



Appeal Decision

Site visit made on 26 March 2024

by K Savage BA(Hons) MPlan MRTPI

an Inspector appointed by the Secretary of State

Decision date: 02 MAY 2024

Appeal Ref: APP/E5330/W/23/3331105

Land Adjacent to 1 Haimo Road, Eltham SE9 6DZ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr David Collins against the decision of the Council of the Royal Borough of Greenwich.
 - The application Ref is 21/2908/F.
 - The development proposed is erection of a two-storey 3 bedroom end-of-terrace house with car parking space to front. Provide new crossover and hardstanding to serve existing house.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. A new version of the National Planning Policy Framework (the Framework) was published on 19 December 2023. The parts most relevant to the appeal have not substantively changed from the previous iteration. Consequently, this does not alter the main parties' cases and it is not necessary to seek further comments. References hereafter are to the December 2023 version.

Main Issues

3. The main issues are i) the effect of the proposal on the character and appearance of the area; ii) whether the proposal would provide an acceptable standard of accommodation for future occupants; and iii) whether the proposal would be accessible and adaptable for future occupants.

Reasons

Character and Appearance

4. The appeal relates to an area of land to the side of 1 Haimo Road, an end-of-terrace dwelling within an area characterised by two storey residential development on the adjacent side of the street, with the notable exception of the Eltham Green Community Church immediately adjacent to the appeal site. To the opposite side of the road are the buildings and grounds of Haimo Primary School, set behind tall, mesh metal fencing.
5. The proposed dwelling would extend the existing terrace of four dwellings by one unit. It would replicate the hipped roof of No 1 and match the terrace in terms of materials and fenestration. However, it would result in the dwelling extending close to the side boundary with the church building. This space provides separation between the built form which creates opportunities to view through to rear gardens and provides a sense of openness. Such gaps between

terraces and semi-detached pairs are a characteristic feature of the area. The infilling of this gap would result in a noticeably denser pattern of development that would fail to respect the prevailing spatial layout of the area.

6. My findings in this respect are consistent with those of a colleague in an appeal decision from 2022¹, excerpts of which are included in the Council's officer report. In that case, the proposal was indicated to be for a single storey dwelling. Although the plans for that scheme are not before me, it is reasonable to consider that a two storey dwelling would have a greater infilling effect due to its added height and massing. As such, this proposal would not address concerns previously expressed regarding development on the site.
7. The plans before me also indicate that the proposed dwelling would not match the width of the existing dwelling at No 1, or indeed the others in the terrace which appeared consistent in form at my visit. The proposal would therefore fail to maintain the consistent rhythm of the terrace, and its narrower form, when seen with the minimal gap remaining to the side of the site, would be revealing of a development squeezed onto the site in a cramped manner.
8. The group also has a symmetrical form with a central porch canopy over the doors of No 2 and 3, and Nos 1 and 4 at either end having matching enclosed porches. The proposal would harmfully erode this simple, but positive symmetry and detract from the overall architectural quality of the group.
9. The Council also raises concerns over the proposed flat-roofed, two storey element to the rear of the dwelling, citing a lack of such additions to the rear of neighbouring dwellings. I saw that to be the case for the immediate terrace from Nos 1-4, although there is an example of a two storey rear extension further along the street at No 5. This element would be located to the rear, out of public view, but would be visible from the neighbouring gardens and as part of the wider terrace which is absent such development. Unlike the example at No 5 which has a hipped roof that merges into the main roof, the rear addition of the appeal dwelling would have a flat roof. This would be an uncharacteristic roof form that would fail to integrate with the main, hipped roof design. Together with its imposing height and somewhat crude box form, the extension would undermine the overall design quality of the building.
10. For these reasons, I conclude that the proposal would significantly harm the character and appearance of the area, contrary to Policy D3 of the London Plan (March 2021) (the LP21), Policies DH1, H5 and DH(a) of the Royal Borough of Greenwich Adopted Core Strategy (with Detailed Policies) (July 2014) (the CS), which together expect high quality new development that positively contributes to the improvement of the built environment, taking account of existing townscapes, layout, spatial character, architecture, scale and massing. These policies are consistent with the aspirations for high quality design set out in the Framework.

Standard of Accommodation

11. Policy D6 of the LP21 requires new dwellings to be of high quality design and to meet the internal floorspace and room size requirements of Table 3.1, which reflect the Technical Housing Standards – Nationally Described Space Standard (NDSS) 2015. The plans show a three bedroom unit, and it was assessed by

¹ APP/E5330/W/22/3312861

the Council as a four-person unit, for which the minimum internal floorspace is 84 square metres (sqm). This appears to be common ground as the appellant has referred to the same requirement in his statement of case.

12. However, the application form indicates a proposed gross internal floorspace of 76sqm, a shortfall of some 9.5% against the requirement. The appellant points to the floorspace meeting the 84sqm when measured on the plans, but these are not annotated with room sizes to verify this, and therefore I have considered the measurement on the application form. The smallest bedroom is specifically noted at by the Council at 6.3sqm, well below the 7.5sqm requirement for a single bedroom. The Council also points to a shortfall in storage space, with only 0.7sqm identified under the stairs, against a requirement of 2.5sqm.
13. The effect of this overall shortfall in space would be rooms which are smaller than they should be, and which would be made smaller and less functional by the need to incorporate storage within them. This would result in cramped and oppressive living conditions for future residents, particularly families with more storage and space requirements. No justification has been put forward for the shortfall in floorspace, which is a minimum requirement to ensure a satisfactory standard of accommodation.
14. In reaching a view, I afford some positive weight to the provision of more outdoor space than required for a unit of the size proposed, but I am not persuaded that this alone would mitigate for the shortcomings in the internal layout, which would be the space used by occupants the majority of the time.
15. For these reasons, I conclude that the proposal would fail to provide a satisfactory standard of accommodation for future occupants, in conflict with the requirements for high quality housing design set out under Policy D6 of the LP21 and Policy H5 of the CS.

Accessibility

16. Policy D7 of the LP21 requires all new dwellings to meet optional requirement M4(2) 'Accessible and Adaptable Dwellings' of the Building Regulations. The Council points to insufficient details on the plans to accurately assess whether the dwelling would be capable of meeting the M4(2) requirements but concludes that the shortfall in floorspace would make it unlikely. The appellant points to the provision of level access and space within the dwelling for a stair lift or through-floor lift should one be required.
17. However, the M4(2) requirements are more extensive than this, and there is no evidence before me as to the capability of the dwelling in achieving the requirements. As such, the evidence does not give me sufficient confidence that the requirements of Policy D7 can be addressed, and a planning condition would not be appropriate given the degree of uncertainty which exists.
18. Therefore, the proposal would fail to demonstrate that the design and layout of the residential accommodation would be accessible and adaptable for future occupiers, contrary to Policy D7 of the LP21 and the similar requirements of Policies DH1 and H5 of the CS.

Other Matters

19. The Council did not oppose the application in terms of its effect on the living conditions of neighbouring occupants or highway safety, and matters including provision of cycle and bin storage and sustainability measures were found to be acceptable. On the evidence before me, I have no reasons to conclude differently to the Council in these matters. However, an absence of harm in these respects means they are neutral considerations in the overall planning balance.

Conclusion

20. The Council accepts that it cannot demonstrate a five year supply of deliverable housing sites, with supply given at 2.8 years. Consequently, the tilted balance at Paragraph 11 of the Framework is engaged, which states that permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.

21. The proposal would deliver an additional dwelling in an accessible location at a time when the Council is falling well short of demonstrating a sufficient supply of deliverable housing sites, a benefit weighing strongly in favour of the proposal in the circumstances. There would also be modest benefits in terms of the economic activity generated in the construction of the dwelling and subsequently by future occupants in patronising local businesses.

22. Set against this, I have found that the proposal would cause demonstrable harm to the character and appearance of the area and would provide an unacceptable standard of accommodation, including with respect to accessibility and adaptability. This conflicts with the clear guidance of the Framework that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve, and that developments should create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.

23. Taken together, I find that the adverse impacts associated with granting planning permission would significantly and demonstrably outweigh the benefits, when considered against the policies of the Framework, taken as a whole. Consequently, the Framework does not indicate that permission should be forthcoming, and there are no other material considerations that would justify a decision being made other than in accordance with the development plan, where I find there to be conflict when considered as a whole.

24. Therefore, I conclude that the appeal should be dismissed.

K Savage

INSPECTOR