



Appeal Decision

Site visit made on 25 February 2020

by S Tudhope LLB (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 20 April 2020

Appeal Ref: APP/E5330/W/19/3237706

Land adjoining 151 Alnwick Road, London SE12 9BX

- 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 Mark Lyons against the decision of Royal Borough of Greenwich Council.
 - The application Ref 19/0653/F, dated 10 January 2019, was refused by notice dated 18 April 2019.
 - The development proposed is construction of two semi-detached 4bed houses
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are (i) the effect of the proposed development on the character and appearance of the area; (ii) whether the proposal would provide adequate living conditions for future occupants in terms of internal and external space provision; and (iii) the impact of the proposed development on the living conditions of the occupiers of 151 Alnwick road with regard to external amenity space and sunlight.

Reasons

Character and appearance

3. The appeal site is the large side garden area of a semi-detached, two storey dwelling, 151 Alnwick Road (No 151). The site leads into a cul-de-sac which is symmetrical in layout, such that the appeal site is situated across from a similar sized plot. The design of the entrance to the cul-de-sac provides a large gap between buildings. There is a central green which accommodates several trees and some parking areas. The result is a general sense of spaciousness within this part of the street.
4. Although the appeal building would be two storey height, brick and tile construction, and of similar depth to the neighbouring terrace, because of the greater width of the proposed dwellings in comparison to existing dwellings, the use of timber panelling and the flat roof design of the porches, the building would appear out of character within the street scene. Whilst there are a variety of different styles of properties in the wider Alnwick Road Area, the dwellings within the immediate vicinity of the site are more consistent in their design and the appeal scheme would be a discordant addition.

5. Furthermore, the proposal would result in a significant reduction in the space between existing buildings. The characteristic sense of openness would be lost from this part of the street such as to cause harm to the street scene.
6. Therefore, I conclude that the proposed development would harm the character and appearance of the area. Consequently, it would not comply with Policies 7.4 and 7.6 of the London Plan 2016 (LP); Policies H5, H(c) and DH1 of the Royal Greenwich Local Plan: Core Strategy with Detailed Policies 2014 (CS); and the National Planning Policy Framework (the Framework). These, amongst other things, require development to be of a high quality, respect local context, and make a positive contribution to its character.

Living conditions of future occupiers

7. The requirements of the Government's Nationally Described Space Standard 2015 (NDSS) is applied in a local context within Policy 3.5 of the LP. The appellant has provided comparison tables setting out how the proposed development compares with the NDSS. This evidence confirms that the proposal falls short of the minimum gross internal area (GIA) required for dwellings of this size. The appellant contends that because of the shortfall of GIA the proposal falls to be considered under the London Housing Design Guide Standards. I have not been provided with full details of these standards, however, from the evidence provided the appeal proposal also falls short of the stated minimum areas required in respect of bathroom sizes.
8. The appellant refers to the minor differences in bathroom sizes that he has identified. He considers these should be disregarded because the London Housing Supplementary Planning Guidance 2016 (SPG) suggests an exception may be made for very small schemes that have significant site constraints, whereby a judgement could be made about compliance with the space standards against wider policy issues such as housing delivery and viability. No such argument has been presented however, and I do not consider that any significant site constraints have been identified that would justify this approach in this case.
9. Given that the LP floorspace standards are minimum standards which are intended to act as a benchmark for high design quality, any shortfall is unlikely to be appropriate and the proposal therefore conflicts with the standards in principle. Whilst the proposal meets or exceeds the minimum standards in some respects, such compliance does not compensate for the overall shortfall in internal space. The proposal would not therefore provide adequate living conditions for future occupiers in relation to internal space provision.
10. I note that the proposal has been designed to include a second floor in the roof space, and that this accommodation may have met the requirements of The Town and Country Planning (General Permitted Development) (England) Order 2015, if the second floor were to have been a later addition to a two storey dwelling. However, even if this were the case, I do not consider that this negates the need to comply with the LP standards for the size of dwelling as proposed.
11. The proposal would result in a small shortfall in the recommended size for rear gardens. This is set out in the supporting text of CS Policy H5 and is stated to be a guide rather than an absolute minimum. The dwellings would have direct access to their gardens; in this respect the proposal would comply with CS

Policy H5. In addition, the layout of the external amenity space for the proposed dwellings would result in a useable space that would exceed the minimum size for private outdoor space required by the SPG. In this case, I therefore find that the proposal would provide adequate external amenity space for future occupiers.

12. However, whilst I find no specific harm in respect of the provision of external amenity space, that does not alter my conclusions regarding the harm I have identified as a result of the overall shortfall in GIA. Therefore, for the reasons given, I conclude that the proposal would not provide adequate living conditions for future occupants in terms of internal space provision. Thus, it conflicts with CS Policy H5, LP Policy 3.5, the SPG and the NDSS. These policies and guidance seek, amongst other things, to ensure that new dwellings have a design and layout that provides quality living conditions for future occupants.

Living Conditions of occupiers of 151 Alnwick Road

13. Turning to the impact of the proposed development on the living conditions of the occupiers of the donor property. The proposed subdivision of the garden of No 151 would result in a significant reduction in the size of outdoor amenity space currently available to the occupiers of that property. Whilst the resulting external amenity space to the rear and side of No 151 would be approximately 41m² in area, and therefore exceed the minimum size requirement set out in the SPG, it would be an awkward shape which would diminish its quality and usability. Even if I were to agree that some of the retained external area at the front of No 151 could provide extra private amenity space this would not suitably compensate for the impracticalities of the overall layout.
14. In addition, the resultant side and rear garden space for No 151 would be subject to overshadowing for a significant amount of time. I acknowledge that the overshadowing would be largely from No 151 itself and as such does not differ from the existing situation. However, currently the occupiers of No 151 have access to a large garden area, much of which is not overshadowed, whereas the proposal would result in a side and rear garden area that would be largely overshadowed. The proposal would not offer good quality amenity space for the occupiers of No 151.
15. I conclude that the proposal would be harmful to the living conditions of the occupiers of No 151 with regard to external amenity space and sunlight. This would be contrary to the objectives of CS Policies H(c) and DH(b) and Policy 7.6 of the LP which, amongst other matters, seek to ensure new developments do not harm the amenities of the occupiers of neighbouring properties.

Other Matters

16. The appellant has drawn my attention to examples of other corner plots within Alnwick Road which he considers offer support to the acceptability of the appeal scheme. However, I do not have the full details of those developments and cannot be certain that they offer direct parallels to the appeal scheme. In any case I have determined the appeal on its own merits.
17. The appellant has referred to a planning permission at the appeal site for the erection of a detached 3 bedroom dwelling and considers that this provides support for the appeal proposal in terms of impact on the street scene. However, I have not been provided with the exact circumstances or details of

that permission which is for a single dwelling as opposed to a pair of dwellings. It does not therefore alter my findings in respect of the appeal proposal.

Planning Balance

18. I note the positive aspects of the proposal highlighted by the appellant, notably the provision of two additional residential units, which would contribute towards the Framework's aim to boost the supply of housing. The contribution would be limited commensurate with the scale of development proposed. I also have noted the elements of the proposal that comply with the requirements of the development plan. These matters are neutral factors in the overall balance.
19. I have found that the proposal would harm the character and appearance of the area, would not provide adequate living conditions for future occupants and would result in harm to the living conditions of the occupiers of a neighbouring property. I attribute significant weight to the conflict with the most important development plan policies in this appeal.
20. Overall, I consider that the benefits that would arise would not outweigh the harm caused by the proposal. The proposal conflicts with the development plan and there are no material considerations to outweigh this conflict and for the reasons set out the appeal must fail.

Conclusion

21. For the above reasons the appeal is dismissed.

S Tudhope

Inspector