
Appeal Decision

Site visit made on 12 October 2021

by C Osgathorp BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 22 October 2021

Appeal Ref: APP/E5330/W/21/3268427

136-137 Plumstead Road, Woolwich SE18 7DY

- 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 Pardeep Bria against the decision of Royal Borough of Greenwich Council.
 - The application Ref 20/0139/F, dated 14 January 2020, was refused by notice dated 28 August 2020.
 - The development proposed is extension above existing 2-storey building to create an additional level and replacement of existing garage with 3-storey structure in conjunction with the creation of five self-contained residential flats.
-

Decision

1. The appeal is dismissed.

Preliminary Matters

2. Since the appeal was submitted, the Government published a revised version of the National Planning Policy Framework (the Framework). The main parties were given the opportunity to comment on any implications for the appeal of this change, and I am satisfied that no prejudice would be caused by my consideration of the appeal in light of the revised Framework.
3. The new London Plan 2021 (the LP2021) was published on 2 March 2021. It replaces previous versions of the London Plan and can be given full weight. In terms of policies relevant to this appeal, there have been no material changes in the LP2021 from those contained in the Intend to Publish (December 2019) and Publication (December 2020) versions of the plan. No party has been prejudiced by me proceeding with the appeal in light of this change in policy.

Main Issues

4. The main issues are:
 - The effect of the proposed development on the character and appearance of the host building and the street scene.
 - Whether the proposed development would provide acceptable living conditions for future occupiers, with particular regard to the external amenity space provision for Flats 1 – 4, and the levels of daylight and outlook for Flat 2.

Reasons

Character and appearance

5. The appeal property is read as part of a terrace of buildings of similar scale and proportions, which include commercial units at ground floor. Whilst there is some variation in the height of the buildings in the terrace, the 3 storey buildings at the eastern end are similar in scale to the 2 storey properties towards the west, where the appeal site is located. This is because the first floor of the 3 storey buildings is at a lower level, which results in the eaves being roughly level with the parapet of the 2 storey buildings. Consequently, there is not a marked contrast in height between the 3 storey and 2 storey buildings. The roof forms comprise either flat or shallow pitched roofs, which limits the bulk and scale of the buildings.
6. The appeal scheme proposes to increase the eaves height of the property to create 3 storey external walls beneath a new crown roof, including third floor dormer windows. The eaves of the appeal property would project markedly above the parapet of the adjoining 2 storey buildings, which, combined with the bulk arising from the crown roof, would result in a jarring relationship. The crown roof would be large and bulky, and its form and scale would appear out of keeping with the modest pitched or flat roofs in the terrace. The overall composition would result in a building that would appear significantly at odds with the scale and form of the terrace of which it forms a part. The end of terrace position of the appeal property on the corner adjacent to Foreland Street would not alleviate my concerns.
7. Regarding the detailing of the external elevations, the proposed string course seems to be intended to reflect the adjoining buildings. However, this would be intersected by the second floor windows, which would result in an awkward and unsatisfactory appearance. Moreover, the fenestration pattern on the western elevation, featuring different window styles and misaligned windows, would result in a sub-standard appearance.
8. I appreciate that the area includes a range of buildings of varied height, scale, form and architectural design. This includes a large nearby Mosque to the west of the appeal site. However, the appeal property forms part of a coherent terrace of buildings, and it is essential that the proposal respects its adjoining context. The appeal scheme fails in this regard. Furthermore, whilst I note the appellant's reference to new developments in the wider area, details of the circumstances that led to permission being granted are not before me. Planning proposals should be considered on their own merits, which I have done in this case.
9. For the above reasons, I find that the proposed development would cause significant harm to the character and appearance of the host building and the street scene. The proposal would therefore be contrary to Policies D3 and D4 of the LP2021 and Policies DH1 and H5 of the Royal Greenwich Local Plan: Core Strategy with Detailed Policies Adopted July 2014 (the Local Plan). These policies require all developments to be of a high quality design and provide a positive relationship between the proposed and existing urban context, taking into account factors including the scale, height, bulk and massing of the adjacent townscape.

Living conditions

10. Policy D6 of the LP2021 states that a minimum of 5sqm of private outdoor amenity space should be provided for 1-2 person dwellings and an extra 1sqm should be provided for each additional occupant. Furthermore, it must achieve a minimum depth and width of 1.5m. This is reflected by the guidance in Standards 26 and 27 of the Mayor of London Housing Supplementary Planning Guidance 2016 (the Housing SPG).
11. The information before me shows that the size and configuration of the outdoor space at Flats 1, 2, 3 and 4 would fall short of these standards. The Council indicates that balconies of Flats 1 and 3 would measure 2.7sqm, and the balconies of Flats 2 and 4 would measure 4.4sqm. Furthermore, the balconies of Flats 1 and 3 would be only 1.2m deep. These measurements have not been disputed by the appellant. I find that the spaces would be cramped and would not provide a useable outdoor amenity area for future occupiers.
12. Paragraph 2.3.32 of the Housing SPG states that in exceptional circumstances, where site constraints make it impossible to provide private open space for all dwellings, a proportion of dwellings may instead be provided with additional internal living space equivalent to the area of the private open space requirement. This area must be added to the minimum gross internal area (GIA). In this case, no exceptional circumstances have been presented to demonstrate that site constraints make it impossible to provide adequate private outdoor amenity space. Furthermore, whilst the GIA of the flats would meet the minimum internal space standards set out in Table 3.1 of the LP2021, their size would not mitigate the lack of suitable outdoor space. Having regard to the above, the proposal fails to provide satisfactory outdoor amenity space provision for future occupiers.
13. Flat 2 would be located to the rear of the first floor, and a lightwell would be created to serve high-level bedroom and living room windows. The flat would be dual-aspect and so the living room would be served by windows in the southern and western elevations, which would provide sufficient levels of natural lighting and outlook. The amount of natural light and outlook for the bedroom would be more restricted due to the high-level nature of the sole window and the proximity to the lightwell walls. Nevertheless, this is less important for sleeping areas and the dual-aspect nature of the main living area would provide sufficient mitigation in this respect. Accordingly, I find that the internal living arrangement would be acceptable, however, this would not mitigate the inadequate outdoor space provision for future occupiers.
14. For the above reasons, I find that the proposal would fail to provide acceptable living conditions for future occupiers, with particular regard to external amenity space provision for Flats 1 – 4. The proposal would therefore be contrary to Policy D6 of the LP2021, guidance in the Housing SPG and Policy H5 of the Local Plan, which, amongst other things, seek to achieve high quality housing design, including appropriate private outdoor space provision.

Other Matters

15. I acknowledge that the proposal would provide additional housing in an accessible location close to shops, services and passenger transport facilities. Nevertheless, the net increase of 3no flats would make a modest contribution towards meeting the housing needs in the area. I have found that the proposal

would cause significant harm to the character and appearance of the host building and street scene and would fail to provide acceptable living conditions for future occupiers. These are matters that attract significant weight and would outweigh the aforementioned benefits.

Conclusion

16. The proposal would conflict with the development plan as a whole and there are no other considerations, including the provisions of the Framework, which outweigh this finding. Therefore, for the reasons given, the appeal is dismissed.

C Osgathorp

INSPECTOR