



Appeal Decision

Site visit made on 23 April 2024

by D Wilson BSc (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10 MAY 2024

Appeal Ref: APP/E5330/W/23/3333744

225-237 Plumstead High Street, Plumstead, Greenwich SE18 1HF

- 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 M S Bharaj against the decision of the Council of the Royal Borough of Greenwich.
 - The application Ref is 23/0850/F.
 - The development proposed is rear and vertical extension to extend 4no existing flats at first floor level and extend vertically to form 6no additional new flats.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. On submission of the appeal scheme the appellant provided amended plans and a report reference: Rear+Roof Extensions Proposed Ground and First Floor Plans 22961-PL06, Rear+ Roof Extension Proposed Elevations 22961-PL07 and Transport Statement October 2023 231728/TS/AG/KL/01. The amended plans have slightly increased the size of the proposed balconies and the report contains a parking survey. The amended plans and report were available when the appeal was submitted, and the Council had the opportunity to comment. The report provided clarity rather than any significant changes to the proposed scheme and the plans have slightly increased the size of the proposed balconies. Accordingly, no one would be prejudiced were my decision to have had regard to the amended plans and report.

Main Issues

3. The main issues are:
 - the effect of the proposed development on the character and appearance of the area,
 - whether the proposed development would provide adequate living conditions for future occupiers with regard to the provision of outdoor amenity space,
 - highway safety with regard to car parking, and
 - whether adequate provision of refuse storage and collection could be provided.

Reasons

Character and appearance

4. The appeal buildings are a row of terraced buildings that are two-storeys to the frontage and three-storeys to the rear, due to the land sloping downwards. The ground floors are being used commercially with the other floors being used for residential accommodation. The appeal site is not within a Conservation Area.
5. The wider area is densely developed with predominantly terraced buildings. There is some variation in building styles and a mix of uses, particularly on the opposite side of the road where buildings are larger and detached. However, the buildings on the same side of Plumstead High Street as the appeal site are distinctively uniform in terms of being terraced and having a very similar roofline which extends along the street. The appeal buildings have a slightly lower ridge height than the neighbouring terraces, however, this does not affect the uniformity and rhythm of the roofscape.
6. The proposed development includes a mansard roof on the building that would result in an additional storey. It is also proposed to insert several dormers across the roofline which would front Plumstead High Street. Both the mansard roof and dormers would be at odds with the prevailing roof form on this side of the road and even though the roof would still sit below the adjacent row of terraces, the change in roof form would stand out as an incongruous feature that would be jarring within the street scene.
7. I note that there are examples of dormer windows and mansard roofs opposite the appeal site. However, the buildings on the opposite side of the road are a different style to those on the same side as the appeal site. Instead of the uniform terraced dwellings, these buildings are larger, detached and contain architectural detailing which differs from the prevailing character of the area.
8. The proposal would introduce an additional storey within the mansard roof and as a result, the rear of the building would be four-storeys which would be at odds with the prevailing two and three-storey buildings nearby. Even though the overall height of the building would not significantly increase, the proposed balconies at second floor level to the rear would highlight the additional storey and furthermore, would appear incongruous due to the absence of other balconies in the area.
9. The rear of the appeal site, due to the service yard, is open and provides a visual break from the densely developed area. The proposed works to change the roof form and create the additional storey would result in a bulky feature that would be prominent and incongruous in this open context when viewed from Kashgar Road and its junction with Plumstead High Street.
10. I therefore conclude that the proposed development would harm the character and appearance of the area. It would be contrary to Policies D3 and D4 of the London Plan 2021, Policies DH1 and H5 of the Royal Greenwich Local Plan Core Strategy with Detailed Policies Adopted 30 July 2014 (CS) and Paragraph 135 of the National Planning Policy Framework (the Framework). Amongst other things, these seek to ensure that development enhances local context, delivers high quality design, provides a positive relationship between the proposed and existing urban context and are visually attractive.

Living conditions

11. The Mayor of London Housing Supplementary Planning Guidance March 2016 (Housing SPG) prescribes standards for outdoor space which requires that a minimum of 5m² is provided for a 1-2 person dwelling that has a minimum width and depth of 1.5m.
12. The amended plans submitted as part of this appeal have re-configured the balconies proposed on the second floor. The result would mean that the occupiers of these dwellings would be provided with outdoor space above the prescribed standards of the Housing SPG.
13. In regard to the first floor, the balconies for proposed flats 231A and 233A would be below the prescribed standards of the Housing SPG. However, these are already in use as dwellings and currently have no outdoor space provision. The proposal would re-configure and increase the size of these dwellings as well as provide some outdoor space. I am therefore mindful that even though the amount of space is slightly below what is required, it would be a significant benefit for these occupiers, and I therefore consider that this justifies the reduction.
14. I therefore conclude that the proposed development would provide adequate living conditions for future occupiers. I find no conflict with Policies D6 and H10 of the London Plan, Policy H5 of the CS and the Housing SPG. Amongst other things, these seek to ensure that development provides adequate private outside space.
15. The Council have referred to conflict with Policy H2 of the CS, however, this relates to housing mix which the Council have found to be acceptable.
16. The Council have also referred to conflict with the Technical Housing Standards – Nationally Described Space Standards (March 2015). However, the Council have confirmed that this was in error and that the proposal would not conflict with these standards.

Highway safety

17. The development is proposed to be car free, however, the area is densely residential with many nearby streets providing unrestricted car parking. The unrestricted parking generally results in a high number of cars being parked on surrounding streets and as a result, the Council consider that the proposal could increase parking stress within the area.
18. The appellant has provided a transport statement, which amongst other things, contained a parking survey which found that on the streets where unrestricted parking was available that the stresses were between 85.8-86.2%. The report also found that including roads with parking restrictions where cars could park late in the evening that the stresses were reduced below these figures.
19. The development is proposed to be car free, and the location of the appeal site has good access to public transport within a short walking distance. Furthermore, based on the level of parking available nearby the appeal site, the net increase of six dwellings is unlikely to unacceptably harm parking stress within the area.

20. I therefore conclude that the proposed development would not unacceptably harm highway safety with regard to car parking. I find no conflict with Policies T6 and T6.1 of the London Plan and Policies IM4 and IM(c) of the CS. Amongst other things, these seek to ensure that development allows existing residents to main safe and efficient use of their streets, reduce the use of a private car and encourage car free schemes.

Refuse storage and collection

21. Limited information of refuse storage and collection details for the proposed development have been provided other than that the existing arrangements would be followed. However, there is very little information as to where on the site this would be provided or whether there is capacity for further refuse storage and collection.
22. The rear of the appeal site is identified as a service yard and while this is a moderately sized space, without any details it is unclear how refuse storage and collection could be provided within this space. I am also mindful that different refuse storage and collection may be required for the commercial and residential uses which has not been outlined.
23. I am mindful that details for matters such as refuse storage and collection can often be secured via condition, however, for such a condition to be acceptable it has to be feasible that there is plausible solution or capacity within the site in the first place. Based on the information before me it is not clear that this can be provided and how the commercial and residential uses, with different refuse storage and collection needs, as well as the use of the service yard would not conflict with this.
24. I therefore conclude that it has not been demonstrated how the proposed development would provide adequate refuse storage and collection. It would be contrary to Policies S17 and S18 of the London Plan, Policies DH1 and H5 of the CS and guidance contained within the New Developments Guidance Notes for the storage and collection of waste and recycling materials May 2018. Amongst other things, these seek to ensure that developments are designed with adequate, flexible and easily accessible storage space and collection systems.

Other Matters

25. The appellant has referred to an appeal decision¹ in an attempt to justify the proposed development. I do not have the full details in respect of such decision so I cannot be sure of the circumstances. In any case, I have determined the appeal on its own merits, based on the evidence before me.
26. However, in respect of this appeal decision, I have also found that the wider area has a mix of uses. However, the building subject to this appeal is opposite the appeal site where the character is different and the buildings are locally listed as a result of their architectural interest, including its unusual roof which differs from the appeal before me which is more uniform with other buildings.
27. The Council have found that the proposed development would be in an area with good access to public transport and facilities and the principle of development is accepted. The Council have also found that the proposed development would comply with Nationally Described Space Standards and not

¹ APP/E5330/W/21/3289631

unacceptably harm the living conditions of neighbouring occupiers. I have no reason to conclude differently, however these are neutral matters.

Planning Balance

28. The proposal would be contrary to Policies D3, D4, S17 and S18 of the London Plan and Policies DH1 and H5 of the CS. These Policies are consistent with the Framework in focusing on ensuring developments function well and add to the overall quality of the area and establish or maintain a strong sense of place.
29. The Council conceded that it is unable to demonstrate a 5-year supply of deliverable housing sites in accordance with Paragraph 77 of the Framework. The figure quoted by the Council is a 3.1 year supply which is a substantial shortfall.
30. Paragraph 11 d) of the Framework indicates that, in such circumstances where the requisite housing land supply cannot be shown, the Policies which are important for determining the application should be deemed out-of-date and permission should be granted unless any adverse impacts would significantly and demonstrably outweigh the benefits, when assessed against the Policies in the Framework taken as a whole.
31. The proposed development would contribute to the supply of new homes in a situation where there is a shortfall. The proposal would result in a net increase of six homes which attracts significant weight in favour of the proposed development. The proposal would also support the creation of jobs directly and indirectly during construction and result in future occupiers spending in the locality as well as improve sustainability/energy saving features.
32. However, taking all matters into consideration, the harm to the character and appearance of the area and inadequate provision of refuse storage and collection would significantly and demonstrably outweigh the modest benefits. As such, the proposal would not constitute a sustainable form of development in terms of the Framework.
33. Consequently, when assessed against the Policies in the Framework when taken as a whole the adverse impacts would significantly and demonstrably outweigh the benefits.

Conclusion

34. For the reasons given above the appeal should be dismissed.

D Wilson

INSPECTOR