



Appeal Decision

Site visit made on 14 December 2018

by **Gary Deane BSc (Hons) DipTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 04 January 2019

Appeal Ref: APP/E5330/W/18/3202807

White Swan, 22 The Village, Charlton SE7 8UD

- 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 Mendoza Limited against the decision of the Royal Borough of Greenwich Council.
 - The application Ref 17/2043/F, dated 27 June 2017, was refused by notice dated 15 December 2017.
 - The development proposed is the erection of a contemporary new build detached 3-bedroom family dwelling and associated amenity on a derelict plot of land to the rear of The White Swan public house.
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Decision

1. The appeal is dismissed.

Main issue

2. The main issue is the effect of the proposed development on the character and appearance of the local area.

Reasons

3. The proposal is to erect a modern style detached dwelling on derelict and overgrown land to the rear of the White Swan public house within the Charlton Village Conservation Area (CA). To my mind, the CA derives its significance as a designated heritage asset primarily from the historic buildings within it and the parks and other large areas of green space, which contribute to what the CA Character Appraisal Supplementary Planning Document (SPD) describes as a sense of the 'countryside in the city'. Although not listed, the White Swan is identified in the SPD as a building of merit within the CA.
4. The new dwelling would address and take access from Torrance Close, which is a no through road that mainly provides access to the rear gardens and yards of the properties on the south side of The Village. This service function, coupled with the site's position to the rear of the public house and the generally neglected and untidy state of some of the land along the same side of Torrance Close, collectively give the street scene and the immediate area a backland character and appearance.
5. As the only dwelling to front Torrance Close, the proposal would clearly stand apart from the prevailing pattern of existing development, which backs onto the service road, and represent a significant change to the backland character of this part of the CA. Even so, the local area to which the site belongs has an

- air of neglect and to my mind is capable of successfully accommodating a bespoke form of new development. The CA itself has no single unifying architectural theme and there is no obvious reason why it could not in principle readily assimilate a variety of new dwellings in terms of size and style.
6. The proposal has been designed in the light of concerns raised in relation to earlier proposals to introduce a pair of dwellings on the same site, one of which was recently dismissed at appeal. By reducing the scale of development; altering the design of the new dwelling; using of London Stock brick to reflect other nearby properties; and providing additional information with regard to trees and potential noise, the appellant has sought to overcome the previous objections. However, the cramped layout, detailed design, flat roof form and extensive glazing would be at odds with properties in the immediate locality.
 7. Specifically, the new addition would be arranged around a central courtyard with a single storey element to one side that would visually 'break down' its scale and mass. However, the proposed dwelling would extend across much of the plot's width with a modest set back from the common boundary with the back garden of the public house. With limited space around the new building on 3 sides, the proposal would appear cramped in terms of layout. This strong impression would be most pronounced in views from the upper rear windows of some properties on either side of the site that front The Village.
 8. While variation is a hallmark of existing development in the local area, I saw that flat roofs are mostly secondary in nature and fenestration tends towards subservience. Taken together with large expanses of solid uninterrupted brick walls, the combined effects would be an overly bulky 'box-like' structure with an outward appearance that would be unattractive, rudimentary and uncertain. For all of these reasons, the proposed development would not achieve the stated objective of high quality design nor would it assimilate well in its back land setting nor blend into its immediate surroundings. Consequently, it would not set a desirable precedent as the appellant implies.
 9. The density of development would compare favourably with the guidelines set out in the London Plan (LP). However, as the appellant acknowledges, density is but one indicator of the spatial characteristics of a development or an area. That the appellant considers the site to be previously developed land does not alter my concern that the appeal scheme would be obtrusive and incongruous in its context. Additional planting within the site or the introduction of a green sedum roof would not satisfactorily mitigate the proposal's harmful impact.
 10. The National Planning Policy Framework (the Framework) acknowledges that planning decisions should not attempt to stifle innovation, originality or initiative; but it seeks to ensure new development adds to the overall qualities of an area. For the reasons given, the proposal would not do so. It would fail to preserve or enhance the character or appearance of the CA. The resultant harm to the significance of the CA would be less than substantial although no public benefits are put forward that would outweigh this harm.
 11. On the main issue, I conclude that the proposed development would unacceptably harm the character and appearance of the local area. Accordingly, it conflicts with LP Policies 3.5, 7.8 and 7.9 and Policies H5, H(c), DH1, DH3 and DH(h) of the Royal Greenwich Local Plan: Core Strategy with Detailed Policies. These policies require that new development achieves a high quality design and a positive relationship between the proposed and existing

urban context; protects heritage assets; and that back land development maintains the character of the area with particular regard to scale and design.

12. There is also a conflict with the Framework regarding the protection of heritage assets such as conservation areas, and with the statutory duty. This duty requires that special attention be paid to the desirability of preserving or enhancing the character or appearance of the CA, which I have done.

Other matters

13. The development would result in additional residential accommodation and make a modest contribution to the Council's housing land supply in an accessible location. The imperative of significantly boosting the supply of homes is stressed at both national and local policy levels, to which the proposal would positively contribute. However, these matters do not outweigh the significant harm that I have identified.
14. Interested parties raise several additional objections including the potential effect of the proposal on trees, the White Swan public house as an asset of community value and the living conditions of future occupiers. These are all important matters and I have taken into account all of the submitted evidence. However, given my findings on the main issue, these are not matters that have been critical to my decision.

Conclusion

15. Overall, for the reasons set out above, and having considered all other matters raised and the balance required by the Framework, I conclude that the appeal should be dismissed.

Gary Deane

INSPECTOR