



Appeal Decisions

Site visit made on 20 November 2024

by C Rafferty LLB(Hons), Solicitor

an Inspector appointed by the Secretary of State

Decision date: 9 December 2024

Appeal A Ref: APP/E5330/W/24/3336699

158 Anstridge Road, Greenwich, Avery Hill SE9 2LN

- 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 Duc Kham Chu against the decision of Royal Borough of Greenwich.
 - The application Ref is 23/1762/F.
 - The development proposed is a 1 bedroom 1 person single-storey dwelling new build
-

Appeal B Ref: APP/E5330/D/24/3336697

158 Anstridge Road, Greenwich, Avery Hill SE9 2LN

- 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 Duc Kham Chu against the decision of Royal Borough of Greenwich.
 - The application Ref is 23/3248/F.
 - The development proposed is the erection of a single storey side and rear extension.
-

Decision

1. Appeal A is dismissed.
2. Appeal B is dismissed.

Preliminary Matters

3. On 30 July 2024 the Government published a consultation on proposed reforms to the National Planning Policy Framework (the Framework) and other changes to the planning system. Whilst a direction of travel has been outlined within the Written Ministerial Statement (WMS), which is a material consideration, the proposed changes to the Framework can only be given limited weight at this stage, given that no final document has been published. The main parties have been provided with an opportunity to comment on these documents and their responses have been taken into account, where received.
4. The reasons for refusal of Appeal A referred to the effect of the proposal on the living conditions of future occupants, with regard to internal floorspace. During the appeal process the Council removed this reason for refusal.
5. Despite conflicting statements in the appellant's evidence, there is nothing substantive showing the site in a conservation area. I have proceeded as such.

Main Issues

6. The main issue in Appeal A and Appeal B is the effect of the proposal on the character and appearance of the appeal site and the surrounding area.

Reasons

7. The appeal site is the side garden of a two-storey, semi-detached property in a cul-de-sac on Anstridge Road. The cul-de-sac is lined by terraces of two-storey dwellings, punctuated at the end by two pairs of semi-detached properties, which have a similarity in design and form along the front facade. The appeal property forms part of one of these pairs. Notable gaps separate these semi-detached properties from each other and the terraces. These gaps contribute to the regularity of the pattern and placement of development in the cul-de-sac, in addition to lending an element of openness to this part of Anstridge Road.
8. The Appeal A proposal would introduce a dwelling attached to the north elevation of the property. Appeal B would introduce a side extension in a similar position, albeit with a different footprint and precise dimensions. The proposals would be single storey and set back from the existing front elevation. They would be constructed from materials that would assimilate in the surrounds, with a simple and utilitarian placement of fenestration.
9. However, located to the side of No. 158, the proposals would disrupt the current level of consistency along the semi-detached front facades, and the similarity in shape and form of these dwellings when viewed from the street. Despite attempts to ensure subservience through a set-back and single storey nature, both proposals would be notable additions to the streetscene by eradicating the gap to the north of the appeal property that separates it from the neighbouring terrace. This would reduce the openness at this section of the street and result in the site appearing cramped and overdeveloped in context.
10. For Appeal A, the single storey dwelling would also fail to reflect the predominantly two storey nature of dwellings in the area, further highlighting it as out of place. For Appeal B, the proposal would extend the overall width of the appeal property to appear unduly bulky and incongruous in the surrounds, contrary to the guidance of the Royal Borough of Greenwich Urban Design Guide (the SPD) which advises that side extensions should typically be no more than 50% of the width of the original house.
11. Overall, despite the urban grain and mixed nature of the wider surrounds, the proposals would fail to respect or reflect the precise pattern and placement of development at this immediate part of Anstridge Road, reading as visually jarring and at odds with the immediate character.
12. For the reasons given, the proposals would result in significant adverse harm to the character and appearance of the appeal site and the surrounding area. As such, they would fail to comply with Policies DH1 of the Royal Greenwich Local Plan Core Strategy with Detailed Policies 2014 (the CS), and Policy D3 of the London Plan 2021 insofar as they seek to ensure high quality design that takes account of the established layout and spatial character.
13. Appeal A would also conflict with Policy H5 of the CS as it relates to the relationship between housing design and the character of the area, and Policy H(c) of the CS which only favourably considers residential development on backland and infill sites when, among other things, the character of the area is maintained. Appeal B would also conflict with the SPD as outlined.

Other Matters

14. It is agreed the proposals would not harm the living conditions of occupiers of surrounding dwellings. This lack of harm is neutral in the planning balance.
15. Appeal A would result in an additional dwelling, adding to housing mix and choice in a residential area. It would make efficient use of space and optimise the use of the site. However, even noting the contribution small sites can make, as a single dwelling this benefit carries moderate weight. While the appellant refers to brownfield and previously developed land, the Framework is clear that the definition of such land excludes residential gardens.
16. Appeal B, in providing additional living accommodation, would optimise the use of a site in a sustainable location, making effective use of land, which is also a moderate benefit. It would not reuse brownfield or previously developed land.

Planning Balance and Conclusion – Appeal A

17. The main parties agree the Council cannot demonstrate the requisite housing land supply such that paragraph 11(d) of the Framework is engaged in this instance. As such, 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.
18. The benefits of the scheme are given above. The Government's objective is to significantly boost the supply of housing, with the Framework recognising the important role that small and medium sites can play in this regard and promoting the effective use of land in meeting the need for homes. However, the Framework is also clear that decisions should consider the desirability of maintaining an area's prevailing character and should ensure developments are sympathetic to the surrounding built environment. This would not be the case for this proposal, which is a significant factor that counts against the scheme. Therefore, when assessed against the policies in the Framework taken as a whole, the adverse impacts of the proposal would significantly and demonstrably outweigh the benefits.
19. For the reasons given, the proposal would not accord with the development plan when taken as a whole. There are no material considerations that indicate the appeal should be determined other than in accordance with the development plan. I therefore conclude that the appeal should be dismissed.

Planning Balance and Conclusion – Appeal B

20. The proposal would cause significant adverse harm to the character and appearance of the area and site. This would not be outweighed by the identified benefits and other matters raised in this case.
21. For the reasons given, the proposal would not accord with the development plan when taken as a whole. There are no material considerations that indicate the appeal should be determined other than in accordance with the development plan. I therefore conclude that the appeal should be dismissed.

C Rafferty

INSPECTOR