



Appeal Decision

Site visit made on 21 October 2019 by C Brennan BAE (Hons) M.PLAN

Decision by Andrew Owen BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 25th November 2019

Appeal Ref: APP/E5330/W/19/3234727

White Horse, 704 Woolwich Road, Greenwich SE7 8LQ

- 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 London Stay Apartments against the decision of the Council of the Royal Borough of Greenwich.
 - The application Ref 19/0905/F, dated 26 February 2019, was refused by notice dated 1 July 2019.
 - The proposed development is two storey rear extension at first and second floor, roof extension to create additional storey. Retention of Pub on ground floor. Change of use to upper floors from Hotel (Class C1) to 17 no room HMO (Class Sui Generis). 7no. cycle parking spaces and bin storage.
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Main Issues

3. The main issues are:
 - i) the effect of the proposed development on the character and appearance of the locally listed building on site and the Thames Barrier and Bowater Road Conservation Area.
 - ii) whether the proposed development would provide acceptable living conditions for future occupants, with particular regard to light, outlook and floorspace.
 - iii) whether the proposed refuse, recycling and cycle parking provision would be sufficient for future occupants.
 - iv) the effect of the proposed refuse, recycling and cycle parking facilities on highway safety.

Reasons for the Recommendation

Character and appearance

4. The appeal site comprises a three-storey building on the southern side of Woolwich Road. The ground floor comprises an existing studio flat and a public
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house, with 11 B&B rooms on the upper floors (Use Class C1). The appeal property incorporates distinctive Dutch gabled dormers within its front elevation, a Dutch gable feature within its east elevation, and a double gable roof form at the rear. The appeal property is identified as a locally listed building with high townscape value and which is the sole example of an historic public house along the adjacent stretch of Woolwich Road.

5. The site occupies a prominent corner location and is highly visible within public views. The appeal site is located within the Thames Barrier and Bowater Road Conservation Area, whose significance is largely derived from the importance of the area's industrial heritage. A part-four, part-five storey building is under construction on the adjoining site to the west. A four-storey block of flats is situated on the adjoining site to the south.
6. The proposed mansard-style roof extension would project beyond the front roofslope. As such it would compete with and relate poorly to the profile of the Dutch gabled dormers, which are a distinctive and noted characteristic of this locally listed building. It would also result in the loss of the notable double gable roof form at the rear and cause harm to the profile of the existing building. Though the roof extension would not be higher than the ridge of the existing main roof and would be set back slightly from the existing facades, it would still undermine the prominence of the distinctive roof form, particularly the Dutch gabled dormers to the front.
7. Also, the proposed rear extension, as a result of its combined height, width and scale, would appear as an excessively large and bulky addition. It would fail to relate to the design and proportions of the existing locally listed building in a respectful manner. As such, it is considered that the proposed development would cause harm to the character and appearance of both the locally listed appeal property and the wider Conservation Area.
8. The appellant has drawn my attention to the scheme currently under construction to the west, and states that this scheme is much more dominant and less in keeping with the conservation area than the proposed development. However, as the full details of that case are not before me to consider, I cannot conclude whether it is comparable to the proposal. In any case, each case must be considered on its own merits.
9. The appellant suggests that views of the extensions would only be possible from the east, and that these views are shielded by other buildings and trees. However, it is considered that the appeal property, and the roof extensions to it, would be clearly visible from the east, especially from on the northern side of Woolwich Road, and from the west. The alteration to the rear double gable roof form would be visible from the south. Though some of these views are from vantage points outside of the Conservation Area the site itself is prominent within the Conservation Area and special regard must be had to the preservation and enhancement of that Conservation Area.
10. I conclude that the proposed development would cause harm to the character and appearance of the Thames Barrier and Bowater Road Conservation Area and the locally listed building. The proposed development would therefore conflict with Policies 7.4, 7.6 and 7.8 of the London Plan (2018), which require that development should have regard to the form of an area, make a positive contribution to the streetscape and conserve heritage assets. The proposal would also conflict with Policies DH1, DH3, DH(h) and DH(j) of the Royal

Greenwich Local Plan: Core Strategy with Detailed Policies (2014), which broadly require a high standard of design, and the protection of heritage assets including locally listed buildings and Conservation Areas.

11. I consider that the proposal would cause less than substantial harm to the significance of the Conservation Area. As such paragraph 196 of the National Planning Policy Framework advises that any public benefits, should be weighed against the harm to the designated heritage asset. The provision of additional residential accommodation would provide some limited public benefit. Also the retention of the public house would be a benefit, though one to which I can give limited weight as I have no evidence to suggest its retention is dependent on the proposal and previous proposals to demolish the building have been refused. As such I do not consider that the public benefits would outweigh the harm that would be caused to the significance of the Conservation Area as a designated heritage asset.

Living Conditions for Future Occupants

12. The proposal would provide 17 rooms on the upper floors, 11 of which would be self-contained. As communal space would be provided for the rooms at ground floor and third floor levels, each room is considered to form part of the same large HMO (Use Class Sui Generis). The Council's HMO Standards (2018) document provides certain minimum floorspace requirements for HMO rooms. Whilst the rooms may meet these standards, and this document is a material consideration, it does not form part of the development plan. The Council's Residential Extensions, Basements and Conversions Guidance SPD (2018) states that self-contained rooms within HMO proposals must be assessed against the minimum space standards set out in Policy 3.5 of the London Plan, which is part of the development plan. All of the 11 self-contained rooms would be undersized when considered against Policy 3.5 of the London Plan. As no information has been provided in relation to the floor-to-ceiling heights of the rooms, it is unclear as to whether the rooms would be cramped in this respect too. Regardless, it is considered that the proposed living accommodation would not be of an acceptable standard for future occupants.
13. The appellant states that the proposal seeks to provide HMO accommodation only, and that the Council is incorrect to assess certain rooms as self-contained accommodation just because they incorporate kitchen facilities. However, as the future occupants of the 11 rooms including kitchen appliances would not have to use the communal kitchen facilities, it is considered that these rooms would effectively be used as self-contained accommodation. The appellant also states that the provision of such facilities could be controlled by condition if so required. However, if a condition was hypothetically attached to ensure that no cooking equipment was used in any of the rooms, then the occupants of all 17 rooms would be reliant on the single communal kitchen on the third floor. Due to the constrained size of the communal kitchen and its location on the third floor, this arrangement would be unacceptable. Regardless, it is not considered that such a condition would be enforceable.
14. Several rooms would be north-facing and single aspect. Nonetheless, I consider these rooms would have an acceptable level of light and outlook. On Page 20 of the Design and Access Statement, the appellant suggests that the rear windows could be fitted with privacy fins so as to avoid overlooking into the windows of the flats located immediately to the south. It is considered that

such measure could be conditioned and I do not consider the use of such privacy fins would unduly restrict light and outlook to those rooms fitted with them.

15. For the above reasons, I conclude that although future occupiers may have acceptable outlooks from their rooms, the proposed development would not provide acceptable living conditions for them with particular regard to floorspace. The proposed development would therefore conflict with Policy 3.5 of the London Plan (2016), which states that housing developments should be of the highest quality internally. The proposal would also conflict with Policies DH1 and H5 of the Royal Greenwich Local Plan: Core Strategy with Detailed Policies (2014), which require that development, including housing, should be of the highest quality of design. The proposal would also conflict with the Housing SPG (2016), which broadly requires high standards for residential development. The proposal would also conflict with the Residential Extensions, Basements and Conversions Guidance SPD (2018), which states that self-contained rooms within HMOs should be assessed against Policy 3.5 of the London Plan in terms of minimum space standards.

Refuse, Recycling and Cycle Parking Provision

16. The proposed plans show refuse, recycling and cycle parking facilities on the pavement adjacent to the eastern side of the appeal property. However, during consultation the Council's Waste Services stated that four 1100L bins and one 240L bin would be required for the 17 HMO rooms. Additional bins would likely be required for the ground floor flat and public house. It has not been demonstrated that the proposed bin storage area would be large enough for this much storage. Furthermore, the proposed plans do not include a shelter to provide dry and secure cycle parking. As such, it is not considered that the proposal provides sufficient refuse, recycling or cycle parking facilities.
17. The appellant states that these matters could be resolved through conditions. However, as the proposed bin storage and cycle parking areas lie outside of the appeal site, any condition would be unenforceable.
18. Also, in the absence of plans or any other evidence in support of the appellants suggested pulley system to move waste and recycling from the basement to street level, I cannot conclude this would overcome the issues set out above.
19. For the above reasons, it cannot be considered that the proposed refuse, recycling and cycle parking provision would be sufficient for future occupants. For these reasons, I conclude that the proposed development would conflict with Policies 5.16 and 6.9 of the London Plan (2016), which require waste efficiency and secure and integrated cycle parking facilities. The proposal also conflicts with Policies H5, DH1 and IM(b) of the Royal Greenwich Local Plan: Core Strategy with Detailed Policies (2014), which require development to provide adequate waste provision, demonstrate onsite waste management and provide sufficient cycle parking.

Effect of Refuse, Recycling and Cycle on Highway Safety

20. Following the comments of the Council's Waste Services, it is likely that several large bins would need to be used by both the future occupants of the building and the users of the ground floor public house. As no condition can be imposed to ensure the use of a secure on-street bin storage area, it cannot be

demonstrated that pedestrian movements along Clevely Way would remain unimpeded. Similarly, in the absence of a condition, it cannot be shown that a cycle parking shelter would have an acceptable impact on pedestrian movements along the adjacent pavement.

21. As the proposed development would fail to demonstrate that the safety of pedestrians would be maintained, it cannot be concluded that the development would maintain highway safety. The proposal therefore conflicts with Policy 6.10 of the London Plan (2016), which states that development should ensure high quality pedestrian environments. The proposal also conflicts with Policies H5, DH1 and IM(b) of the Royal Greenwich Local Plan: Core Strategy with Detailed Policies (2014), which require that development should protect and enhance the borough's footpaths, integrate with path and circulation networks and to provide adequate waste provision, demonstrate on-site waste management and provide sufficient cycle parking.

Conclusion and Recommendation

22. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be dismissed.

C Brennan

APPEAL PLANNING OFFICER

Inspector's Decision

23. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is dismissed.

Andrew Owen

INSPECTOR