

Appeal Decision

Site visit made on 1 October 2024

by M Ollerenshaw BSc (Hons) MTPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 8 November 2024

Appeal Ref: APP/E5330/D/24/3341135

1 Camborne Row, Liskeard Gardens, Blackheath, Greenwich SE3 0PE

- 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 Mr Bimal Umeria against the decision of the Council of the Royal Borough of Greenwich.
 - The application Ref is 23/3370/HD.
 - The development proposed is retrospective application for a single storey outbuilding in rear garden.
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Decision

1. The appeal is allowed and planning permission is granted for a single storey outbuilding in rear garden at 1 Camborne Row, Liskeard Gardens, Blackheath, Greenwich SE3 0PE in accordance with the terms of the application, Ref 23/3370/HD.

Preliminary Matter

2. The proposal had been completed at the time of my site visit and it appears to correspond to the details shown on the submitted plans. Accordingly, I am dealing with the appeal retrospectively. In the decision above I have used the description of development as set out on the decision notice, save for reference to "retrospective application" as this is superfluous. This description has subsequently been used by the appellant in their statement.

Main Issues

3. The main issues are whether or not the development preserves or enhances the character or appearance of the Blackheath Conservation Area; and the effect of the proposal on the living conditions of the neighbouring occupiers of 2 Camborne Row, with particular regard to privacy and outlook.

Reasons

Character and appearance of the Conservation Area

4. The appeal property is a substantial semi-detached dwelling located on Liskeard Gardens within an established residential area. The property is set back from the road behind a driveway, with a large garden to the rear beyond which there are school playing fields. Liskeard Gardens consists of a variety of sizes and styles of residential properties, ranging from semi-detached and detached dwellings to purpose-built flats.
5. The site is within the Blackheath Conservation Area (CA) which is predominantly residential, with the built character of the area defined by spacious, leafy

avenues that were laid out in the nineteenth century. Properties in this part of the CA are generally set on large plots with mature trees within their gardens, which results in a sense of spaciousness and a sylvan character.

6. The appeal proposal is a single storey outbuilding located at the end of the rear garden. The Council has previously granted planning permission for an outbuilding in this location¹. The appeal proposal is a variation of that earlier scheme. The outbuilding has a flat roof with a roof overhang to the front, and an attached storage area to the rear. There are bi-fold doors to the front elevation and single windows on either side elevation. A raised deck extends to the front and sides of the outbuilding.
7. I have considered the scheme in the context of the obligations under Section 72(1) of the Planning (Listed Building and Conservation Areas) Act 1990, which requires special regard to be given to the desirability of preserving the character or appearance of the CA. This is reflected in paragraph 205 of the National Planning Policy Framework which requires great weight to be given to the asset's conservation when considering the impact of a development on its significance.
8. The depth and height of the outbuilding are marginally greater than previously approved, while the width is slightly reduced. The increased height of the building and enlarged roof overhang make it appear bulkier than approved but not to an extent that is harmful to the area, particularly as the proposal is discreetly sited. The composite cladding panels help assimilate the building with the adjacent fencing and are sympathetic to the sylvan character of the area, while the roof covering is not apparent from ground level. The enlarged raised deck to the front and sides of the building does not have a harmful effect given that it is low-lying.
9. While the proposal is visible from nearby properties and the playing fields, given its relatively modest scale and the partial screening provided by trees and fencing, the minor changes to the outbuilding are harmful. It remains a modest domestic outbuilding in the context of the large property to which it relates, and the open character of the site and the spaciousness of the CA have been retained given its location at the end of the garden.
10. For the above reasons I conclude that the development has preserved the character and appearance of the CA. It complies with Policies D3, D4 and HC1 of the London Plan, Policies DH1, DH3, DH(a) and DH(h) of the Royal Greenwich Local Plan: Core Strategy with Detailed Policies (2014) (the CS), the Blackheath Conservation Area Appraisal and the Council's Urban Design Guide Supplementary Planning Document (SPD). Amongst other things, these policies and guidance seek to ensure that development is of high quality design that responds positively to local distinctiveness, and protects and enhances heritage assets. The Council refers to a conflict with CS Policy DH4; however, that policy relates to the Maritime Greenwich World Heritage Site which is unaffected.

Living conditions

11. The appeal site is bordered by 2 Camborne Row to the east and 25 Liskeard Gardens to the west. The latter is a block of flats. It is served by a rear car park and a row of garages which are adjacent to the proposed outbuilding. Therefore, the proposal does not harm the privacy or outlook of the occupiers of No 25 as only a small area of the shared amenity space is affected.

¹ Council ref. 21/4278/HD

12. The rear garden of No 2 adjoins the appeal site, with a 1.8m high fence on the boundary between the two properties. Although the outbuilding and raised deck allow some views over the boundary fence towards the neighbour's garden, it is only the end part of the garden that is affected. The majority of their garden and the patio area situated at the rear of the dwelling itself are much further away from the proposal. Shrubs on the boundary provide some screening of the proposal. Therefore, the overall privacy levels within the neighbour's garden as a whole remain acceptable. Furthermore, there are fewer windows in the side elevation of the building compared to the approved scheme, which reduces the opportunity for overlooking of the neighbour's garden from within the building.
13. Given the relatively modest height of the outbuilding, I am satisfied that it does not affect the outlook from the neighbour's garden significantly over and above the scheme as previously approved. Therefore, in view of the minor changes, I do not consider that the development has any significant additional impact on the neighbour's privacy or outlook that would warrant dismissing the appeal.
14. I therefore conclude that the proposal does not have a significantly harmful effect on the living conditions of the occupiers of 2 Camborne Row, having regard to privacy and outlook. Accordingly, the proposal complies with CS Policy DH(b) and the SPD which, amongst other things, seek to ensure that development does not cause an unacceptable loss of amenity to adjacent occupiers.

Conclusion

15. For the reasons explained, I conclude that the appeal should be allowed and planning permission granted. As the building has been constructed no conditions are required.

M Ollerenshaw

INSPECTOR