



Appeal Decision

Site visit made on 21 August 2024

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

an Inspector appointed by the Secretary of State

Decision date: 11th September 2024

Appeal Ref: APP/E5330/D/24/3346225

57 Harlinger Street, Woolwich, Greenwich SE18 5SX

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Dr Nicki On against the decision of The Royal Borough of Greenwich Council.
 - The application Ref is 24/0598/HD.
 - The development is a garden room in the rear garden to use as an art-craft workspace.
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Decision

1. The appeal is allowed and planning permission is granted for a garden room in the rear garden to use as an art-craft workspace at 57 Harlinger Street, Woolwich, Greenwich SE18 5SX in accordance with the terms of the application, Ref 24/0598/HD, and the plans submitted with it, subject to the following condition:
 - 1) The development hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as 57 Harlinger Street, Woolwich, Greenwich SE18 5SX.

Procedural Matters

2. This appeal relates to a development that has been implemented, therefore, the application is retrospective, and I have determined the appeal accordingly.
3. As the description of the proposal varies between submitted documents, I have used the description from the Council's decision notice, as this is a concise and accurate description that has also been used by the appellant for their statement.

Main Issues

4. The main issues are the effect of the proposal on:
 - The character and appearance of the local area; and
 - The living conditions of neighbouring residential occupiers, with reference to outlook.

Reasons

Character and Appearance

5. The appeal dwelling is a two storey end of terrace house, with off-street parking to the front and a garden to the rear. It is located in a part of the street made up

- of similarly scaled properties on an estate that also includes mid-scale flatted developments.
6. An Article 4 Direction¹ is in place that covers the appeal property, which removes permitted development rights and requires a planning application to be made for this type of development. It is just such an application that is before me. This follows refusal of a previous application² that involved a curved and significantly taller roof profile to the garden room, which has been altered for the appeal application.
 7. The appeal development is a single storey flat roofed timber garden room, approximately 4.3 metres deep and 3.1 metres wide, which sits in the rear garden, approximately 5.6 metres from the rear wall of the appeal dwelling. It is located towards the rear of the plot, although there is an access gap between the rear and sides of the garden room and the boundary fences that enclose the garden.
 8. The Council has raised the issue that the width of these gaps shown on the application drawings does not match the gaps as built. However, from my site visit this does not appear to be the case, and the gaps are of the sizes indicated. The footprint of the garden room results in it covering less than 50% of the rear garden, which is in accordance with design guidance given in Section I.3.5 of the Royal Borough of Greenwich Urban Design Guide Supplementary Planning Document (2023) (the SPD).
 9. The garden room is approximately 2.5 metres tall, which results in it appearing slightly above the boundary garden fence with trellis above. An artificial plant screening material has been added to the trellis. The Council has indicated that this does not form part of the application, and I have considered the development accordingly.
 10. It is not unusual for single storey flat roofed timber outbuildings, sheds and workshops in the rear gardens of dwellings to be taller than the boundary fences, and these form part of a familiar garden scene to the rear of residential properties. There are examples of this with other outbuildings/sheds/workshops in the rear gardens of other houses in the local area. There are also examples of brick built single storey outbuildings associated with nearby flatted developments that also have a similar appearance as small outbuildings sitting within a garden context.
 11. In this regard, the appeal garden room appears to reflect this generally familiar garden scene and the street scene of the local area and does not appear as dominant addition and unsympathetic to the streetscene and established local character.

Living Conditions

12. There is a small single storey rear extension at the rear of the adjoining dwelling at 56 Harlinger Street, which has extensive areas of glazing and appears to reach across the full width of this neighbouring property. This extension projects approximately 2.7m metres from the rear wall of the main dwelling. The rear of this extension is approximately 2.9 Metres from the front of the appeal garden room.

¹ Article 4 of the Town and Country Planning (General Permitted Development) (England) Order 2015

² Planning Ref: 23/3554/HD

13. Given the height of the garden room and its distance from the neighbouring extensively glazed extension, only the roof and topmost part of the garden room would be visible above the boundary fence. The artificial plant screen material applied to the trellis above the boundary fence, which does not form part of the original application, has a greater visual effect in this regard.
14. I do not find that the limited presence of the garden room in views from the neighbouring extension causes an undue sense of enclosure resulting in a significant loss of outlook. Rather the effect on outlook is a slight visual change without any resulting visually obtrusive or oppressive effects on the outlook from this neighbouring property. As such, the garden room is in accordance with the design guidance given in paragraphs i.13 and i.15 of the SPD.

Other Matters

15. Concerns have been raised by third parties regarding loss of light to neighbouring properties. Given the scale of the appeal development and the distance to neighbouring properties, I find that there would be no significant loss of sunlight or daylight that would result in any significant harm to the living conditions of residential occupiers.
16. Concerns have also been raised with regard to fire safety. This is not a matter for me to consider as part of this appeal and is regulated by other responsible authorities.
17. For the reasons given above the appeal development does not result in any significant harm to the character and appearance of the local area or to the living conditions of neighbouring residential occupiers. As such the appeal development does not conflict with Policies DH1, DH(a) and DH(b) of the Royal Greenwich Royal Greenwich Local Plan: Core Strategy (2014), Policy D3 of the London Plan (2021) and Section 12 of the National Planning Policy Framework (2023). Collectively these seek development that demonstrates high quality design that integrates with the local area and does not undermine the quality of life of neighbouring residential occupiers.

Conditions

18. I have had regard to the conditions suggested by the Council should I be minded to allow the appeal and I have included the condition relating to the use of the garden room, requiring that it does not form a new dwelling and is not occupied at any time other than for purposes ancillary to the residential use of the appeal dwelling. As the development to which this appeal relates has been completed there is no reason for me to add the standard condition on the timing of implementation of the development. The development also appears to have been completed in accordance with the plans submitted with the original application.

Conclusion

19. For the reasons above, the appeal is allowed.

Victor Callister

INSPECTOR