

Appeal Decision

Site visit made on 24 January 2017

by Beverley Wilders BA (Hons) PgDurp MRTPI

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

Decision date: 14 February 2017

Appeal Ref: APP/E5330/W/16/3160990

125A Abbey Wood Road, Abbey Wood SE2 9DZ

- 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 Joseph Wink against the decision of Royal Borough of Greenwich Council.
 - The application Ref 16/1813/F, dated 9 June 2016, was refused by notice dated 25 July 2016.
 - The development proposed is the erection of a part one and part two storey rear extension including conversion of a single-family dwellinghouse into two, 2-bed self-contained flats.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - the effect of the proposal on the living conditions of the occupiers of neighbouring properties having regard to outlook and privacy;
 - whether future occupiers of the proposed flats would have adequate living conditions having regard to the size of the internal living space;
 - the effect of the proposal on the character and appearance of the host building and the surrounding area;
 - whether the proposal provides adequate cycle parking facilities.

Reasons

Living conditions (existing)

3. The appeal site comprises a semi-detached property which adjoins a similar property at 127 Abbey Wood Road. The host building has an existing two storey lean-to on the rear elevation which is shallow in depth together with a single storey rear projection. The rear elevation of No 127 contains two windows near to the common side boundary with the appeal site which is marked by a solid timber fence. The appellant states that the ground floor window at No 127 serves a bathroom and that the first floor window serves a kitchen.
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4. Whilst the height of the proposed two storey rear extension would be slightly below the height of the existing two storey rear extension, its depth and rear projection would be significantly greater and it would be higher than the existing single storey rear extension. Consequently the proposal would have a significant adverse impact on the outlook from the ground floor window in the rear elevation of No 127 which is already restricted by the existing rear extensions at both the appeal site and at No 127. Though I note that the appellant states that the ground floor window serves a bathroom and that it is almost entirely blocked, despite the submission of a photograph by the appellant I have no clear and substantive evidence which shows that the impact on the outlook from this window would not be severe and significantly harmful to the living conditions of the occupiers of No 127.
5. I am satisfied that the impact of the proposal on the outlook from the first floor window in the rear elevation of No 127 would not be significant having regard to the relative height of this window and the proposed two storey rear extension. Similarly I do not consider that the proposal would have a significant adverse impact on privacy, noting that no first floor windows are proposed in the side elevation of the rear extension facing towards No 127.
6. Taking the above matters into consideration, I conclude that whilst the proposal would not adversely affect the privacy enjoyed by neighbouring properties, it would have a significant adverse effect on the living conditions of the occupiers of No 127 having regard to the impact on the outlook from the ground floor rear window of that property. It is therefore contrary to Policy DH(b) of the Royal Greenwich Local Plan: Core Strategy with Detailed Policies (CS) which requires development, amongst other things, to not cause an unacceptable loss of amenity to adjacent occupiers by resulting in an unneighbourly sense of enclosure.

Living conditions (future)

7. Each of the proposed flats would have two bedrooms and two storeys, the flat above the existing shop would be a four person unit and the flat to the rear would be a three person unit. The main parties dispute whether the proposed flats would meet the minimum space standards as set out in the nationally described space standards which are also replicated in the London Plan (LP). These standards require a Gross Internal Area (GIA) of 70m² for the three person unit and 79m² for the four person unit, with GIA defined as the total floor space measured between the internal faces of perimeter walls that enclose the dwelling.
8. The Council calculates the GIA of the flats to be 64.78m² (3 person) and 77.84m² (4 person) whereas the appellant states that the respective calculations are 70.03m² and 85.09m². The appellant states that the Council may have incorrectly interpreted the information on the submitted plans which relates to the net floor area of individual rooms and not the GIA of the units. No evidence has been submitted by the Council to contradict the appellant's GIA figures and in the absence of this and having regard to the layout and overall level of space proposed for the flats, I consider that they would provide an adequate amount of internal living space.
9. Taking the above matters into consideration, I conclude that the proposed flats would provide an adequate amount of internal living space. The proposal

therefore accords with policies H5 and DH1 of the CS and with Policy 3.5 of the LP. These policies seek to ensure, amongst other things, that housing developments are of the highest quality internally. Though the Council also cited Policy 7.4 of the LP in its reason for refusal relating to the standard of accommodation, this policy relates to local character and is not therefore relevant to this issue.

Character and appearance

10. As stated above, the appeal site comprises a semi-detached property. It is substantially proportioned with existing rear extensions and is located in a prominent corner position at the junction of Abbey Wood Road and Abbey Terrace. The adjoining property at No 127 is of a similar scale and appearance to the host building, though the rear elevation of the host building is rendered whilst the rear elevation of No 127 is part brick and part render. With the exception of St Michaels & All Angels Church on the opposite side of Abbey Terrace, the immediate surrounding area is largely residential in character with some examples of flat roofs near to the appeal site .
11. Though the rear extension would result in some loss of symmetry to the rear elevation of the host building and No 127, it would be subservient with the ridge height of the two storey part of the proposed extension being below the eaves height of the host building. This combined with the fact that the extension would not extend across the full width of the rear elevation and the fact that the depth of the two storey extension would not exceed that of the gable of the host building means that I do not consider that the rear extensions would appear as an overdominant addition, out of keeping and proportion with the host building and the surrounding area. Given the relative position and scale of the proposed extensions to the church on the opposite side of Abbey Terrace I do not consider that the proposal would be harmful to the setting of the church.
12. Taking the above matters into consideration, I conclude that the proposal would not have a significant adverse effect on the character and appearance of the host building and the surrounding area. It therefore accords with Policy 7.4 of the LP and policies H5, DH1 and DH(a) of the CS insofar as these policies relate to design and character and appearance. These policies seek, amongst other things, development of a high quality design that takes account of the adjacent townscape.

Cycle parking

13. The proposed site plan shows one cycle parking space per flat, one within the garden area and one within the entrance lobby for the 4 person unit. Policies IM(b) and IM(c) of the CS require developments to meet, as a minimum , the standards for cycle parking as set out in the LP. Policy 6.9 of the LP requires developments to provide secure, integrated, convenient and accessible cycle parking facilities in line with Table 6.3 of the LP which requires two cycle spaces for each dwelling with more than one bedroom.
14. Though the appellant states that the lack of cycle parking was not raised by the Council as an issue when it determined a previous application (Ref 15/3450/F), nevertheless the proposal fails to meet the required minimum standard. However having regard to the size and layout of the appeal site and to the additional space likely to be required to accommodate the necessary cycle

parking facilities, I consider that this matter could be adequately dealt with by the imposition of a suitably worded condition to ensure that sufficient cycle parking would be provided in order to comply with Policy IM(b) of the CS and Policy 6.9 of the LP.

Other Matters

15. In reaching my decision I have had regard to the fact that the proposal would provide an additional dwelling incorporating sustainable energy saving measures on a previously developed site in an accessible location. However the benefits of the proposal do not outweigh the harm identified.

Conclusion

16. The proposed flats would provide an adequate amount of internal living space and I consider that sufficient cycle parking could be secured by a suitably worded condition. The proposal would not have a significant adverse effect on the character and appearance of the host building and the surrounding area or on the privacy of neighbouring occupiers. However it would have a significant adverse effect on the living conditions of the occupiers of No 127 having regard to the outlook from the ground floor rear window of that property.
17. For the above reasons and having regard to all matters raised, I conclude that the appeal should be dismissed.

Beverley Wilders

INSPECTOR