



Appeal Decision

Site visit made on 22 January 2021

by Michael J Muston BA(Hons) MPhil MRTPI

an Inspector appointed by the Secretary of State

Decision date: 04 February 2021.

Appeal Ref: APP/E5330/W/20/3260115 8 Streamdale, Abbey Wood SE2 0PD

- 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 Danshe Ltd against the decision of the Council of the Royal Borough of Greenwich.
 - The application Ref 20/2052/F, dated 14 July 2020, was refused by notice dated 9 September 2020.
 - The development proposed was originally described as the conversion of the existing house to provide two self-contained houses with single storey rear extensions and other associated alterations.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The development was described on the application form as set out in the heading above. This was amended by the Council, to "*Construction of two single-storey rear extensions and other associated external alterations to allow the conversion of the house into two self-contained C3 units*". The appellant states on his appeal form that the description has changed from that stated on the application form, to the description used by the Council. I have therefore used this amended description as the basis for my decision.

Main Issues

3. The main issues are:-
 - whether the proposal would result in the unacceptable loss of a small or medium sized dwelling;
 - the effect of the proposed development on the character and appearance of the area;
 - whether the proposed three bedroomed house would provide acceptable living conditions for future occupiers, with particular regard to its floor area; and
 - the effect of the proposed development on highway safety.

Reasons

Loss of existing dwelling

4. The Council refused the application on grounds that the gross net floor area of the original dwelling does not meet the minimum requirements for conversions. This is defined in Policy H(b) of the Royal Greenwich Local Plan: Core Strategy with Detailed Policies (2014) (CS). That policy says that an original terraced house must be not less than 130 square metres in net floor area. The Council tells me that "*original*" for the purposes of Policy H(b) is "*a building as it existed on 1 July 1948 where it was built before that date, and as it was built if built after that date.*"
5. I can fully understand the Council framing Policy H(b) in terms of the original dwelling, to prevent the extension of a property taking it above the threshold before an application is submitted for a conversion. However, in this case, the house was extended to take it beyond the 130 square metre threshold as long ago as the 1980s. It has not been a small or medium sized dwelling for over 30 years.
6. The proposal is contrary to Policy H(b), because of the size of the original dwelling. However, because it became a substantial house many decades ago, the aim of this element of the policy, to maintain a stock of small and medium sized family dwellings, would not be infringed. In respect of this main issue, I consider this to be an occasion where material considerations indicate a decision otherwise than in accordance with the development plan. I conclude that the proposed development would not result in the unacceptable loss of a small or medium sized dwelling, despite the conflict with Policy H(b) of the CS.

Character and appearance

7. The Council argues that the two single storey rear extensions are unacceptable, because they "*would mean that the application building as it originally existed would be completely dominated by non-original elements*". However, it is quite clear that the property is already dominated by non-original elements, and has been for over 30 years. This proposal must be determined on its own merits. The only impact from the building works proposed on the elevations of the property seen from the road is the removal of the front porch. The two single storey extensions proposed as part of this proposal are only visible from within the site and do not in themselves cause any harm to the character or appearance of the dwelling or the wider area.
8. I therefore conclude that the proposed development would not have an adverse effect on the character and appearance of the area, and would comply with Policies 3.5, 7.4 and 7.6 of the London Plan (2016), Policies DH1, DH(a), H(b) and H5 of the CS in this respect. These policies seek, amongst other things, development that provides a positive relationship between the proposed and existing urban context, and extensions of a scale and design appropriate to the building and locality,

Living Conditions

9. Minimum dwelling and room sizes are contained in the "*Technical housing standards – nationally described space standard*" (HS) published by the Department for Communities and Local Government in March 2015. The Mayor of London subsequently adopted this national standard by making minor

alterations to the London Plan (Housing Standards Minor Alterations to the London Plan 2016). Policy 3.5 of the London Plan (2016) includes a table that duplicates that in the HS and brings these standards into the development plan. These include a minimum size of 99 square metres gross internal floor area (GIA) for a three bedroom, five person, three storey dwelling.

10. The Council has calculated that the GIA of the proposed 3 bedroom house in the original property is 96.25 square metres, whilst the appellant has measured it as 103 square metres. The proposed GIA is therefore in the region of the required minimum, being either slightly below it. according to the Council), or a little above it, as calculated by the appellant.
11. The Council states that the original 8 Streamdale, before it was extended, had a net floor area of just over 77 square metres. From the evidence before me, it appears that the original house was a three bedroom (two double bedrooms and a single bedroom) five person dwelling, no doubt typical of many in the area.
12. The proposed three bedroom house is essentially the original house, with a staircase replacing one bedroom on the first floor, leading to a second floor bedroom that would now be part of this house. The number of bedrooms and likely occupiers would thus be the same as in the original dwelling, whilst the accommodation would be significantly larger, including as it would an extended kitchen/dining room on the ground floor.
13. The proposal would therefore result in a house very close in GIA, by the Council's calculations, to the minimum required by Policy 3.5 of the London Plan, and of significantly greater GIA than the original house, which would have been intended for the same number of occupiers. In the circumstances, I consider that the GIA proposed would be acceptable.
14. As to the discrepancy in built-in storage alleged by the Council, the submitted plans appear to show an amount closer to the appellant's stated figure of 2.7 square metres than the Council's calculated 1.78 square metres. This would be above the required minimum of 2.5 square metres in the London Plan.
15. I therefore conclude that the proposed three bedroomed house would provide acceptable living conditions for future occupiers, and would comply with Policy 3.5 of the London Plan and Policies H5 and DH1 of the CS.

Highway safety

16. The Council also refused the application on the grounds that there is insufficient space on the front forecourt to accommodate two off-street parking spaces and the necessary waste bins, and that no survey has been undertaken to demonstrate whether the area has the proposal to absorb any overspill parking.
17. The appellant's statement of case does not deal with parking in any detail, stating only that the forecourt area would provide shared access and parking. From my site visit, it appeared that, once the porch has been demolished, and part of the front fence removed, it would probably be possible to park two cars on the forecourt, and to leave just enough space for the storage of refuse bins. However, whether it would be possible to independently access the two parking spaces was much less clear, as was whether accessing these spaces would be possible without encroaching on the drive of the adjoining house at No 7.

18. The proposed plans do not show how two parking spaces would be laid out on site. They do however show a proposed location for wheelie bins. It was apparent from my site visit and from the submitted plans that, if the refuse bins are indeed located where they are shown on Drawing 120-D-76A, there would not be space for two parking spaces on site. I have considered whether imposing a condition requiring a plan to be submitted, showing two parking spaces and a space for refuse bins on site, could resolve the issue. However, as I cannot be certain that this could in fact be achieved, this would not be an appropriate way forward.
19. As a consequence of this lack of information with regard to parking, I cannot be certain that the proposed development would not give rise to difficult manoeuvres at the end of Streamdale, which would have the potential to harm highway safety.
20. In relation to the availability of on-street parking, I noted on my site visit that the first part of Streamdale, where it adjoins the return frontages of houses fronting Woodbrook Road, appeared to provide ample opportunity for parking on one side of the road. However, I cannot rely on my impressions from one visit alone and do not have before any other evidence as to whether a potential shortage of off-street parking would cause parking stress in the local area.
21. I therefore conclude that, in the absence of any evidence to show otherwise, the proposed development could have an adverse effect on highway safety, and is contrary to Policy IM(c) of the CS, which deals with parking standards.

Conclusions

22. I have concluded that the proposed development would not result in the unacceptable loss of a small to medium sized dwelling, would not have an adverse effect on the character and appearance of the area, and would provide acceptable living conditions for future occupiers.
23. However, in the absence of any evidence to show otherwise, I have also concluded that the proposed development could have an adverse effect on highway safety, and is contrary to Policy IM(c) of the CS, which deals with parking standards. The potential harm arising from these concerns outweighs the absence of other harm. For the reasons set out above, I conclude that the appeal should be dismissed.

Michael J Muston

INSPECTOR