



Appeal Decision

Site visit made on 26 July 2023

by C Hall BSc MPhil MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15 September 2023

Appeal Ref: APP/E5330/D/23/3320092

35 Hillview Road, Chislehurst, London BR7 6DR

- 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 Isabelle Marnham against the decision of the Council of the Royal Borough of Greenwich.
 - The application Ref 23/0112/HD dated 5 October 2022, was refused by notice dated 7 March 2023.
 - The proposed development is for a single storey rear extension, hip to gable roof extension and erection of rear facing dormer to accommodate loft conversion with three front facing roof-lights.
-

Decision

1. The appeal is allowed and planning permission is granted for a single storey rear extension, hip to gable roof extension and erection of rear facing dormer to accommodate loft conversion with three front facing roof-lights at 35 Hillview Road, Chislehurst, London BR7 6DR in accordance with the terms of the application Ref 23/0112/HD, dated 5 October 2022, 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: location plan, 2023/JAN/154 REV:2, 2023/JAN/159
 - 3) The external finishes of the development hereby permitted shall match in material and colour those of the existing dwelling.

Main Issues

2. The main issues are the effect of the development having regard to a) the character and appearance of the existing dwelling and surrounding area; and b) the living conditions of the occupants of 37 Hillview Road in respect of light and outlook.

Reasons

Character and appearance

3. The appeal site comprises a semi-detached bungalow with off-street parking on the driveway to the front. The local neighbourhood is predominantly residential in nature and consists of properties of broadly similar scale and design.
-

4. At my site visit I observed other hip-to-gable elements within the street scape that have already altered the symmetry between semi-detached properties. Whilst these may have been approved under permitted development rights, they are nevertheless established features within the locale and to my mind does not result in harm to local character. Within this context I consider that this part of the appeal scheme would not appear incongruous; the gable end would visually connect with the overall appearance of the dwelling, without being imposing or dominant.
5. At the rear, I acknowledge that the dormer window would be a fairly substantial development within the roofslope of the host dwelling. Nevertheless, the element would be set within the body of the roof; marginally below the main ridgeline, above the eaves and with the sides set away from the gable end and party wall with the adjacent property. Taken together with the numerous other dormer windows that are clearly visible from the appeal site, I am of the view that the scheme would not detract from the character of the setting.
6. I consider that the proposal would not result in harm to the character and appearance of the dwelling or the surrounding area. It would accord with Policies DH1 and DH(a) of the Royal Greenwich Local Plan: Core Strategy with Detailed Policies 2014 (LP), the Council's Residential Extensions, Basements and Conversion Guidance Supplementary Planning Document 2018 (SPD), and policy D3 of the London Plan 2021, which together seek to secure new development of acceptable scale and appearance.

Living conditions

7. There is an existing, projecting element at the rear of the appeal dwelling that lies adjacent to the common boundary with 37 Hillview Road. This element is to be demolished to make way for the single storey extension.
8. On balance, I am satisfied that the proposal would not have an unduly oppressive or intrusive effect on living conditions. Even when viewed through the ground floor rear openings of no.37, the addition is unlikely to result in a sense of confinement or enclosure sufficient to cause adverse harm above and beyond the current situation. In an urban area such as this, it would clearly not be unusual to be able to see the built form of other dwellings from internal rooms. Taken in the round, whilst I acknowledge that there is some effect, I consider that any overbearing impact would not be so harmful as to warrant dismissal of the appeal.
9. The rear garden of the appeal site and that of no.37 face in a broadly north-westerly direction. The existing built arrangement between the appeal dwelling and no.37 already causes a loss of light for most of the afternoon to the neighbouring rear windows and patio. Although there would be some additional loss of light in the evening due to the scheme, I am of the view that this would not be so unneighbourly as to warrant a refusal of planning permission on this ground.
10. Consequently, the proposal would not result in material harm to the living conditions of the occupants of 37 Hillview Road in respect of light and outlook. It would meet policy DH(b) of the LP and the provisions of the SPD, which seek to ensure that development does not harm the amenity of occupiers of nearby properties.

Conditions

11. I have considered the imposition of conditions in light of advice in Planning Policy Guidance and the National Planning Policy Framework. In addition to the standard implementation condition, the approved plans are listed for certainty. A condition requiring external materials to match those on the existing dwelling would provide for a satisfactory appearance.

Conclusion

12. Given the preceding arguments, the appeal is allowed.

C Hall

INSPECTOR