

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/16/3163684

1 Anglesea Mews, Woolwich SE18 6ER

- 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 Rasik Bakrania against the decision of Royal Borough of Greenwich Council.
 - The application Ref 16/1694/F, dated 27 May 2016, was refused by notice dated 4 August 2016.
 - The development proposed is described as amendment of planning application 15/3214/F for the conversion of existing building to five units to the construction of a new additional third floor and the conversion of the existing building into 7 x residential units.
-

Decision

1. The appeal is dismissed.

Procedural Matter

2. The Council's Reason for Refusal 2 relates to the effect of the proposal on the living conditions of the occupiers of neighbouring properties. It cites policies H5 and DH1 of the Royal Greenwich Local Plan: Core Strategy with Detailed Policies (CS). It is clear from the Council's Officer Report that when assessing the effect of the proposal on living conditions, the Council had regard to Policy DH(b) of the CS. I have been provided with a copy of Policy DH(b) and have had regard to it in reaching my decision. Though the policy was not referred to in the Council's decision notice, I am satisfied that as it was referred to in the Council's Officer Report, the appellant has had the opportunity to comment on it.

Main Issues

3. The main issues are:
 - the effect of the proposal on the character and appearance of the host building and surrounding area;
 - the effect of the proposal on the living conditions of the occupiers of neighbouring properties having regard to outlook and privacy;
 - whether the proposal provides adequate cycle parking facilities.
-

Reasons

Character and appearance

4. The appeal site comprises a modern three storey building located in a prominent position at the junction of Anglesea Avenue and Anglesea Mews. It adjoins a building of a similar height and pitched roof formation at 2 Anglesea Mews. The host building and its visual relationship with No 2 are clearly visible from various vantage points along Anglesea Avenue and from Anglesea Road. The surrounding area is characterised by a mixture of building designs and materials and includes a number of tall buildings.
5. The proposed extension would result in a significant change to the appearance of the host building. In particular the existing pitched roof would be replaced by a flat roof with a dual mono pitched, predominantly glazed roof extension above. Whilst I have had regard to the Council's concerns, I do not consider that the proposed extensions and fenestration treatment would be harmful to the appearance of the host building itself given its scale and existing modern appearance and having regard to the scale and design of the extensions.
6. However the top of the proposed flat roof would exceed the eaves height of No 2 and the overall height of the extended building would significantly exceed the ridge height of the adjoining building. In addition the extended walls of the host building would project forward of the roof slope of No 2 and this together with the increased height of the building relative to No 2 would result in an awkward visual relationship between the two adjoining buildings. Notwithstanding the variety of built form in the immediate locality, I consider that this poor relationship would be out of keeping with and harmful to the character and appearance of the area, notwithstanding that the appeal site is not within a Conservation Area.
7. Taking the above matters into consideration, I conclude that whilst the proposal would not adversely affect the host building, it would adversely affect the character and appearance of the surrounding area. It is therefore contrary to the development plan and in particular policies H5 and DH1 of the CS and to Policy 7.4 of the London Plan (LP). These policies seek, amongst other things, a high quality of design taking account of existing townscapes.

Living conditions

8. There are a number of existing buildings located near to the appeal site including buildings fronting onto Anglesea Road and Wilmount Street, the rear elevations of which face towards the site. In addition a pair of two storey semi-detached dwellings are directly opposite on Anglesea Avenue.
9. The height and mass of the host building would be increased by the proposal. There are a number of windows in the rear elevation of properties fronting onto Anglesea Road facing towards the appeal site. It appears that some of these windows serve residential uses. Though the outlook from these windows is already affected by the host building, the increased height and mass of the extended building in close proximity to them means that there would be a material reduction in the outlook from the windows. This would be harmful to the living conditions of the occupiers of these properties.

10. The proposed third floor residential unit would be set in from the edge of the flat roof below and a clear glazed balustrade is proposed around the perimeter of the flat roof. Though the enclosed roof area would not be particularly wide it does appear that there would be access from the residential unit onto it and consequently it would allow for overlooking of nearby residential properties on Anglesea Road and Anglesea Avenue. This would be materially harmful to the privacy currently enjoyed by the occupiers of these properties. Though I note that the appellant states that the terrace would only be open on two sides, this is not indicated on the submitted plans and in any event would not overcome the issue of overlooking of properties on Anglesea Avenue.
11. Reference has also been made to permission having been granted for a roof terrace and dormers by planning application Ref 14/2631/F. However I am not aware of the particular details or circumstances relating to this application and in any event I must determine the proposal before me on its own merits.
12. Taking the above matters into consideration, I conclude that the proposal would have a significant adverse effect on the living conditions of the occupiers of neighbouring properties having regard to outlook and privacy. It is therefore contrary to the development plan and in particular Policy DH(b) of the CS which seeks to ensure that new developments do not cause an unacceptable loss of amenity to adjacent occupiers by reducing privacy or result in an unneighbourly sense of enclosure. Though the Council referred to policies DH1 and H5 of the CS in its decision notice, these relate to design and make no reference to living conditions. As such they do not appear to be relevant to the issue of living conditions.

Cycle parking

13. The proposed floor plans show the provision of five cycle parking spaces within the ground floor of the building. Policy IM(c) of the CS requires 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 one cycle space for each studio and one bedroom unit and two cycle spaces for all other dwellings. Therefore eight cycle parking spaces are required to meet the minimum standards.
14. The appellant states that the additional three cycle spaces required could easily be accommodated either by the use of a cycle rack or by a slight reduction in the bin storage area. However whilst this may be the case, no details of an amended cycle parking facility have been provided and in the absence of this and having regard to the limited space available within the building for cycle parking and bin storage, I do not consider that this matter could adequately be dealt with by the imposition of a suitably worded condition.
15. Taking the above matters into consideration, I conclude that the proposal does not provide adequate cycle parking facilities. It is therefore contrary to the development plan and in particular Policy IM(c) of the CS and Policy 6.9 of the LP. These policies seek, amongst other things, to bring about a

significant increase in cycling in London and to provide adequate cycle parking facilities.

Other Matters

16. In reaching my decision I have had regard to the fact that the proposal would provide additional units of residential accommodation on an existing developed site in an accessible location. There would also be some modest economic and social benefits arising from it. However these matters do not outweigh the harm that I have identified.

Conclusion

17. For the above reasons and having regard to all matters raised, I conclude that the appeal should be dismissed.

Beverley Wilders

INSPECTOR