

Appeal Decision

Site visit made on 4 October 2016

by Alexander Walker MPlan MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 24th October 2016

Appeal Ref: APP/E5330/W/16/3154163

9 Eglinton Hill, Plumstead, Greenwich SE18 3PG

- 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 Mr R De Silva against the decision of Royal Borough of Greenwich Council.
 - The application Ref 15/3560/F, dated 15 November 2015, was refused by notice dated 13 April 2016.
 - The development proposed is the retention of 4 existing dwellings; new part two storey side extension with cellar and loft; excavation of part of existing cellar; new light wells and new front roof lights; and, a new two storey rear/side extension and related pitched roof changes. Within increased volume, creation of 3 new dwellings and extension of existing ones.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is whether adequate living conditions would be provided for future residents having regard to outdoor amenity space, the amount of floorspace and storage of refuse.

Reasons

3. The appeal property comprises a three-storey with basement, semi-detached dwelling. Access to the rear garden from the front of the building is via a gate to the side of the building and from the rear of the building via a back door to a ground floor flat. Furthermore, there is access to the rear of the site off Mayplace Lane, which runs along the rear of properties fronting onto Eglinton Hill.
 4. The proposed side extension would occupy the full width of the site. As a result, the only occupants that would have direct access to the rear garden would be the two lower ground floor flats. The only access to this rear area for the occupants of the other flats would be via the rear entrance to the site off Mayplace Lane. This would require the occupants to exit the property via the front door, walk down to Herbert Road, along Barnfield Road and then onto Mayplace Lane.
 5. Policy 7.2 of the London Plan 2015 states, amongst other things, that new development will be required to achieve the highest standards of accessible and inclusive design. Policy DH1 of the Royal Greenwich Local Plan Core
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Strategy with Detailed Policies (CS) 2014 similarly requires development to achieve accessible and inclusive environments for all. Although there is no specific preclusion within the relevant policies of amenity space being accessed in the manner proposed, it must be accessible and inclusive for all.

6. The rear amenity space would be available for all occupants. However, from my observations on site, the route to it would be excessively long and its inconvenience would likely dissuade occupants of the upper floor flats from using the amenity space for any form of recreation. Although it would be physically accessible, it would require occupants to exit the site and walk a relatively significant distance. Therefore I do not find that the proposal would represent the highest standard of accessible and inclusive design.
7. I note that the proposal is a conversion and not a new build; however, the relevant policies do not make a distinction between the two.
8. I also acknowledge the appellant's argument that it would be no more of an exclusion than other numerous developments throughout London that have private gardens. However, no specific examples have been presented to me to make a direct comparison with the appeal proposal. In any event, each case is considered on its own merits.
9. The Council consider that the smaller bedroom in flat 3 on the second floor is inadequate based on it being a 4 person 2 bedroom flat and that the overall floorspace of the flat falls below the standards set out in the London Plan 2015. The appellant contends that the Council are incorrect in considering it as a 4 person flat as nowhere in the application submission does it refer to it as having two double bedrooms. Whilst I can understand this misinterpretation of the proposal, as the drawings depict a double bed similar in size to the bed in the larger bedroom. However, I accept the appellant's confirmation that it would in fact be a 3 person 2 bedroom flat. Accordingly, the floor space of the bedroom and the overall flat would meet the required standards for a 3 person 2 bedroom flat.
10. With regard to the storage of refuse, the plans indicate three separate refuse collection areas, two of which appear to serve the lower ground floor level flats and the remaining one serving the other flats. These areas are all to the rear of the property and therefore, as I have found with the private amenity space, the route would be excessively long and inconvenient, even more so whilst carrying refuse. However, I note that bins are currently stored within the front yard of the property and there would appear to be sufficient room to accommodate more to serve the additional flats. Accordingly, I find that an appropriately worded condition could adequately secure a suitable refuse storage area to the front of the property that would be readily accessible to all occupants.
11. Overall, the proposal would provide an adequate amount of floor space and, subject to condition, refuse storage and therefore, in this regard, would comply with Policies H5 and IM2 of the CS and Policies 5.16 and 3.5 of the London Plan, which seek to ensure that development provides adequately sized rooms and adequate provision for waste recycling. However, I find that the inadequate provision of private amenity space would lead to significant harm to the living conditions of the occupants of the flats, with the exception of those on the lower ground floor. As such, it would be contrary to Policy DH1 of the CS and Policy 7.2 of the London Plan.

Conclusion

12. For the reasons given above, having regard to all matters raised, the appeal is dismissed

Alexander Walker

INSPECTOR