

Appeal Decision

Site Visit made on 17 August 2021

by Luke Simpson BSc MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 26 August 2021

Appeal Ref: APP/E5330/W/21/3268089

35 Nadine Street, Charlton SE7 7PQ

- 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 Ahmed against the decision of the Council of the Royal Borough of Greenwich.
 - The application Ref 20/3037/F, dated 6 October 2020, was refused by notice dated 11 December 2020.
 - The development proposed is erection of new build dwelling adjacent to no.35 Nadine Street.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. Since the appeal application was decided, the London Plan (2021) has been published and is now part of the development plan. The previous policies have therefore been replaced. In relation to this matter, I have sought further representations from the Council and the appellant and where received I have taken these into account.
3. On 20 July 2021 the Government published a revised version of the National Planning Policy Framework (the Framework). Both parties were invited to provide representations in relation to the revised Framework. I have taken these representations into account and had regard to the revised Framework in considering this appeal.
4. The appellant has asserted that the Council's appeal representations raise 'additional technical data/material'. This assertion is centred on the premise that the Council have referred to the effect of the proposed development upon the 'established building line'. The appellant asserts that this is a new issue which was not previously raised in the delegated report. I do not accept this assertion. The phraseology used by the Council is reflective of their reason for refusal and the rationale within the delegated report. As such, I consider that the Council's representations do not go beyond the scope of their reason for refusal and I have proceeded on this basis.

Main Issue

5. The main issue is the effect of the proposed development upon the character and appearance of the appeal site and surrounding area.

Reasons

6. The appeal site is located adjacent to 35 Nadine Street (No 35) which is a two-storey semi-detached dwelling. The site currently comprises part of a residential garden, driveway and detached garage associated with No 35. The appeal site is located on a corner in the street, such that the existing gap between No 35 and No 33 is relatively prominent, with views through and beyond the site obtained on approach along Nadine Street. No 35 forms part of two semi-detached pairs which are set slightly further back from the street than neighbouring properties and angled such that they are not quite parallel with the street. Nonetheless, they are still predominantly in keeping with the linear appearance of development in the surrounding area.
7. Nadine Street is predominantly characterised by two-storey residential development. Albeit there are two single storey dwellings adjacent to the appeal site at No 33 and No 31. The design of residential development in the surrounding area is not particularly uniform with development comprising a range of architectural styles. However, there is uniformity in terms of the spatial pattern of development. The vast majority of properties front Nadine Street in a linear manner. There are no clear examples of development set back from the street or behind other neighbouring properties.
8. The proposed development is for a two-storey dwelling which would be attached to No 35, such that a terrace would be formed. The ridge height of the proposed dwelling would be lower than that of the existing semi-detached dwellings. When viewed on approach along Nadine Street in either direction, the proposed dwelling would appear behind the existing neighbouring bungalow at No 33. This would conflict with the linear appearance of development on Nadine Street. As such, the proposed dwelling would jar with the character of the surrounding area. The lower ground level of the site and the reduced ridge height of the proposed dwelling would not sufficiently mitigate this visual impact.
9. I acknowledge that the proposed dwelling would be less visually prominent, in terms of scale, than No 35. However, whilst No 35 is angled slightly away from the street, it still appears as a continuation of the linear pattern of development on the street. The proposed development would tip this balance, such that it would not achieve the same effect and would be sited well beyond the street and behind No 33. Approaching the site from either direction, the disruption to the spatial pattern of development would be clearly evident.
10. The consideration that the appearance, scale, massing and materials proposed would be in keeping with the surrounding area does not outweigh the harm which would be caused by the siting of the building and its impact upon the predominant spatial pattern of development in the surrounding area.
11. The appellant has provided numerous examples of development granted permission in the wider area. However, none of these examples relate to development on Nadine Street and therefore they are not particularly relevant in this case. Furthermore, the precise circumstances of those decisions are not currently before me. Where planning permission has been granted it would have been granted on the basis of the individual merits of each case and the relevant site-specific considerations. As such, none of these examples alter my conclusions in relation to the prevailing character of the area and neither do

they justify the harm that the proposed development would cause to this prevailing character.

12. The proposed development would therefore be harmful to the character and appearance of the surrounding area. As such, it would conflict with Core Strategy¹ Policies DH1 and H(c), which seek in part to ensure that new development has a positive relationship with the existing urban context and is in keeping with local character, respectively.
13. The Council's decision notice did not include reference to Core Strategy Policy H5. However, both parties have referred to it. The appellant considers that this policy is not relevant to this main issue and asserts that it relates to the design of the dwelling in isolation of character. I agree that the specific criteria do not relate to wider character. However, the policy states in part that the Council will take into account key relationships between the character of the area and site location. Given that the proposed development would not be in keeping with existing character, it fails to meet this policy requirement. As such it would conflict with this policy.
14. There would also be a conflict with London Plan Policy D3 which requires that development responds positively to local distinctiveness. The Council have referred to London Plan Policy D4, but this policy is not directly relevant to this main issue.
15. In addition, the proposed development would conflict with Framework Paragraph 130, which requires that new development is sympathetic to local character and functions well with the overall quality of the area.
16. The proposed development would result in an increase of one dwelling, which would contribute towards the Borough's housing stock. There would be social and economic benefits as a result of the increased supply of housing. However, these benefits would be limited, given the small scale of the proposed development. These benefits are therefore not sufficient to outweigh the harm that the development would cause to the character of the surrounding area.

Conclusion

17. The proposed development would conflict with the development plan taken as a whole. There are no material considerations raised which would outweigh this conflict. I therefore consider that the appeal should be dismissed.

Luke Simpson

INSPECTOR

¹ Royal Greenwich Local Plan Core Strategy with Detailed Policies 2014