



Appeal Decision

Site visit made on 3 June 2024

by S Pearce BA(Hons) MPlan MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11 JUNE 2024

Appeal Ref: APP/E5330/D/23/3331245

35 Packmores Road, Greenwich, Eltham SE9 2NB

- 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 Bonner against the decision of the Council of the Royal Borough of Greenwich.
 - The application Ref is 23/2679/HD.
 - The development proposed is described as the "demolition of existing garage and construction of new garden office and store."
-

Decision

1. The appeal is allowed and planning permission is granted for the demolition of existing garage and construction of new garden office and store at 35 Packmores Road, Greenwich, Eltham SE9 2NB in accordance with the terms of the application, Ref 23/2679/HD, and the plans submitted with it, 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:
Site Location Plan Block Plan drawing no. L25 A 01 Rev 0
Proposed Plan & Elevations drawing no. L215 A 03 Rev 1
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall be in accordance with the details listed within the planning application form.
 - 4) Notwithstanding the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking, re-enacting or modifying that Order), the use of the hereby approved outbuilding shall be as set out in the application and no development or the formation of any door providing access to the roof shall be carried out, nor shall the roof area be used as a balcony, roof garden or similar amenity area.

Preliminary Matters

2. Since the determination of this application, a revised National Planning Policy Framework (the Framework) was published on 19 December 2023 and updated on 20 December 2023. Those parts of the Framework most relevant to this appeal have not been amended. As a result, I consider that there is no requirement for me to seek further submissions on the Framework, and I am

satisfied that no party's interests would be prejudiced by my taking this approach.

3. At the time of my site visit work had been carried out. For clarity, I have considered the appeal based on the development applied for and the plans submitted with it.

Main Issue

4. The main issue is the effect of the proposed development on the character and appearance of the host property and area.

Reasons

5. 35 Packmores Road is located on a corner plot in a predominately residential area characterised primarily by two storey semi-detached properties, sited within relatively spacious plots. Ancillary outbuildings are features within the area and those located on corner plots are partially visible in the public realm. It is the spacious rear gardens and modest outbuildings that contribute to the character and appearance of the area.
6. The supporting text to Policy DH(a) of the Royal Greenwich Local Plan Core Strategy with Detailed Policies July 2014 (CS) states that any proposed detached buildings need to be designed to be subservient to the house and appropriate for the locality. The Royal Borough of Greenwich Supplementary Planning Document Residential Extensions, Basements and Conversions Guidance December 2018 (SPD) advises that outbuildings should be in proportion to the original house and garden and should not impact upon the open character of the surrounding area.
7. The proposed development would be located adjacent to the rear boundary of the appeal site, separated from the extended and taller host property by some distance. While the footprint of the appeal scheme would be larger than that of the existing garage and its width wider than the original dwellinghouse, the single storey height, flat roof design and L-shaped footprint, would minimise its overall height, bulk and massing. Therefore, it would not result in a building of an excessive scale and size for the plot in which it would be sited or the dwelling it would serve. Consequently, the appeal scheme would appear subservient to No 35 and would not materially harm the spaciousness of the appeal site or surrounding area.
8. The appeal scheme would be viewed alongside a neighbouring outbuilding of a comparable size, located in the rear garden of 37 Packmores Road. In addition, the existing boundary treatment is to be retained and extended and would partially screen the proposed outbuilding from wider views. In view of this and having regard to its height and flat roof design, the proposed development would not appear unduly prominent in the public realm.
9. Concerns have been raised regarding the potential for the proposal to create a precedent for further development. However, each case is considered on its own merits, in accordance with local and national policy, having regard to the circumstances of the site and its surroundings. As such, this scheme is unlikely to create a wider precedent for other development.
10. For these reasons, the proposal would not result in harm to the character and appearance of the host property or area. It therefore complies with Policy D3 of

the London Plan March 2021, CS Policies DH1 and DH(a) and the guidance within the SPD. Collectively, these seek, among other things, that development proposals positively respond to local distinctiveness, are of a high quality of design and limited to a scale and design appropriate to the building and locality.

11. The Council have referred to CS Policy DH(b) within their reason for refusal. This policy relates to the protection of amenity for adjacent occupiers. As this policy does not refer to the character and appearance of the host property or area, it is not relevant to the main issue.

Conditions

12. I have had regard to the Council's suggested conditions and considered them against the statutory tests outlined in the Framework and the advice in the Planning Practice Guidance. For the avoidance of doubt, development needs to be carried out in accordance with the statutory time limit and approved plans.
13. The Council has suggested a condition requiring external materials to be used in the construction of the proposal to match those of the existing building. The materials of construction are listed within the planning application form and include a sedum green roof and cedar timber cladding, which differ to those used in the existing dwelling. The Council have raised no concerns in respect of the proposed materials, and I see no reason to disagree, given the location and scale of the appeal scheme. Therefore, I have amended the Council's suggested condition to reflect this. I consider this condition is reasonable and necessary in the interests of ensuring a satisfactory appearance.
14. A condition restricting the use of the outbuilding to that which has been applied for and restricting the use of its flat roof as a balcony, roof garden or similar amenity area, has been recommended by the Council. This is necessary in the interests of protecting the living conditions of the occupiers of neighbouring residential properties.

Conclusion

15. For the reasons given above, the proposed development accords with the development plan when taken as a whole, and there are no other material considerations that indicate otherwise. The proposal also complies with the requirements of the Framework. For the reasons given, I conclude that the appeal should be allowed.

S Pearce

INSPECTOR