



Appeal Decision

Site visit made on 7 June 2017

by D Guiver LLB(Hons) Solicitor

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

Decision date: 03rd July 2017

Appeal Ref: APP/E5330/W/17/3170652

Land rear of 56 and 58 Rennets Wood Road, Eltham SE9 2NQ

- 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 K Sullivan against the decision of the Royal Borough of Greenwich Council.
 - The application Ref 16/2160/F, dated 4 July 2016, was refused by notice dated 13 October 2016.
 - The development proposed is a three-bedroom detached house.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. I have used the Council's site address as this is more precise.

Main Issues

3. The effect of the proposed development on the character and appearance of the area and on the living conditions of the occupiers of neighbouring properties.

Reasons

Character and Appearance

4. The appeal site is the rear of two properties at 56 and 58 Rennets Wood Road, but the development would be in Rennets Close (the Close). Rennets Wood Road and the Close are both predominantly residential areas with a mixture of terraced, detached and semi-detached houses. Near to the appeal site, the Close comprises exclusively detached properties in generous sized plots. Dwellings in Rennets Wood Road also sit in substantial plots with the exception of No 58, where the rear of the garden was added to the garden at No 56. Nonetheless this has little effect on the overall spacious impression.
5. A number of houses on the Close are clustered around a small crescent and built so that they sit obliquely to each other. This orientation results in minimal overlooking coupled with an attractive and unusual pattern of development that is juxtaposed with the more uniform row of detached houses opposite. The buildings and large front and rear curtilages create a pleasant suburban sense of space despite the relative narrowness of the road itself.

6. In contrast, the proposed development would sit in a relatively modest plot that while providing adequate amenity space would be incongruous with the prevailing pattern and layout of the Close. The development would also be an anomalous outlier from the existing pattern of development, as it would be removed from the crescent and the opposite row of houses. In addition, whilst the appellant considers the proposal to be well designed and relates to the street scene, the existing dwellings in the Close follow a clear pattern of post-war architecture. However, the development would be a relatively restrained modern design that, while pleasant, would be alien to the existing appearance of the street scene.
7. A number of trees in the area are subject to a tree preservation order (TPO), including one in the front garden of No 58. There are no trees subject to a TPO on the appeal site. However, despite the appellant stating that there are no trees on the site, there are a number of mature examples planted along the border with No 2 which add significantly to the appearance of the street scene. It would not be possible to protect these trees by imposing a condition as the proposed building would sit approximately one metre from the boundary requiring the trees to be removed. There are also a number of younger trees planted on the boundary with the street that have been extensively pruned. These trees would also have to be removed because they occupy part of the space required for the proposed car parking spaces. These trees are an important component of the area's verdant qualities and their removal would harm the character and appearance of the area.
8. For these reasons I conclude that the development would not be in accordance with Policy 7.4 of the London Plan or Policy H(c) of the Royal Greenwich Local Plan Core Strategy with Detailed Policies 2014 (the Local Plan) that seek to ensure that developments maintain the pattern and grain, and the character of existing spaces. The development would also not be in accordance with Policies H5 and DH1 of the Local Plan that seek to ensure high quality of housing design with specific reference to surrounding architecture and established layout and spatial character.

Living Conditions

9. In addition to the reasons for refusal a number of objections were received relating to concerns about potential overlooking. The front and rear elevations of the proposed dwelling would be on a roughly north east to south west orientation. The front elevation would look out onto the street and the side elevations would be blank save for one ground-floor lavatory window that would use opaque glass.
10. However, in the rear elevation of the property there would be three first-floor windows that overlook the rear gardens of 2 and 4 Rennets Close. Two of the three windows would be for bathrooms so a condition could require opaque glass, but the third window, which is closest to the boundary with No 2, would be a bedroom window. The unrestricted view from this window would look down into the garden at No 2 and across to the garden of No 4, causing an unacceptable loss of privacy to the occupiers of No 2 and No 4 as a result of overlooking.
11. Therefore I conclude that the development would not be in accordance with Policies H(c) and DH(b) of the Local Plan that, amongst other things, seek to ensure that developments do not cause an unacceptable loss of privacy.

Other Matters

12. There is reference to a previous appeal decision (A/10/2126574) which appears to suggest that 'a less dense development with more typical plot size would be more appropriate in this location'. Nonetheless, I have not been provided with a full copy of that decision and I do not know the circumstances or context in which it was made. Moreover, that decision was made some years ago prior to the adoption of present planning policies. I have therefore determined this appeal on its own merits in the light of the available evidence and the current development plan.
13. The appellant refers to the presumption in favour of sustainable development, including the need to provide additional housing, in the National Planning Policy Framework (the Framework). I give significant weight to the Framework and the proposed development would be appropriate in terms of housing density and would benefit from good local transport links. In these regards the development would be sustainable, but that would not be sufficient to outweigh the harm to the character and appearance of the area, or to the living conditions of the occupiers of neighbouring properties. The addition of a single dwelling is also insufficient to outweigh those concerns.

Conclusion

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

D Guiver

INSPECTOR