
Appeal Decision

Site visit made on 4 June 2024

by J Bowyer BSc(Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 17 June 2024

Appeal Ref: APP/E5330/W/23/3333832

9 Warwick Terrace, Plumstead, London SE18 1QJ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a failure to give notice within the prescribed period of a decision on an application for planning permission.
 - The appeal is made by Mr Adeil Qammar against the Council of the Royal Borough of Greenwich.
 - The application Ref is 23/1720/HD.
 - The development proposed is described as 'retrospective application, single storey rear extension'.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. At my visit, I saw a part complete extension with canopy to the rear of the appeal dwelling. The construction differs from the development shown on both the 'Existing/Construction Drawings' and the 'Proposed Drawings'. For the avoidance of doubt, I have determined the appeal on the basis of the development shown on the 'Proposed Drawings' (plan no. Y1612/2023/05).
3. I have also dealt with an appeal proposing a dropped kerb and associated alterations to existing hardstanding at the appeal site. That proposal is the subject of a separate decision¹.

Main Issues

4. The main issues are (i) the effect of the proposal on the character and appearance of the host dwelling and area, including the Plumstead Common Conservation Area ('the CA'); and (ii) the effect of the proposal on the living conditions of the occupiers of 8 Warwick Terrace in respect of light and outlook.

Reasons

Character and Appearance

5. The Plumstead Common Conservation Area: Character Appraisal 2010 highlights that the CA was designated to protect and enhance an area of ancient common land together with the buildings on its periphery which contribute to its setting. There is some variety in the architectural style of buildings, but materials are typically traditional, often with brick exteriors. This promotes an attractive sense of overall unity and cohesion, contributing

¹ Appeal reference APP/E5330/W/23/3327968

positively to the character, appearance and thus significance of the CA. The appeal dwelling is part of one of two short modern terraces on Warwick Terrace overlooking Plumstead Common. Based on my observations and the evidence before me, I have no firm reason to find that the terraces are of particular historic value or architectural merit in themselves. Nevertheless, the unity of the group and their predominantly brick exteriors reflect characteristic features of the CA.

6. The main part of the proposed extension would have a depth of 3.2m. This would be less than the 3.6m that the Urban Design Guide Supplementary Planning Document 2023 ('the UDG') indicates is typically considered appropriate. A canopy would increase the depth of the development closest to the boundary with 8 Warwick Terrace to 4.2m. Given however that the canopy would not extend across the full width of the extension and that it would not be enclosed to the sides, it would not add significant additional bulk or mass. Moreover, the flat roofs to the development would be of modest height, and even the tallest section would sit notably below the height of the first-floor windows to the rear of the dwelling. While I note the relatively modest size of the rear garden, I find given these factors that the scale of the development would not appear excessive on the site.
7. That said, the proposed white render finish to the extension would contrast strikingly against the brick exterior of the host and neighbouring dwellings. The inclusion of sections of flat roofs of differing heights would further cause the extension to appear awkward, an effect that would be exacerbated by the uncomfortably close relationship between the top of the window and door in the lower section and the roof to this part of the extension. In combination, these attributes would result in a discordant feature and irrespective of the simple fenestration, I find that the extension would not relate well to the architectural character of the host dwelling or terrace. It would be all the more conspicuous as the only rear extension in the terrace group, and I find that it would stand out as an unsympathetic and highly incongruous addition to the area.
8. The development would not be readily visible from the public realm. However, some views would be possible from the grounds of Plumstead Manor School to the rear of the site and from neighbouring properties. In these views, the stark contrast in the materials of the extension against the terrace would be particularly conspicuous and would draw attention to the discordant development. I appreciate that the visual impact of the proposal would be localised, but I find as a result that the development would adversely affect the character and appearance of this part of the CA causing some, albeit very modest, harm to its overall significance.
9. Furthermore, requirements within Policy D3 of the London Plan 2021 ('the LP') and Policies DH1 and DH(a) of the Core Strategy with Detailed Policies 2014 ('the CS') seeking high quality design and development, architecture that pays attention to detail and extensions of design that is appropriate to the building are not limited only to proposals which are highly visible. For the reasons given above, the proposal would conflict with these requirements.
10. I therefore find that the proposal would detract from the character and appearance of the host dwelling and it would fail to preserve the character and appearance of the CA. The resulting harm to the significance of the CA would be very modest, and certainly less than substantial in the terms of the National

Planning Policy Framework ('the Framework'). The Framework therefore indicates that this harm should be weighed against the public benefits of the proposal. In doing so, the Framework states that heritage assets are irreplaceable and great weight should be given to their conservation.

11. The proposal would provide additional and enhanced living space for occupiers of the site. However, these benefits would be mostly private, and would be limited by the small scale of the development. In considering this matter, I have noted references to a health condition affecting an occupier of the site. However, the evidence before me does not clearly explain any link between any health issues and a need for the extension, much less an extension of the design proposed here which I have found would cause harm to the character and appearance of the dwelling and area. In this context, I find that personal circumstances are not sufficient to outweigh the harm that I have identified.
12. Although the harm to the CA would be very modest, this matter attracts considerable importance and weight and from the information before me, I find that the public benefits of the proposal are insufficient to outweigh that harm.
13. I have paid special attention to the desirability of preserving or enhancing the character or appearance of the CA in accordance with Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990. For the reasons above, I conclude that the proposal would cause unacceptable harm to the character and the appearance of the host dwelling and the Plumstead Common CA. In addition to the conflict with Policy D3 of the LP and Policies DH1 and DH(a) of the CS noted above, the proposal would be contrary to Policy HC1 of the LP and Policies DH3 and DH(h) of the CS insofar as they together broadly seek the conservation or enhancement of heritage assets including conservation areas. The proposal would also be contrary to guidance in the UDG indicating that materials should reflect the character of the area and style of architecture and integrate well with the existing property.

Living Conditions

14. The attached neighbour at 8 Warwick Terrace is not extended to the rear and has a ground floor window close to the boundary with the appeal site. The 3.2m depth of the main part of the extension along this boundary would not be excessive and the flat roof would also be of relatively modest height. I further note that a Certificate of Lawfulness has been granted for a rear extension close to the boundary with No 8². While this may not have included any assessment of effects on neighbouring living conditions, it seems to me that there would be a more than reasonable prospect of it being implemented should the current appeal fail. The main part of the extension now proposed would be slightly deeper than under this fallback scheme but noting a greater reduction in its height closest to the boundary, I consider that overall effects on levels of light and outlook experienced by occupiers of No 8 would be comparable if not slightly improved.
15. The canopy would increase the total depth of development along the boundary to 4.2m, but it would be open to the sides which would considerably limit the bulk and mass of the deepest part of the development. While the canopy roof would be visible from No 8 there would also remain views above and beneath this feature. In my judgement, the canopy would not therefore result in a

² Application ref 21/2916/F

significant impression of enclosure along the boundary. Nor, despite its position to the south east, would it entirely block daylight or sunlight reaching the garden or rear windows of No 8.

16. Given these factors and noting the modest height of the flat roof to both the extension and canopy, I find that the overall scale of the development would not be excessive. I am further satisfied that occupiers of No 8 would still enjoy a reasonably bright and open aspect to their rear, and the development would not be overbearing or cause unacceptable loss of light or outlook.
17. For these reasons, I conclude that the proposal would not cause unacceptable harm to living conditions for occupiers of 8 Warwick Terrace in respect of light or outlook. I therefore find no conflict with Policy DH(b) of the CS which seeks to ensure that development does not cause unacceptable loss of amenity to adjacent occupiers including by reducing daylight or sunlight or resulting in an unneighbourly sense of enclosure. Nor would the proposal be contrary to the RBG Design Guide insofar as it provides guidance seeking similar objectives.

Conclusion

18. I have found no unacceptable harm to neighbouring living conditions, but this would not outweigh the harm that the proposal would cause to the character and appearance of the host dwelling and CA.
19. I acknowledge the appellant's desire to find a resolution for the rear extension, a situation which I am advised has resulted in stress and anxiety. However, while I sympathise, these factors do not alter my assessment of the planning merits of the proposal.
20. I find that the proposal would conflict with the development plan when it is read as a whole, and material considerations do not indicate that a decision contrary to the development plan should be reached. I therefore conclude that the appeal should be dismissed.

J Bowyer

INSPECTOR