
Appeal Decision

Site visit made on 15 July 2021

by David Fitzsimon MRTPI

an Inspector appointed by the Secretary of State

Decision date: 03 August 2021.

Appeal Ref: APP/E5330/W/21/3266897

148 Plumstead Common Road, Plumstead SE18 2UL

- 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 D Adler against the decision of the Council of the Royal Borough of Greenwich.
 - The application Ref 20/1330/F, dated 13 March 2020, was refused by notice dated 12 November 2020.
 - The development proposed is 'the erection of part single part two storey extension to create a one-bed self-contained unit and extension to first floor flat. New site boundary wall. Associated bin and bike storage enclosures.'
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Procedural Matter

1. Since the application was determined, the London Plan 2016 has been superseded by the London Plan 2021. Both the Council and the Appellant refer to the London Plan 2021 in their respective submissions.

Decision

2. The appeal is allowed and planning permission is granted for the erection of part single part two storey extension to create a one-bed self-contained unit and extension to first floor flat. New site boundary wall. Associated bin and bike storage enclosures at 148 Plumstead Common Road, Plumstead SE18 2UL in accordance with the terms of the application, Ref 20/1330/F, dated 13 March 2020, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans:

7004/SK/001, 7004/SK/020 Rev A, 7004/SK/021 Rev A,
7004/SK/022 Rev A and 7004/SK/023 Rev A.
 - 3) The materials to be used in the construction of the external surfaces of the extensions hereby permitted shall match those of the existing building.
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- 4) Before first occupation of the additional flat hereby permitted, refuse and recycling storage shall be provided for the commercial unit and existing flat in accordance with details first submitted to and approved in writing by the local planning authority. The refuse and recycling storage facilities shall be retained thereafter.
- 5) All new walls, floors and ceilings relating to the development hereby permitted shall be constructed in accordance with the details of a sound insulation scheme which has first been submitted to and approved in writing by the local planning authority.
- 6) Before first occupation of the ground floor flat, the window serving the bedroom shall be fitted with obscured glazing in accordance with details first submitted to and approved in writing by the local planning authority. The obscured glazing shall be retained thereafter.

Main Issues

3. The main issues in this case are as follows:

- a) The effect of the development proposed on the character and appearance of the host building and the Plumstead Common Conservation Area;
- b) Whether adequate living conditions would be provided for future occupiers of the proposed ground floor flat; and
- c) Whether adequate refuse and recycling storage would be provided for the commercial unit and the two flats.

Reasons

Character and appearance

4. The appeal relates to the rear of a property which is in commercial use at ground floor level, with a residential flat above. The facade of the appeal property fronts a busy road which is of mixed character. It sits within a row of buildings with commercial uses at ground floor and flats above. To the rear, many of the properties have been extended, with a wide range of two storey flat roofs and two storey mono-pitched roofs highly visible from Jago Close; a short cul-de-sac serving an unremarkable large block of flats and two storey maisonettes at the northern end. These extensions do not make a positive contribution to the overall character and appearance of the Plumstead Common Conservation Area (CA), but they are part of its character nonetheless.
5. The proposal seeks to extend above an existing ground floor addition to enlarge the existing first floor flat. It also seeks to introduce a flat roof extension at ground floor level, covering over half of the existing yard, to facilitate the creation of an addition flat. There is some disagreement between the parties as to whether the yard amounts to previously developed land. To my mind, the yard does not have the appearance of a residential garden, which suggests to me that it is.
6. The first floor extension would continue the form of the existing two storey section projecting from the main body of the appeal building. It would not be as deep as other two storey additions within this row. Meanwhile, the single

storey flat roof extension would not project significantly further than the adjacent two storey flat roof extension. Furthermore, it would not be as deep as the single storey extension at No. 150, which projects to the rear boundary and it would not be as tall as the boundary wall that encloses the appeal property.

7. For these reasons, I am satisfied that the proposed extension would not harm the character and appearance of the host building and it would have a neutral effect on the overall character and appearance of the CA. In such terms, I find no conflict with the overall aims of policies D4, D5 and HC1 of The London Plan 2021, policies H(c), H5, DH1, DH3 and DH(h) of the adopted Royal Greenwich Local Plan: Core Strategy with Detailed Policies (CS) and the Plumstead Common Conservation Area Character Appraisal which collectively promote high quality design that respects its context and preserves or enhances the character or appearance of Conservation Areas.

Living conditions

8. The Council raises concern that as the bedroom of the proposed ground floor flat would be served by a window which would sit under an external staircase serving the upstairs flat, the outlook from this room along with the levels of natural light available to it would be substandard, whilst an adequate level of privacy would not be provided.
9. The Council refers to Standard 28 of The London Plan Supplementary Planning Guidance titled 'Housing' (SPG). This standard states that '*design proposals should demonstrate how habitable rooms within each dwelling are provided with an adequate level of privacy in relation to neighbouring property, the street and other public places*'.
10. The proposed ground floor flat would have an 'open plan' arrangement, with the layout plan showing no door between the bedroom and the living room. The appellant asserts that the window serving the bedroom would be fitted with obscured glazing. This could be secured by a suitably worded planning condition in order to ensure privacy. The obscurely glazed window would provide some light and a lightwell would sit just outside the bedroom area, providing more light. In addition, a large set of bi-folding doors would span a large proportion of the rear elevation of the flat, providing additional light. In the absence of any technical evidence to the contrary, I am satisfied that this arrangement would provide adequate natural light to the bedroom. I am mindful that the obscurely glazed window would not provide an outlook for the bedroom itself. However, this room is of a reasonable size and given the open plan arrangement I have described, with a partial view through the flat of the courtyard via the large bi-folding doors, I am satisfied that the outlook would be within acceptable parameters for such a high density urban environment.
11. As a result, find that adequate living conditions would be provided for future occupiers of the proposed ground floor flat in accordance with the overall aims of policy D6 of The London Plan, policy H5 of the CS and the SPG.

Refuse and recycling storage

12. The Council asserts that the proposal does not make adequate provision for refuse and recycling storage for the commercial unit and the two flats. From

what I could see at my visit, the rear yard currently accommodates the necessary storage. The proposed layout plan indicates that the 'shared yard area' would accommodate refuse and recycling storage for the first floor flat and the commercial unit whilst the storage area at the very back of the site, adjacent to the courtyard, would provide refuse and recycling storage for the proposed ground floor flat, along with secure cycle storage.

13. I note the Council's Waste Team has raised no objection to this proposed arrangement, advising that the storage bins would have to be presented for collection as the courtyard and storage area would not be accessible to refuse collectors. This is not an uncommon arrangement. To this end, I am satisfied that appropriate storage arrangements could be secured by a suitably worded planning condition in order to ensure compliance with policy SI8 of The London Plan, policy DH1 of the CS and the Council's Waste Guidance Notes.

Other matters

14. In reaching my decision, I am mindful that a third party has raised concern about the location of the new access on the western boundary of the site and how this may affect the use of the adjacent land. However, the ownership of this land and the associated right of access is a civil rather than a planning matter.

Overall Conclusions

15. I conclude that the development proposed would not harm the character and appearance of the host building and would at least preserve the character and appearance of the CA; whilst adequate living conditions would be provided for future occupiers of the ground floor flat and adequate refuse and recycling storage could be provided for the commercial unit and the two flats. In such terms, the proposal complies with the development plan policies and guidance outlined above.

Conditions

16. In addition to the standard conditions which limit the lifespan of the planning permission and direct that the development takes place in accordance with the approved plans, the Council has suggested a condition to ensure the external finishing materials of the extensions match those of the host building. I agree that such a condition is necessary in order to ensure a visually acceptable development.
17. The Council has also suggested a condition to provide secure cycle storage. The layout plan shows secure cycle storage for the ground floor flat and I do not consider that it would be reasonable to require secure cycle storage for the existing flat. On this basis, such a condition is not necessary. Finally, the Council has suggested a condition requiring a scheme of sound insulation, which I agree is necessary in order to safeguard appropriate living conditions for existing and future residents.
18. In allowing the appeal, I shall impose these conditions.

David Fitzsimon INSPECTOR