



Appeal Decision

Site visit made on 23 November 2021 by Ms S Maur

Decision by K Taylor BSc (Hons) PGDip MRTPI

an Inspector appointed by the Secretary of State

Decision date: 29 July 2022

Appeal Ref: APP/E5330/D/21/3281088

Site Address: 142 Humber Road, Blackheath SE3 7LY

- 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 Nathan Ellis against the decision of the Royal Borough of Greenwich Council.
 - The application Ref 21/1102/HD, dated 25 March 2021, was refused by notice dated 11 June 2021.
 - The development proposed is the demolition of existing lean to rear extension and ground floor rear and side walls. Construction of single storey rear side infill and rear extension of 2.57m from the existing rear external wall. New pitched roof to extension with 3 no. rooflights eaves to not exceed 3m. New rear glazed windows and sliding doors. New glazed sliding door to flank wall.
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Decision

1. The appeal is allowed and planning permission is granted for the demolition of existing lean to rear extension and ground floor rear and side walls, construction of single storey rear side infill and rear extension of 2.57m from the existing rear external wall, new pitched roof to extension with 3 no. rooflights, eaves to not exceed 3m, new rear glazed windows and sliding door, and new glazed sliding door to flank wall at 142 Humber Road, Blackheath SE3 7LY. In accordance with terms of application Ref 21/1102/HD, dated 25 March 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: BL/DRG/041220/01, BL/DRG/041220/02, BL/DRG/041220/04.APP.

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. Some works to the basement were set out in an annotation on the submitted floor plans. However, these were not part of the original description of the development and a revised drawing has subsequently been submitted omitting the original annotation. Any potential works to the basement are therefore not considered through this appeal.

4. External works, including any alteration to the patio are not substantively shown in the drawings nor mentioned in the original description of development. Therefore, any such works are not considered within this appeal.

Main Issues

5. The main issues are:

- i) whether the proposed development would preserve or enhance the character and appearance of the Westcombe Park Conservation Area; and
- ii) the effect of the proposal on the living conditions of the occupants of the neighbouring No.140 with regards to outlook.

Reasons for the Recommendation

Character and Appearance

6. The appeal property is a two-storey semi-detached late-Victorian dwelling constructed of stock brick. It is located on the southern side of Humber Road and within the Westcombe Park Conservation Area. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that special attention is paid to the desirability of preserving or enhancing the character or appearance of a conservation area. The area is residential with surrounding properties which are also semi-detached and have original outriggers. The host dwelling has an existing outrigger and a small existing lean to. The proposal consists of the construction of a single storey rear and side infill wraparound extension with a low-pitched roof.
7. The Royal Borough of Greenwich Supplementary Planning Document Residential Extensions, Basements and Conversions Guidance Conversion SPD 2018 (SPD) states that it is important that extensions respect the original architectural features and detailing of the dwelling. It also advises that extensions which lose the original stepped appearance of the rear of a property will be discouraged. Whilst the proposed extension would remove the L shape on the ground floor, it would still be preserved at first floor level. The proposed extension would also be modest in its overall scale, when for example, compared to the unacceptable example illustrated in the SPD. As such, the proposal would be clearly distinguishable from and would respect the existing property, with its original stepped appearance still discernible. There would be no direct conflict with the Westcombe Park Conservation Area Character Appraisal, which the SPD advises should be taken into account.
8. The proposal would extend beyond the original building line of the existing two storey outriggers in the immediate area and there are no identical extensions nearby to the one proposed. Within the area there are a number of extensions that infill a portion of a tunnel back and extensions to the rear of the outrigger. This has created a mixed character in terms of rear additions. The proposed pitched roof would be low, and the inclusion of a roof lantern would be modest and have little impact. This being the case, the proposed extension would not appear harmful in its context.
9. For the reasons detailed above, the proposal would preserve the character and appearance of the Conservation Area. The proposal satisfies Policies DH1, DH3, DH(a) and DH(h) of the Royal Greenwich Local Plan, Core Strategy with

Detailed Policies 2014 (Local Plan) which seeks development that pays special attention to preserving or enhancing the character or appearance of the Conservation Area through taking account of the architecture, scale, height, design and pattern of surrounding buildings and that rear extensions are appropriate to the locality. The proposal would also comply with Policies HC1 and D3 of The London Plan (2021) which state that proposals should respond to the existing character of a place and conserve their significance by being sympathetic to the assets' significance and appreciation within their surroundings. There would also be no conflict with the National Planning Policy Framework which seeks to achieve good design.

Living Conditions

10. The neighbouring property at No.140 to the west of the site is on a higher ground level than the host dwelling, with steps leading up to the rear of the property. There are windows that face the host property at ground level and there is a brick wall, a fence and shrubbery at the boundary between these two properties. There is also an established gap between these properties and No.140 has not extended to the side of their outrigger.
11. The SPD advises that if the immediate outlook from a neighbour's windows would become unsightly or appear overbearing from the neighbouring property, it would normally be refused. There are windows at No.140, that partially overlook the host property. However, the combination of the gap between the properties, the lower ground level of the appeal property and the boundary coverage would significantly limit the effect of the outlook and enclosure at No.140. The living conditions of the occupiers of this neighbouring property would not be adversely affected and there would be no conflict with the SPD.
12. For the reasons outlined above, the proposal would not cause undue harm to the living conditions of the neighbouring occupants at No.140. The proposal would accord with Policy DH(b) of the Local Plan which permits development that does not result in an unneighbourly sense of enclosure.

Conditions

13. In addition to the standard time period for the commencement of the development, a condition has been recommended requiring that development accords with the approved plans, as this provides certainty and precision. The Council has requested that the external materials of the extension should match those of the existing dwelling. However, some elements of the extension would incorporate alternative external materials, which are nevertheless acceptable. The drawings contain an external finishes schedule and as such external materials would be adequately controlled through the drawing numbers condition and as such a specific condition relating to materials is not necessary.

Conclusion and Recommendation

14. Based on the above, and having regard to all matters raised, I recommend that the appeal should be allowed.

Ms S Maur

APPEAL PLANNING OFFICER

Inspector's Decision

15. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is allowed.

K Taylor

INSPECTOR