



Appeal Decision

Site visit made on 9 May 2022

by M Cryan BA(Hons) DipTP MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 28 June 2022

Appeal Ref: APP/E5330/W/21/3286931

12 Charlton Dene, Charlton, London SE7 7BZ

- 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 K Vinotharan against the decision of Royal Borough of Greenwich Council.
 - The application Ref 21/1769/F, dated 13 May 2021, was refused by notice dated 20 August 2021.
 - The development proposed is described as the “erection of 1x1 bed dwelling adjoins to 12 Charlton Dene”.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The proposal was described on the Council’s decision notice, and the subsequent appeal form, as “construction of a two-storey side extension to create a one-bed residential dwelling”. While this is also an accurate description of the proposal, as is normal I have retained the original description used on the planning application form in the banner heading above.

Main Issue

3. The main issue is the effect of the proposed development on living conditions for occupiers of the neighbouring property at No 14 Charlton Dene, with particular regard to its effect on outlook and whether or not it would create an unacceptable sense of enclosure.

Reasons

4. The appeal site is a dwelling at the end of a short terrace of six properties, within a predominantly residential area. The proposed development would extend the terrace eastwards, towards No 14 Charlton Dene, by creating a new, self-contained, two-storey, one-bedroom dwelling attached to No 12.
5. No 14 is on a corner plot which is (effectively) triangular in shape and narrows to its rear. The back elevation of No 14 faces the side and rear of the appeal site at an angle of approximately 45 degrees. At present, the side of No 12 is set some way back from the mutual boundary with No 14. From the evidence before me I understand that the ground floor windows on the rear elevation of No 14, and on the side of its rear extension, serve habitable rooms. At first

floor of No 14, the nearest window serves a non-habitable room (this appears to be a bathroom or similar), although the second window serves a bedroom.

6. The side elevation of the proposed dwelling would be built up to two-storey height very close to the shared boundary with No 14. Although it would have a hipped roof, its side wall would be directly visible from the habitable rooms within No 14 facing the appeal site, and as a result of its height and proximity it would be a dominant feature creating an oppressive sense of enclosure. The same effects would also be felt within the relatively small rear garden of No 14.
7. My attention has been drawn to an earlier appeal decision in respect of the appeal site (PINS Ref: APP/E5330/W/20/3252921). The appellant contends that the current proposal has "significantly reduced the height of the proposed built form, together with the set back at the first floor level" compared to the earlier scheme, and so it "would not result in a loss of outlook or a sense of enclosure". I note also the Council's comments on the previous appeal scheme, including those to the effect that a reduction in maximum ridge height from around 7.56m to 7.40m has not make a significant difference in terms of the likely impact on the occupiers of No 14. I have not been provided with the full details of the previous proposal, nor the subsequent changes, but I have reached my conclusions in this appeal based on the specific facts of the proposal before me.
8. Because of its effect on outlook, as well as the sense of enclosure it would create, I conclude that the proposed development would cause unacceptable harm to living conditions for the occupiers of No 14 Charlton Dene. The proposal would therefore conflict with Policy DH(b) of the 2014 *Royal Greenwich Local Plan: Core Strategy with Detailed Policies*, which seeks to protect amenity for neighbouring occupiers, including by ensuring that development does not cause a harmful loss of outlook or an unneighbourly sense of enclosure.

Other Matters

9. The Council considered that the proposal would be acceptable in principle, and none of the evidence before me, or what I saw on site, leads me to a different view. It would also make a modest contribution to the supply of housing in the borough. However, that the proposal may be acceptable in these respects does not outweigh the other harm I have found.

Conclusion

10. The proposed development would have an unacceptable effect on neighbours' living conditions, and so would conflict with the development plan taken as a whole.
11. There are no material considerations which indicate that the decision should be made other than in accordance with the development plan. For the reasons given above, the appeal is therefore dismissed.

M Cryan

Inspector