



Appeal Decision

Site visit made on 19 September 2024 by M Long BA(Hons) MSc MRTPI

Decision by M Russell BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18th November 2024

Appeal Ref: APP/E5330/D/24/3345813

92 Briset Road, Eltham, Greenwich SE9 6LQ

- 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 P Warr against the decision of the Council of the Royal Borough of Greenwich.
 - The application Ref is 24/0909/HD.
 - The development proposed is an extension to existing annex, changing from flat roof to a pitched roof.
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by a representative of the Inspector whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Procedural Matters

3. There is a discrepancy in the names included in the application form and the appeal form. Within the banner heading, I have included the name used in the application form following further clarification that Mr P Warr submitted the application on behalf of the owner of the property.
4. Matters in respect of the appeal site boundary have been explained within the appellant's statement of case. I have no detailed contrary evidence to suggest that the identified boundary on the drawings provided is not correct, and the submitted documents are sufficient for me to reach a decision on the main issues of the appeal.
5. The second reason for refusal on the Council's decision notice suggests that the proposal would 'have an adverse impact on the residential amenity enjoyed by adjoining occupiers'. The Council's officer report identifies that the concerns relate to matters of outlook and light and I have defined the second main issue on this basis.

Main Issues

6. The main issues are the effect of the proposal on:
 - the character and appearance of the area; and,
 - the living conditions of neighbouring occupiers at properties in Jacks Acre Lane with particular regard to outlook and light.

Reasons for the Recommendation

Character and appearance

7. The two-storey, semi-detached house at 92 Briset Road (No 92) is of a traditional design with hipped roof forms which are reflective of the other traditional dwellings on the road. It has a single-storey, flat-roofed outbuilding to its side which sits close to the boundary with a modern development of terraced dwellings on Jacks Acre Lane. Due to its modest height, flat roofed form and its position behind a wall, the outbuilding has a recessive presence in the street and so it sits comfortably alongside the dwelling at No 92 and the contemporary building forms on Jacks Acre Lane.
8. The outbuilding would remain single-storey in scale and in that regard would not appear dominant in relation to the dwelling at No 92 in public views from the street. In this particular regard, it would not conflict with the guidance in The Royal Borough of Greenwich Urban Design Guide: Supplementary Planning Document (2023) (SPD).
9. However, the gabled roof would not reflect the hipped roof forms of the host dwelling and the extended building's increased height would mean this would be prominent in views from the street on Briset Road. Due to its very close position alongside the dwellings on Jacks Acre Lane, it would also jar with the contrasting form and materials of this neighbouring development. Consequently, the outbuilding's increased visual prominence, together with the mismatch of roof styles, would appear incongruous and would be detrimental to the cohesiveness of the street scene on Briset Road.
10. I conclude that the proposal would result in harm to the character and appearance of the area. It would therefore be contrary to the Royal Greenwich Local Plan: Core Strategy with Detailed Policies (2014) (LP), specifically Policies DH1 (Design) and DH(a) (Residential Extensions) which together seek development to be of a high quality design and that additions should be limited to a scale and design appropriate to the building and locality. There would be conflict with Policy D3 (Optimising site capacity through the design-led approach) and D4 (Delivering good design) of The London Plan (2021) (TLP) which seek to ensure that development proposals meet the design requirements of the TLP which include responding to the existing character of a place.

Living conditions

11. During my site visit, I observed a small courtyard area serving some of the neighbouring properties on Jacks Acre Lane which sits parallel to the position of the proposed extended outbuilding. The courtyard is enclosed by the tall walls of the residential development and the shared boundary fence with the appeal site. I noted that these neighbouring properties have ground-floor glazed openings facing onto the courtyard, some of which also face towards the appeal site and location of the proposal.
12. Due to its extension towards the shared boundary, the outbuilding would sit in very close proximity to the neighbouring courtyard. The outbuilding's increased height above the shared boundary fence would be overbearing when experienced from the courtyard and windows serving these neighbouring properties. Given the intimate environs of the small courtyard, the pitch of the

roof away from these neighbouring properties would not be sufficient to mitigate the harm. Therefore, the proposal would harmfully reduce the quality of outlook for occupiers of these neighbouring properties.

13. Furthermore, due to the orientation of the extended outbuilding to the south of the neighbouring courtyard and glazed openings, there would be a potential reduction in levels of light experienced by the occupiers of neighbouring properties on Jacks Acre Lane. The enclosed nature of the courtyard space would mean that any reduction in light would likely be experienced more acutely. Also, there is no detailed evidence before me to demonstrate that there would not be a harmful reduction in levels of light. As such, the scheme would conflict with the SPD which sets out that particular attention should be given to the design of outbuildings in terms of scale, bulk and height so as not to result in any unacceptable sense of enclosure or overshadowing.
14. I conclude that the proposal would result in unacceptable harm to the living conditions of neighbouring occupiers at properties in Jacks Acre Lane with particular regard to outlook and light. As such, the proposal would be contrary to Policy DH(b) (Protection of Amenity for Adjacent Occupiers) of the LP, which seeks to ensure that proposed development does not cause an unacceptable loss of amenity to adjacent occupiers including where it would reduce light or result in an unneighbourly sense of enclosure.

Other Matters

15. It has been suggested that a new outbuilding could be constructed to the boundary under permitted development rights. Even if this were the case, the height of such a scheme would be lower than what has been proposed, and so its effects would not be comparable to the appeal scheme.
16. The appellant suggests that the dwellings along Jacks Acre Lane have detrimentally affected living conditions at No 92, and that the Council has displayed inconsistency in their approach to determining planning applications. Whether or not that be the case, the focus of my recommendation must be on the existing site situation and the planning merits of the proposed scheme.

Conclusion and Recommendation

17. The proposal would be contrary to the development plan. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be dismissed.

M Long

APPEAL PLANNING OFFICER

Inspector's Decision

18. I have considered all the submitted evidence and my representative's report and on that basis the appeal is dismissed.

M Russell

INSPECTOR