
Appeal Decision

Site visit made on 25 October 2016

by Nicola Davies BA DipTP MRTPI

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

Decision date: 10 November 2016

Appeal Ref: APP/E5330/W/16/3154867
415 Footscray Road, London SE9 3UL

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application for planning permission.
 - The appeal is made by Mr Tim Knight of Siteworth Ltd against Royal Borough of Greenwich Council.
 - The application Ref 16/0648/F, is dated 27 April 2016.
 - The development proposed is described as "rear extension to existing building to extend the existing accommodation from 8 bedsit flats with shared bathrooms to 5 individual self contained flats".
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Decision

1. The appeal is dismissed and planning permission is refused.

Preliminary Matters

2. I observed at my visit that the building has been cleared and stripped back to the floorboards. A closeboard fence has been erected along the rear boundary of the site and parking spaces have been laid out in the parking courtyard adjacent to this fence.

Main Issue

3. The main issue raised in respect of the proposed development is whether the proposed flats would provide satisfactory accommodation for occupiers.

Reasons

4. The accommodation is below the minimum Department for Communities and Local Government's Technical Housing Standards (the Technical Housing Standards), with flats 2, 4 and 5 falling significantly below the standards for these type of units. In addition, the Standards require a double or two-bed room to have a floor area of at least 11.5m². The Council again highlight that none of the bedrooms in units 4 and 5 would meet this particular standard.
 5. Policy 3.5 of the London Plan and the Technical Housing Standards set the appropriate thresholds to which new development should adhere. These minimum space standards ensure that development is not cramped internally, ensure adequate room sizes and that convenient and efficient room layouts can be achieved. The proposed flats would fall short of the standards set out, 3 of
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them significantly so. The flats would be cramped and of insufficient size to provide a good standard of accommodation.

6. The Mayor's Housing Supplementary Planning Guidance (SPG) states that 'a minimum of 5m² of private outdoor space should be provided for 1-2 person dwellings and an extra 1m² should be provided for each additional occupant' (Standard 26). This Guidance also allows for site constraints. Where it is impossible to provide private open space for all dwellings, the Guidance indicates that a proportion of dwellings may instead be provided with additional internal living space equivalent to the area of private open space requirement.
7. The proposal includes an outdoor paved area to the rear of the building which appears to be a communal area providing access to parking to the rear of the appeal site and cycle and refuse storage within the curtilage. The overall size of this area is limited. The cycle and refuse storage facilities would impinge on any potential usable space. The proposed development would, therefore, neither provide acceptable outdoor space or compensatory space internally.
8. For these reasons I conclude that the proposed development would not provide satisfactory accommodation for occupiers. The proposed development would be contrary to the Policy 3.5 of the London Plan, Policy H5 of the Royal Greenwich Local Plan: Core Strategy with Detailed Policies and the Technical Housing Standards and Standard 26 of the SPG, which seek all development to be of a high standard of design and layout and to provide adequate usable on-site amenity space, amongst other matters.

Other Matters

9. The Council has indicated that each flat should have enough space to store 3 x 240 litre wheelie bins off the public highway. From my site observations there would be space to accommodate wheelie bins on site. I have no doubt that a solution to the waste and recycling storage facilities could be found and that this matter could be dealt with by condition. However, this does not alter my conclusion that the scheme is unacceptable for those reasons given above.
10. I note the appellant's comments regarding the failure of the Council to determine the application, but the scheme must be decided on its own merits.

Conclusions

11. For the reasons given above, I conclude that the appeal is dismissed and planning permission is refused.

Nicola Davies

INSPECTOR