

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/16/3152581

4 Sidcup Road, Eltham, Greenwich SE12 8BW

- 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 Ms Yildez Betez against the decision of Royal Borough of Greenwich Council.
 - The application Ref 15/3234/F, dated 16 October 2015, was refused by notice dated 9 June 2016.
 - The development proposed is the demolition of existing dwelling and erection of part 2/part 3 storey building comprising 5 apartments with 5 parking spaces, cycle parking, refuse store and associated landscaping.
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Decision

1. The appeal is allowed and planning permission is granted for the demolition of existing dwelling and erection of part 2/part 3 storey building comprising 5 apartments with 5 parking spaces, cycle parking, refuse store and associated landscaping at 4 Sidcup Road, Eltham, Greenwich SE12 8BW in accordance with the terms of the application, Ref 15/3234/F, dated 16 October 2015, subject to the condition contained within the Schedule attached to this decision.

Main Issues

2. The main issues are the effect of the development on the character and appearance of the area and highway safety.

Procedural Matter

3. I have considered the proposal on the basis of the amended plans referenced in the report presented to the Eltham and Kidbrooke Planning Committee on 17th May 2016.

Reasons

Character and Appearance

4. The appeal property is a two-storey, inter-war detached dwelling set within a corner plot location on the junction of Sidcup Road, Eltham Road and Crathie Road. The frontage of the property opens onto Sidcup Road/Eltham Road.
 5. This stretch of Sidcup Road and some of the surrounding roads, including Crathie Road predominantly consist of semi-detached, inter-war residential properties that follow a similar architectural theme. The set back position of
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the properties, the wide foot way and roads, and the expansive open green space on the opposite side of Eltham Road create an open character to the area. The appeal property's large corner plot location makes a positive contribution to this openness.

6. The proposed building would have a substantially larger footprint than the existing dwelling and whilst it would have a greater depth than the adjacent pair of semi-detached dwellings, Nos 6 and 8 Sidcup Road, its width would be slightly narrower. The ridgeline of the roof would approximately match the adjacent properties. Therefore, although its bulk would be substantially greater than the existing dwelling it would not be out of character with the neighbouring pairs of semi-detached properties.
7. Typical of a corner plot location, the plot is large. The building would follow the forward building line of the neighbouring properties fronting Sidcup Road. Space would be retained either side of the building, which would be similar to the spacing between other properties on the Road. The majority of the rear of the site would be occupied by parking spaces, which would retain the openness of this part of the site. Although its rear elevation would project beyond the neighbouring property, the plot is large enough and there would be sufficient separation distance from the rear boundary to ensure that it would not appear cramped and overdeveloped. Furthermore, the front and side of the property would be shared and private amenity spaces. As the building would be larger than the existing dwelling, occupying a larger portion of the site, it would invariably lead to a loss of openness. However, I do not find that this loss would be so significant as to diminish the significance of the openness of the area.
8. Although the design of the building would be more contemporary than the neighbouring properties, its design has clearly been informed by the surrounding properties through the use of gable and hipped features. These features and the extensive use of glazing visually break up the mass of the large elevations. Furthermore, whilst it would have a mansard roof, the roof plane, the height of the ridgeline and the eaves would be similar to the prevailing roofscape on this stretch of the Road.
9. I find therefore that the proposal would not have any significant harm on the character or appearance of the area. As such, it would comply with Policies H5, and DH1 of the Royal Greenwich Local Plan Core Strategy (CS) with Detailed Policies 2014, which seek to ensure that new residential development achieves a high quality of housing design that positively contributes to the improvement of both the built and natural environments. In addition, it would also comply with Policy 3.5 of the London Plan 2015, which similarly seeks to ensure development is of the highest quality in relation to its context.
10. I note that the Council cite Policy 3.4 of the London Plan 2015 in their reasons for refusal. However, based on the evidence before me, there is no indication that the density of the development would fail to comply with this policy. Furthermore, the Council refer to Policy H(c) of the CS, which relates to backland and infill development. I do not find that the proposal falls within either of these forms of development and therefore this policy is also irrelevant.
11. In their statement of case the Council also cite Policies DH3, DH4 and DH(h) of the CS. However, these policies relate to heritage assets, the Maritime

Greenwich World Heritage Site (MGWHS) and Conservation Areas. There is no suggestion within any of the submissions that the proposal would affect any heritage assets, the MGWHS or Conservation Areas. Therefore these policies are not relevant in the consideration of this proposal.

Highway Safety

12. The Council's second reason for refusal in their Decision Notice addresses their concern with regard to the proposed access being unsatisfactory and its detrimental effect on existing on-street parking and red-route parking boxes. I note that the local highway authority have no objection to the proposal.
13. The proposal would provide five off-road parking spaces, which accords with the requirements of the London Plan. The vehicular access to the proposal would be via an existing access off Crathie Road. Properties on Crathie Road generally have off-road parking provision for at least one vehicle. In addition there are designated on-street parking spaces, none of which would be impeded by the access. At the time of my site visit there were a significant number of vacant on-street parking spaces. Whilst I accept that this was a snap shot in time and is not a true representation of the parking demand in the area, as evidenced by local residents, given the proposed level of off-road parking, I do not find that there would be any harm to existing parking provision on the street. Furthermore, there is no evidence to suggest that the proposal would have any effect on any red-route parking boxes.
14. I find therefore that the proposal would not have any significant harm on highway safety. As such, it would comply with Policy IM4 CS and Policy 6.3 of the London Plan 2015, which seek to promote sustainable travel and ensure that development does not adversely affect safety on the transport network.
15. For the reasons given above, Policy H(c) of the CS, as referred to in the Decision Notice, is not relevant. Furthermore, Policy H5 of the CS does not relate to parking or highway safety in general. As such, it is also not relevant.

Other Matters

16. I appreciate the concerns raised regarding flooding. However, there is no substantive evidence that the proposal would lead to an increase in flood risk. In any event, I am satisfied that an appropriately worded condition can ensure that suitable drainage is installed.
17. I also note the concerns that the proposal would possibly attract a younger demographic than is typical of the current local population. However, rather than have a negative effect, this would make a positive contribution to the mix and balance of housing supply in the Borough.
18. I acknowledge the apprehension of local residents with regard to the effect of the development on their living conditions, in respect of loss of light and overlooking. However, whilst the rear elevation would project beyond the rear building line of No 6 Sidcup Road, its projection would not be so significant as to result in any material loss of light. Furthermore, I am satisfied that the proposed balcony screening would ensure that there would not be any adverse overlooking.
19. Whilst I have had regard to the planning history of this site, I have considered the proposal on its own merits.

Conditions

20. The Council have not presented any suggested conditions in the event that I allow the appeal. However, I have had regard to the various conditions referenced in the Officer's Report. I do not find that my consideration of these conditions would prejudice any relevant parties.
21. For the avoidance of doubt it is appropriate that there is a condition requiring that the development is carried out in accordance with the approved plans. In the interests of the character and appearance of the area conditions are required regarding materials and landscaping. In the interests of public health a condition is required concerning refuse storage and recycling facilities. A condition is also required with regard to cycle parking in order to promote sustainable forms of transport. In order to minimise carbon dioxide emissions a condition is necessary to ensure that the development follows energy performance standards. A condition relating to water efficiency is necessary for the same reason and to comply with Building Regulations Optional Requirements. To reduce the risk of flooding, a condition regarding sustainable drainage is required. To safeguard the living conditions of local residents and in the interests of public health, a demolition and construction method statement is required. Furthermore, in the interests of inclusivity a condition is required ensuring that 90% of the units comply with Building Regulation requirement M4(2).
22. I have also imposed a condition regarding balcony screening to safeguard the living conditions of neighbouring occupants.
23. It is essential that the requirements of conditions 3, 6, 10, 11 and 12 are agreed prior to the development commencing to ensure an acceptable form of development in respect of preserving the character and appearance of the area, adequate water efficiency and accessibility measures are provided and residential amenity is protected.

Conclusion

24. For the reasons given above, having regard to all matters raised, the appeal is allowed.

Alexander Walker

INSPECTOR

SCHEDULE OF CONDITIONS

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 001(Rev. A), 002(Rev. A), 003(Rev. A), 004(Rev. A), 005(Rev. A), 006(Rev. A), 101(Rev. C), 102(Rev. D), 103(Rev. D), 104(Rev. D), 105(Rev. C), 106(Rev. C), 108(Rev. C), 109(Rev. C), 110(Rev. B), 111(Rev. C)
- 3) No development shall commence until details / samples of the materials to be used in the construction of the external surfaces of the

development hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details / samples.

- 4) Prior to the first occupation of the development hereby permitted details of the refuse storage and recycling facilities and refuse collection arrangements to the development hereby permitted have been submitted to, and approved in writing by, the local planning authority. The approved details shall be fully implemented prior to the first occupation of the development.
- 5) Prior to the first occupation of the development hereby permitted details of the cycle parking enclosures shall be submitted to, and approved in writing by, the local planning authority. The approved details shall be fully implemented prior to the first occupation of the development.
- 6) No development shall commence until a landscape scheme has been submitted to and approved in writing by the local planning authority. This scheme shall indicate full details of the treatment proposed for all hard and soft ground surfaces and boundaries together with the species and materials proposed, their disposition and existing and finished levels or contours. The scheme shall also indicate and specify all existing trees and hedgerows on the land which shall be retained in their entirety, unless otherwise agreed in writing by the local planning authority, together with measures for their protection in the course of development.
- 7) The approved hard landscape scheme shall be carried out before the first occupation of the building hereby permitted or the completion of the development, whichever is the sooner. The approved soft landscaping shall include 3 replacement trees and, where possible, include native trees and shrubs and be completed within 12 months, or by the end of the first planting season, after the completion of the development. Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the local planning authority gives written consent to any variation.
- 8) The development shall achieve zero carbon dioxide emissions. No part of the development hereby permitted shall be occupied until evidence of the energy performance standard of this condition having been achieved, has been submitted to, and approved in writing by, the local planning authority.
- 9) The building shall not be occupied until the Building Regulations Optional Requirements G2(36(2)(b)) (water efficiency) and M4(2) (accessible and adaptable dwellings) have been complied with.
- 10) No development shall commence until details of the rainwater recycling system have been submitted to and approved in writing by the local planning authority. The approved details shall be implemented prior to the occupation of the development, shall be maintained as such thereafter and demonstrate the maximum level of recycled water that can feasibly be provided by the development.
- 11) No development shall take place, including any works of demolition, until a Demolition and Construction Method Statement has been submitted to,

and approved in writing by the local planning authority. The Statement shall provide for:

- i) Works of demolition and construction shall be carried out during normal working hours, i.e. 08.00 to 18.00 hours Monday to Friday, and 08.00 to 13.00 hours on Saturdays, with no noisy working audible at the site boundary being permitted on Sundays or Bank Holidays;
- ii) Haulage routes;
- iii) A demolition or refurbishment asbestos survey;
- iv) Likely noise levels to be generated from plant;
- v) Details of any noise screening measures;
- vi) Proposals for monitoring noise and procedures to be put in place where agreed noise levels are exceeded;
- vii) Where works are likely to lead to vibration impacts on surrounding residential properties, proposals for monitoring vibration and procedures to be put in place if agreed vibration levels are exceeded. Note: it is expected that vibration over 1mm/s measured as a peak particle velocity would constitute unreasonable vibration;
- viii) Likely dust levels to be generated and any screening measures to be employed;
- ix) Proposals for monitoring dust and controlling unacceptable releases; and
- x) Wheel washing facilities and facilities for discharging the water.

The approved Demolition and Construction Method Statement shall be adhered to throughout the demolition and construction period for the development.

- 12) No development shall take place until drawings illustrating that a minimum of 90% of all dwellings in the development hereby permitted comply with Building Regulation requirement M4(2) 'accessible and adaptable dwellings', have been submitted to and approved in writing by the local planning authority in consultation with the Council's Housing Occupational Therapist. The approved details shall be fully implemented prior to the occupation of the buildings and shall be retained as such thereafter.
- 13) Prior to the first occupation of the development hereby approved details of the screening on the balconies shall be submitted to and approved in writing by the local planning authority. The approved details shall be fully implemented prior to the first occupation of the development hereby approved and shall remain as such thereafter.