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## Appeal Decision

Site visit made on 18 May 2021

**by Patrick Whelan BA(Hons) Dip Arch MA MSc ARB RIBA RTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 15 June 2021**

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**Appeal Ref: APP/E5330/W/20/3263416**

**13 Rennets Wood Road, Eltham SE9 2NF**

- 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 Richard Yusuf against the decision of the Council of the Royal Borough of Greenwich.
  - The application Ref 20/1649/F, dated 10 June 2020, was refused by notice dated 6 August 2020.
  - The development is a single storey outbuilding containing a home office/workshop within the rear garden.
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### Decision

1. The appeal is allowed and planning permission is granted for a single storey outbuilding containing a home office/workshop within the rear garden at 13 Rennets Wood Road, Eltham SE9 2NF, in accordance with the terms of the application, Ref 20/1649/F, dated 10 June 2020, and the plans submitted with it, subject to the following conditions:
  - 1) The development hereby approved shall be in accordance with the following drawings:

|             |                                                    |
|-------------|----------------------------------------------------|
| 587-PD-1.01 | OS LOCATION PLAN                                   |
| 587-PD-1.02 | PROPOSED BLOCK PLAN                                |
| 581-PP-1.01 | PROPOSED FLOOR PLAN                                |
| 581-PP-1.02 | PROPOSED ROOF PLAN                                 |
| 581-PP-1.01 | PROPOSED FLOOR PLAN (shows 4 elevations, no plans) |
  - 2) The development hereby permitted shall not be used at any time other than for a home office/workshop or other purposes incidental to the residential use of the dwelling known as 13 Rennets Wood Road, Eltham SE9 2NF, and shall not be occupied by self-contained commercial or business uses.

### Preliminary Matters

2. For clarity and accuracy, I have taken the description of development in the formal decision and in the banner heading above from the Council's decision notice.
  3. At the time of my visit, the development appeared complete, albeit not fully in accordance with the drawings. My decision is based on the drawings of the development determined by the Council and consulted on with neighbours.
  4. Since the Council determined the application, the Mayor of London has published the London Plan 2021 (LP). Both parties have been given the opportunity to comment on any implications for the appeal.
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## **Main Issue**

5. The main issues are the effect of the development on:

- the living conditions of surrounding occupiers; and,
- the character and appearance of the area.

## **Reasons**

### *The living conditions of surrounding occupiers*

6. Policy EA(d) of the Royal Greenwich Local Plan: Core Strategy with Detailed Policies 2014 (CS) sets out that the Council supports homeworking provided that it does not generate an increase in visitors, traffic, noise, vibration, fumes or other impacts significantly above levels that would be expected from residential use alone to the extent that it would demonstrably harm the amenity of nearby residents. CS policy E(a) protects the amenities of adjacent occupiers from significant adverse effects of development especially those likely to result in the unacceptable emission of noise, light vibrations, and odours, fumes, dust, water and soil pollutants or grit.
7. The appellant has described how, in connection with the outbuilding, he receives two deliveries per week, the vehicles for which can park on his driveway, in front of the house. This frequency of parking is not significantly above what may be expected from the use of the house alone, allowing for visitors, online deliveries, and the parking of the occupiers' car or cars. Given this limited frequency of deliveries, the parking space on site, and the parking restrictions I saw in the street, I am not convinced that deliveries associated with the development will harm the amenity of surrounding occupiers from the increase in visitors or traffic.
8. While the appellant uses small, key-cutting machines in the outbuilding, which contains insulation, the opening to the workshop is opposite the appellant's house, with the other walls of the outbuilding being well-contained. The workshop area is separated from one end of the building by an integral, garden tool store. The outbuilding is well isolated from neighbouring houses by distance, and by the generally well-planted, and timber, fenced boundaries of the back gardens. These factors reduce the pathways for sound to travel out of the building, and they diminish the impact of any which may escape.
9. I appreciate that there may be a degree of noise experienced in the gardens of neighbouring plots. However, the outbuilding is occupied by the appellant only, and between 08:00 and 16:00, with the machines described as operating for no more than 3 hours per day between the hours of 09:00 and 16:00. Given these hours, the nature of the workshop, its limited area, its isolation from neighbouring occupiers, and the location of the site in the built-up area where there is a commonly accepted degree of noise associated with the day-to-day activities of occupation, the machines are unlikely to disturb neighbours to the degree that their privacy is harmed.
10. There is no contention from the Council that fumes, vibration or other impacts would harm the amenity of surrounding occupiers. Because of the modest height of the outbuilding, its position at the very back of the back garden, and its set-back from the generally planted garden boundaries, I can identify no harm to the living conditions of surrounding occupiers in terms of daylight, sunlight, privacy, or outlook.

11. I have taken into account the representations of neighbours, in particular their concerns about the commercial use of the outbuilding. However, the Council determined the application on the basis of the outbuilding being for home office/workshop use. It is on this basis, rather than as an independent commercial use, that the appeal has been considered. On the evidence before me, the outbuilding containing a home office/workshop does not generate an increase in visitors, traffic, noise, or other impacts significantly above levels that would be expected from residential use alone to the extent that it harms the amenity of surrounding occupiers. Accordingly, there is no conflict with CS policies E(a) and EA(d).

*The character and appearance of the area*

12. The box-like form, low eaves height, arrangement of openings, and timber boarding of the outbuilding reflect the form, height, and detailing of modern, back-garden buildings. I appreciate that it spans almost the full-width of the back garden, which makes its length unusually long. However, it is not a deep structure, and it retains gaps between its walls and the garden fences enclosing it on three sides. These features of the design help to soften the effect of its length and to settle it into its landscape context of suburban back gardens.
13. The garden in which the outbuilding stands is sufficiently large to absorb its footprint and height without it appearing disproportionately large in relation to the house or cramped or overbearing in the garden. The surrounding houses are a substantial distance from this outbuilding. The gardens in which they stand, are similarly large, and planted with trees and shrubs, including along boundaries. They too include garden outbuildings, albeit smaller in area. This isolation also reduces the effect of the footprint of the outbuilding.
14. The outbuilding does not disrupt the pattern of building forms, detailing and materials which characterise the area, nor does it appear at odds with its landscape character. While it has a large footprint, because of the sensitive features of its design described above, it does not undermine the spatial hierarchy of house, garden and outbuilding which is a distinctive feature of the pattern of development of the area. I can identify no harm from the outbuilding to the character and appearance of the area, and no conflict from it with CS policies DH1 and DH(a) which require development to be of a scale appropriate to the host building and the locality, and to respect the established pattern of development.

**Conditions**

15. For the avoidance of doubt, I have imposed a condition requiring the development to accord with the approved plans. Given the lack of clarity concerning the use of the development, and its location surrounded by the back gardens of houses, the living conditions of whose occupiers may be harmed by unrestricted use, it is necessary to restrict the use in accordance with the agreed description of development and the plans submitted.

**Conclusion**

16. For the reasons set out above, and having regard to all other matters raised, I conclude that the appeal should succeed.

*Patrick Whelan*

INSPECTOR