shooters Hill Road. For this reason, any perceived sense of overlooking and loss of privacy from the proposed dormer would consequently not be materially worse than the existing situation. As a result, I am satisfied that the proposal would not lead to inadequate levels of overlooking over and above what is experienced now and the proposal would have a neutral effect upon the privacy of these occupants.
16. Consequently, the proposal would have an acceptable effect upon the living conditions of the occupants of 65 Shooters Hill Road in relation to privacy. This would be in accordance with policy DH(b) of the LP which seeks to ensure development respects the amenity of occupiers of neighbouring buildings, ensuring they are not harmed by inadequate privacy and the SPD which amongst other things, set outs that development should not result in a significant loss of privacy to gardens.

Conditions

17. In addition to the standard time period for commencement of the development and approved plans condition, the Council has suggested a condition requiring the external materials to be used in the construction of the development to match those of the existing building. However, as I have set

out in my reasoning, I find the proposed zinc cladding acceptable. It would therefore be unreasonable and unnecessary to include this condition and this has been omitted.

Conclusion and Recommendation

18. For the reasons given above I conclude that the appeal should succeed.

T Bennett

APPEAL PLANNING OFFICER

Inspector's Decision

19. I have considered all the submitted evidence and the Appeal Planning Officer's report and subject to the conditions as listed, agree that the appeal should be allowed.

Martin Seaton

INSPECTOR