



Appeal Decision

Site visit made on 12 April 2023

By Victor Callister BA(Hons) PGC(Oxon) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27 April 2023

Appeal Ref: APP/E5330/D/23/3317343

19A Bennett Park, Blackheath, Greenwich SE3 9RA

- 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 Ms Julia Harrington against the decision of the Royal Borough of Greenwich Council.
 - The application Ref 22/3123/HD, dated 16 September 2022, was refused by notice dated 9 February 2023.
 - The development proposed is a second-floor extension and re-modelling of the front elevation including a new front door and window to the ground floor.
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Decision

1. The appeal is dismissed.

Application for costs

2. An application for costs was made by Ms Julia Harrington against the Royal Borough of Greenwich Council. This application is the subject of a separate Decision.

Main Issue

3. The main issues are the effect on:
 - The character and appearance of the appeal dwelling and that of the local area with reference to the Blackheath Park Conservation Area (the CA); and
 - The living conditions of neighbouring residential occupiers.

Reasons

Character and Appearance

4. The appeal dwelling is a relatively small self-contained two storey house that is attached to the side of a substantial late Victorian villa at 19 Bennett Park (No.19) and is accessed via a small rear garden. The appeal dwelling appears to have been a garage associated with this villa and is as an original part or early addition to this neighbouring grand villa. Although plain in design with a squared parapet front, non-functional faux garage door and little of the decorative qualities of the neighbouring villa, it continues to appear as a subservient ancillary building to this neighbouring property.
5. Bennett Park is a street close to the centre of the village of Blackheath village. It is a no through road predominantly lined with substantial Victorian villas, some of

which have small, attached buildings, similar to the appeal dwelling. This results in a cohesive streetscene, and contributes to the significance of the CA, which in this part is recognised for its more urban character and features associated with the cohesive grouping of the grand Victorian villas that line the street.

6. The CA is a heritage asset to which I have a statutory duty under section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990. I must pay special attention to the desirability of preserving or enhancing the character or appearance of a Conservation Area.
7. The proposal would extend the existing front elevation, raising the parapet to align with the decorative balustrade above the porch at No.19. This would result in the first floor arched front window being higher than existing and no longer aligning with the arched porch opening on the front of No.19. The proposal would also replace the existing faux garage door on the front of the appeal dwelling with a new front access door and window. The proposal includes a second-floor extension that would replace the existing modest hipped roof that is screened from the street by the existing parapet, and the extension of the existing flank brick wall by a full storey.
8. The proposed second floor extension would be slightly set back from the extended parapet, although this set back would be staggered to allow for the presence of a window in the side elevation of No.19 at this point. Given the height and scale of the proposed second floor extension, its simple box like glazed appearance and staggered form would be very apparent when viewed from the street. The glazed rear of the proposed second floor extension would be set back behind the brick rear façade and would be very apparent from viewpoints at the rear of the property.
9. The bulk of the proposal, combined with its staggered form and its box like massing, would not reflect the roof forms and massing of the local area. This would result in it appearing as an overly prominent and dominating addition to the appeal dwelling, which, given the proximity of the appeal dwelling with the neighbouring property at 21 Bennett Park (No.21) would also result in an infill of space that would increase the terracing effect between these two properties.
10. The design and materials used for the glazed front and rear of the proposed second floor extension would not reflect those of the existing dwelling or more widely of others in the street. Given the prominence of this aspect of the proposal, this contrast with the appeal dwelling and neighbouring properties would be readily apparent. This would result in the proposed second storey extension appearing as an incongruous addition to the appeal property.
11. Given that the proposed alterations and extension of the front elevation of the appeal dwelling would reflect the design, scale, materials and detailing already found in the appeal dwelling, I find that these aspects of the proposal constitute a neutral change in terms of their effect on the character and appearance of the appeal dwelling and that of the local area.
12. However, given the dominating and incongruous appearance that would result from the proposed second floor extension and its prominence in street and rear views of the appeal dwelling, I find that the proposal as a whole would detract from the townscape and streetscene of the local area and its existing coherent character. In this regard, the proposal would also fail to reflect the contribution that the host dwelling, and the street frontage of which it forms part, makes to the

significance of the CA, and would fail to preserve or enhance the character or appearance of the CA.

Living Conditions

13. The rear part of the proposed second floor extension would result in its flank wall being approximately 0.6 metres to the side of a window set in by approximately 2.5 metres from the main north facing rear elevation of No.19. The flank wall of the proposal at this point would project approximately 2.9 metres from the rear of No.19 and would be approximately 2.4 metres in height.
14. This would result in a degree of enclosure that would have a tunnelling effect to the outlook and a reduction in the amount of daylight available to this north facing window. Combined, these two effects would be experienced by the occupiers of No.19 as oppressive and would result in a significant loss of outlook from this window.
15. To the front, the proposed second floor extension has a staggered set back around a side window to No.19. Although it would appear that this window has glazing that is obscured and serves an internal staircase, it would appear that the obscuring is a choice of the occupiers of this neighbouring property. The proposal would be set back from this window by approximately 1.5 metres and would have an enclosing effect to this window with a concomitant overshadowing effect. Given the proximity of the window to the proposed extension the degree of overshadowing would result in a substantial reduction in the daylight and sunlight to the internal space that this window serves, especially during the winter months, resulting in a significant loss of outlook.
16. It is further noted that access to the flat roof adjacent to this window at No.19 would be accessible to the occupiers of No.19A. Whilst this is indicated as being for maintenance, this access could result in greater use of this area for amenity by the occupiers of No.19A, resulting in a loss of privacy to the occupiers of No.19.
17. Similarly, the brick flank wall of the proposed second floor extension would sit directly opposite an obscured glazed window in the flank of No.21. Whilst this would not result in the same degree of enclosure as that to the window at No.19 and would have a lesser effect in terms of a reduction in daylight, this would be to a degree that would be noticeable to the occupiers of No.21, resulting in some loss of outlook.
18. The appellant has drawn my attention to a second-floor extension to a property similar to the appeal dwelling at 29A Bennett Park (No.29A). However, the form of this nearby extension varies significantly from the appeal proposal with its continuous and not stepped plan and gable parapet. Although it is noted that it pre-dates the design guidance given in the Royal Borough of Greenwich Residential Extensions, Basements and Conversions Guidance Supplementary Planning Document (2018), this nearby extension appears to be complementary in design, form and scale with its host dwelling.
19. The appellant has also drawn my attention to other roof extensions permitted in the local area. These would have been considered on their own individual merits and I have done likewise in my consideration of the appeal proposal. I have therefore given the extension at No.29A and other permitted nearby extensions only moderate weight in my considerations.

20. Whilst I acknowledge the appellant's view that the proposal as a whole would allow them to create the type of space they envisage, this would represent a predominantly private rather than public benefit. I further note that some of the functional or safety aspects of the proposal could be achieved without the need for the second storey extension. I can therefore only give little weight to these benefits of the proposal in my considerations.
21. The appellant has raised concerns with regard to the timing and nature of communication by the Council during the planning application process. However, this is not something that I can consider as part of this appeal as there are other procedures in place to deal with complaints in this regard.
22. Although I acknowledge that the appellant has sought to overcome concerns raised by the Council relating to a previous application for a similar proposal that was subsequently withdrawn, I have considered the revised appeal proposal on its own individual merits, which is a main tenet of the planning system.
23. For the reasons given, the proposal as a whole would result in substantial harm to the character and appearance of the appeal dwelling and that of the local area and further substantial harm to the living conditions of the residential occupiers of No.19 and No.21. This would not accord with the guidance given in the Royal Borough of Greenwich Residential Extensions, Basements and Conversions Guidance Supplementary Planning Document (2018), and would be contrary to policies DH1, DH(a) and DH(b) of the Royal Greenwich Local Plan: Core Strategy (2014) (the Local Plan), policy D3 of the London Plan (2021) (the London Plan) and paragraphs 130 and 134 of the National Planning Policy Framework (2021) (the Framework). These collectively seek to ensure that development, including extensions, demonstrate high quality design, integrate with the local area and provide for appropriate outlook and sufficient daylight to surrounding housing and do not undermine the quality of life of neighbouring residential occupiers.
24. Further, the excessive scale, incongruous design and prominence of the proposed second floor extension would fail to preserve the character or appearance of the CA. The proposed development would not, therefore, accord with the Blackheath Park Conservation Area Appraisal (2013) and would conflict with policies DH3 and DH(h) of the Local Plan and policy HC1 of the London Plan and section 16 of the Framework. These collectively seek to ensure that development has due regard to the importance of preserving or enhancing heritage assets and conserve their significance, by being sympathetic to the assets' significance and appreciation within their surroundings.
25. Although I find the harm to the CA would be considered less than substantial, in accordance with the Framework, great weight should be given to the conservation of those assets.

Conclusion

26. As no public benefits have been identified that would outweigh the harm that I have identified above, I conclude that the appeal should be dismissed.

Victor Callister

INSPECTOR