
Appeal Decision

Site visit made on 3 April, 2017

by S. J. Buckingham, BA (Hons) DipTP MSc MRTPI FSA

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

Decision date: 7th June, 2017

Appeal Ref: APP/E5330/W/17/3167937

23 Buckler Gardens, London SE9 3BD

- 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 Victoria Mason against Royal Borough of Greenwich Council.
 - The application Ref: 16/0195/F is dated 15 January, 2016.
 - The development proposed is loft conversion and 2-storey side extension to facilitate a new 2-bedroom dwelling.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. Amended drawings were submitted in November 2016 which incorporate changes to the dimensions of the proposed extension/dwelling and removal of a proposed rear dormer. They were considered by the Council in responding to the appeal, and I do not consider that they change the development to the extent that to take them into account would deprive those who should have been consulted on the changed development the opportunity of doing so. I see no reason, therefore, not to determine the proposal on the basis of these plans.

Main Issues

3. Council's statement has set out the criteria against which the application was assessed and the reasons for which the application would have been refused, on the basis of the amended plans, had notice of a decision been given. Consequently, I conclude that the main issues in this case should be the effect of the proposal on the character and appearance of the area and whether the accommodation provided would provide adequate living conditions for future occupiers of the dwelling in terms of living space.

Reasons

Character and Appearance

4. The appeal building sits in a cottage-style estate of modest houses with simple pitched and hipped roofs set in pairs and short terraces. It derives its open and green suburban character from small front gardens, informal greens and the presence of mature hedges and trees. Characteristic of the area are the generally broad plots to houses set on corners. Buckler Gardens itself is a
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more formal arrangement of four terraces facing a pair of central rectangular greens No 23 is a semi-detached house on the end of one such terrace, set forward of the general building line, and with a wide plot to the side adjoining Southold Rise.

5. The proposed house would extend to nearly the entire width of the plot, leaving only a narrow strip of garden to the side. It would extend back into the site beyond the rear building line of the host dwelling and others in the terrace and in front of the building line of houses along Southold Rise. It would therefore, by increasing the built element, diminish the openness of the plot and have an urbanising effect, which would be harmful to the open and green character of the area.
6. The proposed dwelling would be narrower and longer in footprint in comparison to the general form of neighbouring properties, and would appear odd and contrived in that context. This would be exacerbated by the truncated roof form and areas of crown roof, features which are not seen in the houses in the area. This appearance, along with filling in of openness to flank of the plot would create a cramped appearance which would harm the otherwise open character of the area.
7. Other decisions relating to similar developments have been put before me, including the refusal of an end-of-terrace house to the flank of No 13 Buckler Gardens, which has a side garden of comparable width to that of the appeal site. A similar proposal was approved at 11 Buckler Gardens, but as the host dwelling in this case was set in a considerably wider plot, enabling the retention of a broad open strip to the flank of the new dwelling, I consider that the circumstances of the case are not sufficiently similar to the current appeal to cause me to alter my conclusion.
8. The proposal would therefore fail to comply with policy 7.4 of the London Plan 2016, which seeks development which has regard to the pattern and grain of existing spaces and streets. It would also fail to comply with policy H5 and policy H(c) of the Royal Greenwich Local Plan: Core Strategy with Detailed Policies 2014 (the LP), which seek to ensure that proposals for infill and residential development respectively maintain the character of the area, and with policy DH1 of the LP which expects developments to provide a positive relationship between the proposed and existing urban context.

Living Space

9. The appeal proposal would provide a two-storey, three-person dwelling on two-storeys. The Nationally Described Space Standards require a minimum Gross Internal Area (GIA) of 70 m² for such accommodation. The proposed dwelling would have a GIA which would fall short of this by around 7 m², which appears to me to be a sufficiently great shortfall to have a harmful effect on the living conditions of future occupiers of the dwelling.
10. The proposal would therefore also fail to comply with Policy 3.5 of the London Plan 2016 which requires residential development to meet minimum space standards complying with the Nationally Described Space Standards. Policy H5 of the LP seeks a high quality of design for residential development, and in that respect the proposal does not meet its requirements.

Conclusion

11. For the reasons given above therefore, and taking into account all matters raised, I conclude that the appeal should be dismissed.

S J Buckingham

INSPECTOR