

Appeal Decision

Site visit made on 14 February 2017

by Geoff Underwood BA(Hons) PGDip(Urb Cons) MRTPI IHBC

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

Decision date: 14 March 2017

Appeal Ref: APP/E5330/W/16/3162586
28 Conway Road, Plumstead SE18 1AH

- 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 Mrs Vathsala Sriravindrah against Royal Borough of Greenwich Council.
 - The application Ref 16/1747/F, is dated 1 June 2016.
 - The development proposed is the erection of a first floor part rear / part side extension, single storey rear extension and conversion of ground, first and second floors into two x two bed self-contained flats.
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Decision

1. The appeal is allowed and planning permission is granted for the erection of a first floor part rear / part side extension, single storey rear extension and conversion of ground, first and second floors into two x two bed self-contained flats at 28 Conway Road, Plumstead SE18 1AH in accordance with the terms of the application, Ref 16/1747/F, dated 1 June 2016 subject to the following 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: ASEA/2016/288/PP/01, ASEA/2016/288/PP/02, ASEA/2016/288/PP/03, ASEA/2016/288/PP/04, ASEA/2016/288/PP/05, ASEA/2016/288/PP/06 and ASEA/2016/288/PP/07.
 - 3) The windows and the materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.
 - 4) Prior to the first occupation of the development hereby permitted the waste storage facilities and means of enclosure shall be implemented and that space shall thereafter be kept available at all times for waste storage.
 - 5) Notwithstanding the details shown on the approved plans, prior to the first occupation of the development hereby permitted, screening of the proposed balconies to prevent overlooking between the proposed balconies and windows in the adjoining building shall be implemented in accordance with details which have first been submitted to and approved in writing by the local planning authority. The approved screening shall thereafter remain in situ.
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Procedural Matter

2. Following the submission of the appeal against non-determination the Council has not clarified the view it would have taken on the application had it been in the position to make a decision. Nor has it referred to any development plan policies although they have provided a copy of the Mayor of London's Housing Supplementary Planning Guidance, 2016 (HSPG), a material consideration which I have taken into account in reaching my decision.
3. Nevertheless, the appellant's Design and Access Statement offers some assistance in narrowing the issues in the appeal. This sets out how she considers that the appeal proposal has overcome the reasons for the refusal of a previous application for the extension and conversion of the property into three flats.
4. Those reasons were that: a) the proposal would appear as an excessively large and dominant feature and that the windows would not match existing; b) the extension would appear as an afterthought and not respect the existing building line; c) the proposed brick would not match existing render; d) the internal bin stores would create unacceptable living standards for occupiers, and; e) it had not been demonstrated that the lack of off-street parking would not be detrimental to the free-flow of traffic, vehicular and pedestrian safety or the convenience of local residents and businesses.

Main Issues

5. Based on the evidence before me and from what I saw on my site visit I therefore consider that the main issues in the appeal are the effect the proposed development would have on:
 - i) The character and appearance of the area, with particular reference to the design of the extension, external materials and window design;
 - ii) The living conditions of future occupiers, with particular reference to the effects of refuse and recycling storage, and;
 - iii) Parking conditions in the vicinity.

Reasons

Character and appearance

6. The appeal site currently comprises a mixture of storage behind, and a four bedroom dwelling above, a shop. The proposal would replace an existing attached garage with a two storey extension and form two dwellings each with accommodation over two floors with two small balconies at first floor level to the rear.
7. Although the front elevation of the existing garage is flush with the side elevation of the host building it is set forward of the adjoining terrace of houses on Coxwell Road. The proposed two storey extension would be set back from the existing building and have a similar eaves and ridge height to it. Its situation relative to the adjoining terrace of houses and the host building would avoid it appearing overly prominent or dominant in the street scene.
8. The plans indicate that the external materials would match the roof tiles and painted render of the host building. The proposed windows would have similar

proportions and appearance to those on existing Coxwell Road elevation of the building.

9. The proposed extension would consequently not harm the character and appearance of the area. This would accord with the HSPG's approach that housing development should take account of an area's character and would avoid conflict with the National Planning Policy Framework's (the Framework) anticipation of the rejection of poor design¹.

Living conditions of future occupiers

10. The proposal includes a space for external waste and recycling storage set behind a wall topped with railings. This arrangement would be convenient and would avoid adverse effects on future occupiers living conditions that internal storage may give rise to. There is no suggestion that the arrangements would not accord with the HSPG's Standards 22 and 23 which seek to ensure such facilities are accessible and avoid nuisance.
11. When I visited the site I noted that many properties on Coxwell Road store waste and recycling bins in their small front yards and the proposed arrangement would not appear in harmful contrast to these arrangements.
12. HSPG Standard 24 requires that all new dwellings should meet the nationally described space standard² (NDSS). Whilst the proposed dwellings would be of modest dimensions their internal space and configuration would not be overly constrained. The appellant's dimensions would accord with the minimum internal floor areas set out in the NDSS and would consequently comply with the HSPG in that respect.
13. A limited amount of external space for each dwelling would be provided by way of two small balconies. Whilst these would be small and no dimensions have been provided to illustrate that they would comply with HSPG Standard 26's minimum dimensions, they would nevertheless provide a modest but acceptable space for future occupiers to access.
14. The living conditions of future occupiers would not be harmed as a result. The proposal would not conflict with the HSPG in these respects or with the Framework's core planning principle³ of always seeking a good standard of amenity for all existing and future occupants of land and buildings.

Parking Conditions

15. There is no off street parking proposed as part of the scheme. The appellant submitted a parking survey in support of her application. This identifies that the site has a relatively high level of accessibility to public transport although surrounding streets experience a high degree of parking stress, albeit that it identified some unoccupied spaces.
16. The site's accessible location may reduce the likelihood of future occupiers having access to a car. The additional number of private vehicles above that which the existing four bedroom unit would be likely to generate presently would be limited. In light of the survey's findings there is no suggestion that

¹ Paragraph 64.

² Technical housing standards – nationally described space standard, Department for Communities and Local Government, 2015.

³ Paragraph 17.

the likely limited number of additional vehicles the proposal may generate could not be parked on surrounding streets or that in doing so this would lead to any harmful effect on traffic flow, pedestrian or vehicle safety, or neighbours' living conditions or the convenience of nearby businesses.

Other Matters

17. The proposed balconies would be located in close proximity to first floor windows in the rear of the adjoining property. The proposed 1.1m high railings would not prevent overlooking of those rear windows from the balconies or vice versa. The privacy, and hence living conditions, of existing and future occupiers could be affected as a result. However suitably specified screening could ensure that this did not occur whilst ensuring that it did not have an excessively enclosing effect on occupiers of either building. Appropriate details could be approved by way of a condition.

Conditions

18. The Council has not suggested any conditions which it considers appropriate were I minded to allow the appeal. However, I consider that there are a number of conditions that are necessary and main parties have been given the opportunity to comment on them.
19. It is necessary to specify the approved plans as this provides certainty. It is necessary to require that windows and external materials match those of the host building to preserve the area's character and appearance. Requiring that the waste storage arrangements are implemented and retained will ensure that adequate facilities are provided and future occupiers' living conditions are protected. Appropriate screening to balconies will ensure that neither existing nor future occupiers' living conditions would be unacceptably harmed.

Conclusion

20. For the above reasons the proposal would not have a harmful effect on the character and appearance of the area, on the living conditions of future occupiers or on parking conditions in the vicinity. The appeal is therefore allowed.

Geoff Underwood

INSPECTOR