
Appeal Decision

Site visit made on 14 November 2017

by A A Phillips BA (Hons) DipTP MTP MRTPI

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

Decision date: 24 November 2017

Appeal Ref: APP/E5330/W/17/3179974
36 Halstow Road, Greenwich SE10 0LD

- 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 Mrs J Burch and Mrs E Farmer against the decision of Royal Borough of Greenwich Council.
 - The application Ref 17/0286/F, dated 26 January 2017, was refused by notice dated 5 May 2017.
 - The development proposed is alteration and extension of existing house into two dwellings and erection of an additional house.
-

Decision

1. The appeal is dismissed.

Procedural matter

2. I have noted that the appellant has submitted an amended plan to overcome some of the reasons for refusal. However, the appeal process should not be used to evolve a scheme and it is important that what is considered at appeal is essentially what was considered by the local planning authority and on which interested parties' views were sought. Consequently, I have determined this appeal on the basis of the plans on which the local planning authority refused the application.

Main Issues

3. The main issues are:
 - i. The effect of the proposed new dwelling on the character and appearance of the area;
 - ii. Whether the proposal would result in suitable living conditions for future occupants with particular reference to outlook, internal space and private amenity space;
 - iii. The effect on the living conditions of the occupants of a neighbouring residential property with particular reference to outlook;
 - iv. Whether the development would conflict with the Council's strategy of retaining small to medium sized family dwellings;
 - v. Whether the site is suitable for the proposed residential development having regard to the risk of flooding;

- vi. Whether the proposal makes suitable provision for waste storage and recycling; and
- vii. Whether the proposal makes suitable provision for the storage of cycles.

Reasons

- 4. The appeal site comprises an end of terrace two storey residential property, which is within a predominantly residential area dominated by rows of traditional terraced properties. The property has been modified in the past, including pebble dashed render to external walls, a side garage / storage area, a double garage towards the rear of the plot and an additional garage door which provides access to the private amenity space. The property benefits from a rear / side private amenity space. It has most recently been occupied as a single residential property, although at the time of my site visit it was vacant.
- 5. The current proposal would divide the existing property into two separate dwellings by building an extension to replace the existing side store / garage and sub-dividing the interior. A new dwelling would be built on the plot currently occupied by a double garage.

Character and appearance

- 6. The proposed additional dwelling which would be situated to the rear of the existing property and to the side of the adjacent dwelling on Chevening Road would be constructed of yellow stock bricks with a slate roof. As a stand-alone detached property it would appear rather cramped and incongruous in an otherwise terraced setting. In my opinion it would relate poorly to the existing established pattern of development along Halstow Road and Chevening Road. Furthermore, it would disrupt the established building line, comprising an incongruous and awkward addition to the street scene.
- 7. I appreciate that the plot is already developed in a way which somewhat disrupts the pattern of residential development locally; however, the building would exacerbate the poor relationship to the detriment of the character and appearance of the area. My attention has been drawn to other modern developments locally; however, these do not persuade me that the current proposal is acceptable in terms of character and appearance. I have determined the appeal on its own merits having regard to the specific circumstances of the site and its surroundings and the scheme before me.
- 8. Therefore, on this issue I conclude that the proposal would have a harmful effect on the character and appearance of the area and would conflict with Policies 3.5 and 7.4 of the London Plan and Policies DH1 and H5 of the Royal Greenwich Local Plan Core Strategy with Detailed Policies Adopted July 2014 (the CS). Among other objectives these seek to ensure that housing should be of the highest quality, enhance the quality of local places having regard to local character and make a positive contribution to a coherent streetscape.

Living conditions

- 9. The proposed new residential Unit 3 would be single aspect and north facing. In addition Unit 2, as a consequence of its very close proximity to the side elevation of Unit 3, would have a particularly poor outlook and be unacceptably enclosed by built development. The sliding doors in the western elevation of

Unit 2 would help provide reasonable levels of light, but would not mitigate the harm I have found with reference to outlook and enclosure.

10. The Council is critical of the quality of the accommodation with respect to the inadequate floor area and unsatisfactory layout. In assessing this it refers to the space standards set out in the London Plan which are consistent with the nationally described space standard. The proposed gross internal area of Unit 1 would be approximately 67 square metres which falls short of the minimum acceptable area of 70 square metres for a two storey two bedroom three person dwelling. In addition, the proposed new dwelling would not meet the ceiling height requirements which should be a minimum of 2.5 metres. I cannot find any mitigating circumstances or reason why the standards should be compromised in this particular case and as such I find that the living standards of proposed Unit 2 would be compromised with reference to the internal space provided.
11. The appellant contends that each of the proposed residential units would have their own dedicated external space. The submitted plans show no evidence of this and the site would be so limited as to make the amount of space available severely restrictive in terms of providing suitable dedicated outdoor amenity space to meet general amenity functions such as hanging out washing and sitting outside, for example.
12. As such, on this issue I find that the proposal would fail to provide suitable living conditions for future occupants with particular reference to outlook, internal space and private amenity space. It would therefore conflict with Policies 3.5 and 7.6 of the London Plan, Policies DH(b) and H5 of the CS and the London Housing Supplementary Planning Guidance March 2016 which, among other objectives, seeks to ensure that housing development is of the highest quality internally, provides high quality indoor spaces, meets the nationally described space standard and provides suitable private open space. There is also a presumption against single aspect dwellings.
13. In terms of the living conditions of the occupants of neighbouring residential properties the main concern is the relationship between proposed new residential Unit 3 and No 34 Halstow Road which currently has a relatively open aspect towards Chevening Road from the rear of the property. Given the close proximity between the properties and the location of the existing windows in No 34 I consider that the proposed new building would create an undue sense of enclosure, harmful to the outlook from the existing residential property. Consequently, on this issue I find that the proposal would be harmful to the living conditions of the occupants of a neighbouring residential property with particular reference to outlook. As such it would conflict with Policy DH(b) of the CS which, among other objectives, seeks to ensure that new development does not cause an unacceptable loss of amenity to adjacent properties.

Loss of a small to medium sized family dwelling

14. Policy H(b) of the CS states that in order to protect small and medium sized family dwellings sub-division will not be permitted where any of a set of specific circumstances arise, including where the original premises is less than 130 square metres of net floor area in the case of a property which is part of a terrace.

15. The Council contends that the original floor area of the property is approximately 115 square metres which is significantly below the required size considered suitable for sub-division. Although the appellant argues that the gross internal floor space of the property exceeds 130 square metres there is no explanation or evidence of this. Consequently, in the absence of supporting evidence to the contrary I conclude that the proposal would conflict with the Council's strategy of retaining small to medium sized family dwellings as set out in Policy H(b) of the CS.

Flood risk

16. The appeal site is situated within flood risk Zone 3. Policy E2 of the CS relates to flood risk and states that development should be safe through the layout, form and floor levels of the development and mitigation measures. A Flood Risk Indicator and a flood risk zone map have been submitted with the appeal. There are other residential and commercial properties in the locality, including some modern apartment buildings and the Land Registry indicator is that the land in question has a low chance of flooding from rivers or the sea which means it is unlikely to flood except in extreme conditions. Nonetheless, there is clearly some risk from flooding.
17. In these particular circumstances I would expect the scheme to avoid vulnerable rooms such as bedrooms being on the ground floor. The submitted plans show a bedroom at ground floor level. I acknowledge that the layout of the proposed dwelling could be amended; however, the scheme before me and on which the local planning authority made their decision is shown on the original Drawing 1032/01.
18. Consequently, in this particular case and in the absence of further evidence I conclude that the site is unsuitable for the proposed residential development having regard to the risk of flooding. As such it would conflict with Policy E2 of the CS.

Waste storage and recycling

19. Policy H5 of the CS requires new development to make suitable waste provision. It is my understanding that residential units in the Borough have a requirement of three 240 litre wheeled bins each. The current plans show two bins per unit with very limited space elsewhere within the site for an additional three bins in total. As such and given the restrictive nature of the site I conclude on this issue that the proposal does not make suitable provision for waste storage and recycling and is contrary to policy H5 of the CS.

Cycle storage

20. Policies IM(b) and IM(c) of the CS and 6.9 of the London Plan require secure, integrated and accessible cycle parking to be provided in new developments. The submitted plans show no such provision and given the very limited and restrictive nature of the site I have no evidence that satisfactory cycle parking could be provided without resulting in significant harmful impacts on the living conditions of the occupants of the development in terms of obstructing the parking spaces, constraining the potential use of the already restricting outdoor amenity space and visual clutter.

21. Therefore, on this issue I conclude that the proposal does not make suitable provision for the storage of cycles in accordance with Policies IM(b) and IM(c) of the CS and 6.9 of the London Plan.

Conclusion

22. For the reasons given above and taking into account other matters raised I conclude that the proposal conflicts with the development plan taken as a whole and that the appeal should be dismissed.

Alastair Phillips

INSPECTOR