



Appeal Decision

Site visit made on 11 August 2020 by C Brennan BAE (Hons) M.PLAN MIPI

Decision by Andrew Owen BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 21 September 2020

Appeal Ref: APP/E5330/W/19/3240694

39 Stanley Close, Avery Hill SE9 2BA

- 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 Pol Gallagher against the decision of the Council of the Royal Borough of Greenwich.
- The application Ref 19/2809/F, dated 8 August 2019, was refused by notice dated 4 October 2019.
- The proposed development is demolition of existing side extension and construction of a two storey, three-bed dwellinghouse.

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.

Procedural Matters

3. The description of the proposed development set out in the application form contains information which serves to justify the proposal rather than simply describe it. In the interests of clarity and precision, the description of the proposed development which I have included in the banner heading above has been taken from the decision notice.

Main Issues

4. The main issues are:
 - i) the effect of the proposed development on the character and appearance of the site and surrounding area,
 - ii) the effect of the proposed development on the living conditions of the occupants of No 40 Stanley Close, with particular regard to outlook, and
 - iii) whether the proposed development would cause unacceptable harm to car parking provision and highway safety within the surrounding area.

Reasons for the Recommendation

Character and appearance

5. The appeal site accommodates a family-sized dwelling at the northern end of Stanley Close, a residential estate comprising houses and blocks of flats. The
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- appeal property forms the eastern end of a distinctive U-shaped terrace, the visual coherence and symmetry of which contributes positively to the character and appearance of the immediate area and the wider estate. The proposed dwelling would be attached to the side of No 39, appearing as an addition to the eastern end of the U-shaped terrace.
6. While the appeal site may have a larger garden than other properties within the terrace, and the gap between the house on the site and its neighbour at No.40 is slightly greater than the corresponding gap between No.31 and No.30 opposite, the built form of the U shaped terrace does have a markedly symmetrical and uniform appearance with the appeal property contributing to this. The position of a detached garage to the rear of No 31 does not undermine the uniformity of the terrace. Furthermore, while the western, southern and eastern blocks in Stanley Close are broadly asymmetrical to one another, the host terrace is distinctly symmetrical. As such, the proposed dwelling would visually unbalance the existing terrace and appear as particularly incongruous addition.
 7. While the proposed dwelling would broadly match the design and materiality of buildings within the terrace and surrounding area, its flat roof form would contrast poorly with the predominantly hipped roof forms of other buildings within the terrace. Furthermore, as the two-storey flat-roofed element would rise above the eaves of both the proposed dwelling and No.39, the height, scale and proportions of this proposed dwelling would have a particularly incongruous appearance, especially when seen within the context of the surrounding area which is characterised by the architectural coherence of its buildings.
 8. For the above reasons, I conclude that the proposal would cause unacceptable harm to the character and appearance of the site and surrounding area. It would therefore conflict with Policy 7.4 of the London Plan 2016 (the London Plan) and Policy DH1 of the Royal Greenwich Local Plan: Core Strategy with Detailed Policies 2014 (the Core Strategy), which, amongst other things, state that development should have regard to local character and be designed to the highest standard. It would also conflict with Policy H(c) of the Core Strategy, which states that infill development would only be favourably considered if the character of the area would be maintained with regard to scale, design and density. However, there would be no conflict with Policy H(a) of the Core Strategy as this policy relates to the protection of existing housing from changes of use and therefore has no relevance to this main issue.

Living Conditions of No 40 Stanley Close

9. Currently, the occupants of No 40 have largely unobstructed views to the rear from their rear-facing windows. The proposed development would introduce a blank and bulky two-storey structure near the shared boundary with the appeal site that would extend across these views at close-range. Contrary to the appellant's statement of case, views from the northeastern-facing rear windows of No.40 would not look beyond the proposed dwelling but would directly face it and be obstructed by it. Due to its height, bulk and close proximity, the proposal would have an overbearing impact that would cause unacceptable harm to the living conditions of the occupants of No.40 in respect of their outlook.

10. The proposal would therefore conflict with Policy DH(b) of the Core Strategy, which states that the Council will only permit applications for new development if no unacceptable harm is caused to adjacent occupiers in terms of resulting in a sense of enclosure.

Car Parking Provision and Highway Safety

11. Within Stanley Close, none of the roads have double yellow lines and it appears to be common practice for occupants to park their cars on the kerb directly in front of their dwelling, or to park in one of the many available designated parking spaces which do not seem to be allocated to the occupants of any particular dwelling. Furthermore, during my site visit I observed that there were many spaces within the estate where occupants of either the existing appeal property or the proposed dwelling could park. Within this informal arrangement, I consider that it would be unlikely that a few additional vehicles would cause unacceptable harm to car parking provision. Furthermore, given the spacious quality of the surrounding area and the amount of car parking available, I do not consider that the proposal would result in any issues relating to the obstruction of emergency or service vehicles.
12. The Council make reference to Policies 6.13 of the London Plan and Policy IM(c) of the Core Strategy within their report and decision notice, which both refer to the maximum parking standards set out in Table 6.2 of the London Plan. Table 6.2 of the London Plan states that a residential dwelling within a suburban location in an area with a Public Transport Accessibility Level of 2 must not have more than 1.5 cars. As no parking would be provided onsite, the proposal would therefore be within the maximum parking standard and so would accord with these policies.
13. For the above reasons, I conclude that the proposal would not cause unacceptable harm to car parking provision or highway safety within the surrounding area. The proposal would therefore comply with Policy 6.13 of the London Plan and Policy IM(c) of the Core Strategy, which seek to promote sustainable modes of travel.

Other Matters

14. I acknowledge the concerns of the appellant regarding communication with the Council during the planning process. While I sympathise, these concerns do not provide justification for the proposal which would be unacceptable for reasons set out above.
15. While the addition of another family-sized dwellinghouse would be positive, this benefit would not justify the identified harm which would be caused by the proposal as set out above.
16. Reference is made in the appellant's statement to a beech tree, the site's close proximity to Bromley South station and its position within a town centre. These would not appear to relate to this particular appeal and appear to have been included in error.

Planning Balance, Conclusion and Recommendation

17. I have found that the proposed development would not cause unacceptable harm to car parking provision or highway safety within the surrounding area. However, this is outweighed by the unacceptable harm that would be caused to

the character and appearance of the site and surrounding area, as well as the unacceptable harm that would be caused to the living conditions of the occupants of No 40 Stanley Close with particular to outlook.

18. Therefore, 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

19. 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