



Appeal Decision

Site visit made on 18 February 2025

by **F Rafiq BSc (Hons) MCD MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 14 March 2025

Appeal Ref: APP/E5330/W/24/3352205

33 The Village, Charlton, Greenwich SE7 8UG

- 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 S Boyraz against the decision of the Royal Borough of Greenwich.
 - The application Ref is 24/1741/F.
 - The development proposed is the partial demolition of the rear of the existing building and the construction of a four-storey extension to provide 1 x studio flat and 1 x 3 bedroom unit and extra commercial space with associated rooflights, cycle parking and refuse storage.
-

Decision

1. The appeal is dismissed.

Preliminary Matter

2. I have utilised the description of development from the decision notice in my heading above as this more accurately describes the proposal than that on the application form.

Main Issue

3. The main issue is whether the proposed development would provide satisfactory accommodation for its future occupants, with regard to private amenity space provision and outlook.

Reasons

4. The proposed development would provide a studio flat, a 3-bedroom flat and additional commercial space. The studio flat would be provided with a terrace that is directly accessed from this unit, although the outdoor amenity space for the 3-bedroom flat would require occupants to use the stairs to the floor below and then walk a distance of around 12.5m. Although the Housing Supplementary Planning Guidance (SPG) seeks dwellings on upper floors to have level access to an outdoor amenity space, the appellant has set out that it is not possible to make this provision in any other position. Whilst this space is not directly accessible from the flat that it would serve, having regard to the small scale of the development and that it can be accessed off a reasonably direct route, I do not consider this arrangement or the travel distance to be such that it unduly affects the usability of the space.
5. The amenity space at lower ground floor level serving the 3-bedroom flat would however be overlooked at close quarters by the roof terrace serving the studio flat which would be in an elevated position on the floor above it. The appeal site is in a location where other amenities and Charlton Park public open space are

accessible from it, but off-site facilities like these would not overcome the harm that would arise from the lack of privacy for this on-site garden. The 3-bedroom flat would also exceed the minimum floor space standards, but the 6sqm additional internal living space would not be of a sufficient size to adequately mitigate for the private open space requirement. Although reference has been made to amendments that could be made by reducing the size of one of the bedrooms, I am required to determine the appeal scheme that is before me.

6. The studio flat would have a single aspect to the north. Its layout would be long and rectangular, with the bedroom area being set deep in the floor plate. Despite this, the residential unit would be open plan and be served with an opening that would have a large area of glazing. As such, this proposed flat would be provided with an adequate outlook and ventilation.
7. Nevertheless, I conclude for the reasons set out above that the development proposed would not provide satisfactory accommodation for its future occupiers, having regard to private amenity space. Accordingly, it would conflict with Policy D6 of The London Plan, Policies H5, H(c) and DH1 of the Royal Greenwich Local Plan: Core Strategy with Detailed Policies and paragraph 135 of the National Planning Policy Framework (Framework), which seek, amongst other matters, a high standard of amenity for existing and future users. It would also be contrary to the SPG in relation to the provision of private open space.

Other Matters

8. The proposal would provide a mix of residential accommodation, and would be acceptable in other respects, including in relation to the living conditions of neighbouring occupiers. The proposed development, which would incorporate a green sedum roof would preserve the character and appearance of the Charlton Village Conservation Area and nearby Grade 2 listed buildings. These are all however neutral matters.

Planning Balance

9. The Council is unable to demonstrate a 5-year deliverable supply of housing, and the evidence before me indicates the current supply equates to 2.5 years. The relevant policies of the development plan are therefore deemed to be out of date and, in light of Paragraph 11 d) ii) of the Framework, planning 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, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination.
10. The proposal would fail to provide satisfactory accommodation for future occupiers. This harm would be long lasting and would be contrary to the objectives of the Framework. I ascribe this substantial weight.
11. The proposal would provide a net additional dwelling in a location accessible to public transport and local services and would contribute to the significant demand for housing in the Borough and London-wide. It receives support from the Framework which states that small and medium sized sites can make an important contribution to meeting the housing requirements of an area, as well as development plan policies in this regard. However, as the proposed development

would provide a single net additional dwelling, it would make a contextually small contribution to the housing supply.

12. The proposal would replace an existing 1-bedroom maisonette which falls significantly short of the minimum floor space standards and does not benefit from any external private amenity space. The proposal would represent an improvement in this respect as both proposed residential units would exceed the internal size requirements set out in the nationally described space standards. The development would also provide an enhanced commercial unit. Nevertheless, one of the units would fail to provide a sufficiently private amenity space for its future occupiers.
13. With this in mind, I attach limited weight to the appeal scheme's benefits. As such, the adverse impacts of granting planning permission would, in this particular case, significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole, having particular regard to directing development to sustainable locations and making effective use of land, amongst other factors. The appeal scheme would not therefore be sustainable development for which the presumption in favour applies.

Conclusion

14. I conclude that the proposal would not accord with the development plan as a whole, and there are no other considerations, including the Framework, that indicate that I should take a decision other than in accordance with this. I conclude that the appeal should be dismissed.

F Rafiq

INSPECTOR