



Appeal Decision

Site visit made on 18 April 2017

by Beverley Wilders BA (Hons) PgDurp MRTPI

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

Decision date: 23 June 2017

Appeal Ref: APP/E5330/W/16/3165012

9 Eglinton Hill, Plumstead SE18 3PG

- 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 Evro Estates against Royal Borough of Greenwich Council.
 - The application Ref 16/2471/F, is dated 29 July 2016.
 - The development proposed is formation of new side and rear extensions, loft extension and basement excavation all to create 4 new dwellings to supplement 4 existing ones and to include new front roof lights, light wells and internal modification.
-

Decision

1. The appeal is dismissed.

Application for costs

2. An application for costs was made by Evro Estates against the Royal Borough of Greenwich Council. This application is the subject of a separate Decision.

Background and Main Issues

3. The Council did not issue a decision within the prescribed period or within an agreed extension of time period. The appellant exercised their right to appeal against the failure of the Council, as the local planning authority, to determine the application. No Statements have been submitted by either the appellant or the Council.
4. The appeal site has an extensive planning history with planning permission having recently been granted by the Council in January 2017 for the alteration and extension of the host building to increase the number of residential units from 4 to 7 (Ref 16/1529/F). I have been provided with copies of documentation relating to the approved application. The permission is extant and I have had regard to it in reaching my decision insofar as it is relevant to the proposal. In particular I note that the scale and form of the side extension, the site layout and the lower ground floor and ground floor layout proposed under application Ref 16/1529/F are very similar to the appeal proposal.
5. An appeal against the Council's refusal of planning application 15/3560/F for alterations and extensions to form 7 dwellings was dismissed in October 2016 (Ref APP/E5330/W/16/3154163). I have been provided with copies of documentation relating to the application and with a copy of the appeal

decision and have also had regard to these in reaching my decision insofar as they are relevant to the proposal.

6. Having regard to the available evidence, I consider that the main issues are:

- the effect of the proposal on the character and appearance of the host building and the surrounding area;
- whether future occupiers of the flats would have adequate living conditions having regard to the size of the accommodation proposed and to outlook;
- the effect of the proposal on the living conditions of the occupiers of nearby properties having regard to outlook, privacy, sunlight and daylight.

Reasons

Character and appearance

7. The appeal site comprises a substantial three storey plus basement semi-detached building. It has an existing two storey plus basement rear outrigger and is traditional in design and appearance. The neighbouring semi-detached properties at Nos 5 & 7 Eglinton Hill are smaller in scale and height being two storey plus basement. The rear elevations of the host building and its neighbours are visible from Mayplace Lane at the rear.
8. The proposed side extension and alterations to the front elevation are as previously approved by application reference 16/1529/F. I agree with the Council that these elements of the proposal would not have an adverse effect on the character and appearance of the host building or the surrounding area.
9. The proposed rear extension would be no deeper or wider than that previously approved but it would be higher and its roof would tie into the existing hipped roof of the rear outrigger. However whilst it would be larger than that previously approved, it would remain subservient to the outrigger and to the host building and would not therefore be harmful.
10. The proposal also includes a large rear roof extension and three front rooflights to facilitate the formation of a third floor. The roof extension would be in the form of a mansard with two dormers and it would span the entire width and depth of the rear roof slope. Due to its excessive size and its particular design it would be a large and incongruous addition out of keeping with the traditional character and appearance of the host building and it would be visible from Mayplace Lane at the rear. Three large rooflights are also proposed to the front elevation. Given their size and position, the number of rooflights proposed is excessive and would result in a cluttered appearance to the front roof slope, particularly given the existing projecting gable feature to the front of the host building.
11. Though I note from the evidence that it appears that planning permission was previously granted for a loft conversion with two new dormers and with front roof lights at the appeal site (Ref 15/2268/F) and that permission has been granted for development at the adjoining property 11 Eglinton Hill, I am not aware of the details or particular circumstances relating to these applications. 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 character and appearance of the

host building and the surrounding area. It is therefore contrary to policies 3.5, 7.4 and 7.6 of the London Plan (LP), policies DH(a), DH1 and H5 of the Royal Greenwich Local Plan: Core Strategy with Detailed Policies (CS) and to relevant paragraphs of the National Planning Policy Framework (the Framework). These policies seek, amongst other things, high quality design, development to have regard to local character and residential extensions to be designed to respect the scale and character of the host building.

Living conditions (future)

13. As stated, the Council previously granted planning permission to increase the number of flats in the host building from 4 to 7 (Ref 16/1529/F) and the proposed lower ground floor and ground floor layout is as previously approved. However the layout of the first and second floors has been amended and a third floor is also proposed. The application states that a 2 bedroom 3 person flat and a 1 bedroom 2 person flat are proposed on the first floor, a 1 bedroom 1 person flat is proposed on the second floor and a 1 bedroom 1 person flat is proposed on the second/third floor.
14. Policy 3.5 of the LP states that housing developments should be of the highest quality internally and externally with reference made to the minimum space standards set out in Table 3.3. These are consistent with the nationally described space standard which requires a minimum gross internal area (GIA) of 39 square metres for a 1 bedroom 1 person flat, 50 square metres for a one storey 1 bedroom 2 person flat and 58 square metres for two storey, 61 square metres for a 2 bedroom 3 person flat and 70 square metres for a 2 bedroom 4 person flat.
15. Flat 5 is split over the second and third floor and has one bedroom with a GIA of 12 square metres. As the GIA of the bedroom exceeds that for a double/twin bedroom it is a 1 bedroom 2 person flat and not a 1 person flat as stated by the appellant. Being two storeys the GIA of the flat should meet the minimum standard of 58 square metres. At 45.7 square metres the GIA of the flat falls some considerable way short of the standard. Having regard to this and to the particular layout of the flat, I consider that future occupiers would not have adequate living conditions.
16. Flat 2A (1 bedroom 2 person) and Flat 3 (1 bedroom 1 person) both exceed the minimum GIA as set out within the nationally described space standard. However as both bedrooms in Flat 2 meet the minimum GIA for a double/twin bedroom this flat appears to be a 2 bedroom 4 person flat rather than a 2 bedroom 3 person flat as stated by the appellant. Its GIA of 68.8 square metres therefore falls slightly below the minimum GIA of 70 square metres. Notwithstanding this and having regard to the size and shape of the rooms and the proposed layout, I am satisfied that Flat 2 would provide adequate living conditions for future occupiers.
17. With regard to outlook, as stated, the proposed lower ground floor and ground floor layout is as previously approved by the Council and I have no reason to disagree with their conclusions regarding the outlook from rooms within these floors. In addition I am satisfied that the proposed flats on the first, second and third floors would be provided with adequate outlook.
18. Taking the above matters into consideration, I conclude that whilst the flats would be provided with adequate outlook and whilst some flats would meet the

minimum space standard, future occupiers of Flat 5 would not have adequate living conditions having regard to the size of the accommodation proposed. The proposal is therefore contrary to Policy 3.5 of the LP and to the nationally described space standard. This policy and this guidance seek, amongst other things, housing developments which provide an appropriate level of residential quality and amenity.

Living conditions (existing)

19. In granting permission for the alterations and extensions to the host building proposed by application reference 16/1529/F the Council considered that there would be no detrimental impact on the living conditions of neighbouring occupiers in terms of loss of daylight/sunlight, loss of outlook or privacy. I have no reason to disagree with the Council's conclusions in relation to the previously approved proposal which remains extant.
20. The proposed rear extension would have the same footprint as that previously approved and it would be no nearer to the adjacent property at No 7 but it would be one storey higher. However whilst the proposal would introduce additional bulk to the rear extension, the eaves of the extension would be no higher than the eaves of the existing rear outrigger and its roof would slope away from No 7. Consequently I do not consider that the additional bulk proposed would be significantly or materially harmful to the outlook from No 7 or to the amount of daylight or sunlight received by that property. Similarly whilst additional windows are proposed in the side elevation of the extension facing towards No 7, none of these windows are sole or principal windows to habitable rooms and therefore any overlooking from them could be adequately prevented by the imposition of a suitably worded condition requiring obscure glazing. The roof extension would have no significant impact on the occupiers of No 7.
21. Having regard to the scale, nature and position of the proposal I am also satisfied that it would not have a significant adverse impact on the living conditions of the occupiers of any other neighbouring properties and I note that no objections were received to the application from any interested parties.
22. Taking the above matters into consideration, I conclude that the proposal would not have a significant adverse effect on the living conditions of the occupiers of nearby properties having regard to outlook, privacy, sunlight and daylight. It therefore complies with Policy DH(b) of the CS, Policy 7.6 of the LP and with relevant paragraphs of the Framework insofar as they relate to the living conditions of existing occupiers. These policies require development, amongst other things, to not cause an unacceptable loss of amenity to adjacent occupiers.

Other Matters

23. Though I note the conclusion of the Inspector dealing with appeal reference APP/E5330/W/16/3154163 regarding access to private amenity space, the Council was satisfied with the amendments made to access to private amenity space under application reference 16/1529/F and I have no reason to disagree with the Council's findings on this issue. Similar arrangements are in place with the proposal and I am therefore satisfied that adequate access to private amenity space is provided.

Conclusion

24. The proposal would not have a significant adverse effect on the living conditions of the occupiers of nearby properties and future occupiers of the flats would have adequate outlook. However the future occupiers of Flat 5 would not have adequate living conditions having regard to the size of the accommodation proposed and the proposal would have a significant adverse effect on the character and appearance of the host building and on the surrounding area.
25. For the above reasons and having regard to all matters raised, I conclude that the appeal should be dismissed.

Beverley Wilders

INSPECTOR