



Appeal Decision

Site visit made on 30 September 2020

by M Aqbal BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 22 October 2020

Appeal Ref: APP/A5840/W/20/3246058

Goodrich Garages rear of 200 Friern Road, London SE22 0BA

- 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 Joseph Grehan against the decision of the Council of the London Borough of Southwark.
 - The application Ref 19/AP/0814, dated 14 March 2019, was refused by notice dated 1 August 2019.
 - The development proposed is demolition of 2NO. existing garages and erection of a single storey (plus basement) self-contained one bed house.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. As no address for the appeal site was provided on the application form, I have taken this from the appellant's appeal form.

Main Issue

3. The main issue is whether the proposed development would offer acceptable living conditions for future occupants.

Reasons

4. The proposal is for the demolition of two existing garages and the replacement of these with a single storey with basement, one-bedroom, detached dwelling.
5. The basement area of the new dwelling would incorporate its only bedroom and bathroom. For daylight, these areas would be served by a lightwell. For rooms that are below the external ground level, the Council requires an assessment against the '30-degree test'. On the basis of the appellant's 'Full Statement of Case' it would appear that the '30-degree test' is met and therefore there is likely to be adequate natural daylight to the basement.
6. Nevertheless, the lightwell is of a modest depth and the area above this would also be used for bike storage and as amenity space. Consequently, and due to its location, this would fail to provide any reasonable outlook from the basement. Although the ground floor of the proposed dwelling incorporates a glazed frontage, the outlook from this would be largely towards existing boundary treatments including an area which, in part, is used for the storage of bins.

7. Furthermore, the 2015 Technical Update to the Residential Design Standards Supplementary Planning Document 2011 (Technical Update) states that for units containing two or less bedrooms, 10sqm of private amenity space should ideally be provided. Notwithstanding that the appeal site is constrained, the level of proposed private amenity space of about 6sqm falls significantly short of the ideal provision. Whilst the appellant has referred to areas of public open space, these are not in the immediate proximity of the appeal site. In any event, I do not believe that these would be a reasonable atonement for the failure to provide adequate private amenity space directly associated with the dwelling itself, in accordance with the above standards.
8. Drawing on the above reasons, due to the poor outlook particularly at basement level along with the inadequate provision of private amenity space, the proposed development would offer unacceptable living conditions for future occupants. Consequently, the proposal would conflict with Policy 3.5 of the London Plan 2016, Saved Policy 4.2 of the Southwark Plan 2007 and the 2015 Technical Update. Collectively, these seek to ensure that new residential developments provide good quality living accommodation for future occupants, which includes having regard to outlook and suitable outdoor space.

Other matters

9. The appellant has referred to examples of other backland developments in the area. However, each application is determined on its merits and my assessment of the appeal scheme is based on the specific circumstances of the proposal before me. Therefore, these examples and the careful attention to the architecture and design of the proposed dwelling, do not alter my findings on the main issue.

Conclusion

10. For the above reasons, I conclude that the appeal should be dismissed.

M Aqbal

INSPECTOR