



Appeal Decision

Site visit made on 3 April 2025

by Ryan Cowley MPlan (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 28 May 2025

Appeal Ref: APP/E5330/W/24/3357174

Thames House, 7-9 Wellington Street, Woolwich, London SE18 6PQ

- 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 Yoel Rosenthal, on behalf of MRI Woolwich Ltd, against the decision of the Council of the Royal Borough of Greenwich.
 - The application Ref is 24/1259/F.
 - The development proposed is erection of two-storey roof extension to existing mixed use building to create 7 duplex residential units (comprising 4 x 1 bed, 2 person units, 2 x 2 bed, 3 person units and 1 x 3 bed, 4 person unit), incorporating private amenity space for all units and the provision of bicycle and refuse storage.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - The effect of the proposal on the character and appearance of the area, including the Woolwich Conservation Area (CA) and the setting of nearby non-designated heritage assets (NDHA);
 - Whether the proposal would provide satisfactory living conditions for future occupiers, with particular regard to external space standards, privacy, noise and disturbance; and
 - Whether the proposal would provide adequate cycle parking and refuse storage and collection arrangements.

Reasons

Character and appearance

3. The appeal site is a prominent corner plot, towards the south of the CA. It sits at the edge of General Gordon Place, a public square which forms the open setting to several designated and non-designated heritage assets. The built environment nearby is varied in its scale, form and appearance, with several large and more contemporary structures interspersed amongst the otherwise fine grain commercial townscape and more modest traditional buildings.
4. Notwithstanding this, the grade II listed Equitable House dominates the square and maintains primacy due to its siting, grandeur and scale relative to its immediate surroundings. In so far as it relates to this appeal, the significance of this part of

the CA is derived from the architecture and composition of traditional buildings, and their contribution to the setting of public spaces and other heritage assets.

5. Adjoining the appeal building is a NDHA at 11 Wellington Street. There are also NDHA at 3-5 Thomas Street adjacent to the appeal site, and on the opposite corner of Wellington Street and Thomas Street. These neighbouring buildings vary in their roof form and appearance, though all feature traditional architecture and are 2-4 storeys in height. Their traditional appearance and arrangement positively contribute to the prevailing character and appearance of the CA, while those visible from General Gordon Place provide an attractive backdrop.
6. The appeal building comprises a 3-storey mixed use corner building with a public house at ground floor and office space above. It is relatively contemporary, with the evidence indicating it was constructed in the 1980s. Its form and appearance are thus different to the traditional buildings nearby, and its contribution to the significance of the CA is limited. Nevertheless, it is an unassuming design that does not detract from the character or appearance of the area.
7. Principle C.1.5 of the Council's Urban Design Guide Supplementary Planning Document Adopted October 2023 advises that adding one (or exceptionally more) additional floors to a building should generally only be considered in areas that have already a variety of heights and roof forms and where their character is less sensitive to change. Additional floors should preserve or enhance the architectural integrity of the building as a whole and the balance between its parts.
8. The proposal would add an additional 2 storeys to the existing building, of a similar style and finish. Front and side elevation windows would be broadly aligned with those below. The chamfered corner and central glazed stairwell feature on the north elevation would be extended to the third and fourth floors, maintaining a degree of consistency and symmetry in the façade. Notably, the Council consider that, as a standalone design, the provision of an additional two-storeys of a similar design and materiality to the existing building would be acceptable.
9. The extent of glazing would give the extension a more lightweight appearance than the lower floors and, combined with the proposed setbacks, would prevent the extended building from appearing unduly top heavy. The differentiation of the upper floors would be consistent with the design of many other buildings nearby. In views from across General Gordon Place and from Love Lane, it would be viewed in the wider urban context, with several appreciably larger buildings in the same setting, including a contemporary Tesco supermarket to the south-west, and a tall residential building on the opposite side of the junction. Additionally, the evidence indicates that planning permission¹ has been granted for a fifteen-storey building to the rear of the site on the presently vacant land to the front of Tesco.
10. The extended building would be noticeably taller than the 2-storey NDHA at 11 Wellington Street. Nevertheless, No 11 projects forward into the street, beyond the frontage of the appeal building, while the proposed upper floors would step back. Combined with the shallow depth of the upper floors, this relationship would negate any harmful sense of over-bearing or visual impact on the setting of this NDHA, particularly given the variety in the scale and form of surrounding buildings. A similar relationship would exist with the 3-storey NDHA at 3-5 Thomas Street. While this sits flush with the eastern frontage of the appeal building, an intervening

¹ Council Ref 21/3231/F

alleyway provides a degree of visual separation. The proposal would step down towards the NDHA on the opposite side of Wellington Street. The proposed extension would thus not detract from the setting of nearby NDHA.

11. My attention has been drawn to other recent decisions in the vicinity of the appeal site, including an application² for the construction of 3 additional storeys to the rear of 11 Wellington Street, and an application³ to demolish 17-19 Wellington Street and erect a 3-4 storey building, both of which were refused due to harm to the character and appearance of the area, the latter of which was upheld at appeal. The full details of these cases are not before me, though notably neither relate to the appeal site, both concern different development proposals and included alterations or demolition of NDHA. They are thus materially different to the appeal scheme and do not lead me to a different conclusion on this matter.
12. In conclusion, the proposal would not have a harmful effect on the character and appearance of the appeal site and surrounding area, including the CA and the setting of nearby NDHA. It would have a neutral effect on the character and appearance of the CA, the preservation or enhancement of which I apportion great weight to. It would accord with the clear expectations of statute in this respect⁴.
13. The proposal would therefore be in accordance with Policies D3 and HC1 of the London Plan March 2021 (the London Plan) and Policies H5, DH1, DH3, DH(h) and DH(j) of the Royal Greenwich Local Plan Core Strategy with Detailed Policies Adopted 30 July 2014 (the Local Plan). These policies, among other provisions, seek to ensure that development proposals, including new residential development, achieve a high quality of design, enhance local context and respond to local distinctiveness, including through their layout, orientation, scale, appearance and shape, and maintain the character of the area. They also seek to ensure that proposals affecting heritage assets and their settings conserve their significance, preserve or enhance the character or appearance of the conservation areas and protect and conserve the particular characteristics of NDHA.

Living conditions

14. The proposed extension would be set back from the front and side elevations of the building, providing north and east facing roof terraces at fourth floor. Balconies would also be provided on the opposite sides of the building at this level. Policy D6 of the London Plan and the Mayor of London Housing Supplementary Planning Guidance March 2016 (the SPD) require private outdoor space to achieve a minimum depth of 1.5 metres. The evidence indicates that none of the proposed terraces or balconies would comply with this requirement, each having a depth of approximately 1 metre only.
15. Nevertheless, the total amount of private outdoor space provided for each unit would exceed the requirements of the London Plan. Moreover, the proposal would provide dual-aspect outlook for each unit and thus offer good amenity. These spaces would also be practical in terms of their shape and utility. The harm arising from this conflict would thus be limited.
16. Flat 2 would feature 3-bedrooms set across 2-levels with space for 4 occupants. Policy D6 of the London Plan and the SPD indicate that a minimum of 7 square

² Council Ref 23/0298/F

³ Council Ref 21/4032/F

⁴ Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990

metres (m²) of private outdoor space should be provided for this flat. While its corner location precludes the provision of a rear balcony as provided on the other flats, it would benefit from a dual aspect 'L' shaped terrace wrapping around the corner of the building. The evidence indicates that the terrace for unit 2 would measure a minimum of 12m².

17. Policy D6 of the London Plan applies where there are no higher local standards. The Council contend that higher local standards are set out in Policy H5 of the Local Plan, which indicates that family housing should normally have direct access to a private garden. The supporting text at paragraph 4.1.31 states that a minimum garden area of 50m² should be provided in houses with up to three bedrooms. Notably, this is explicitly indicated to be a guide and so is not a policy requirement.
18. In any event, flats and family housing are referred to separately in Policy H5, with respect to the type of private outdoor space required. Family housing is defined in paragraph 4.1.30 as having three or more bedrooms and direct access to a garden. Flat 2 would not have direct access to a private garden, nor would it be a house. The provisions of policy H5 related to family housing and the guidance contained in paragraph 4.1.31 for houses are thus not applicable in this instance.
19. Policy H5 requires flats to provide a good-sized balcony, a terrace or communal garden. The proposed terrace at flat 2 would comfortably meet the minimum space requirements of the London Plan and so the proposal does not conflict with the provisions of the development plan in this regard.
20. Access to the proposed flats would be shared with the existing commercial uses on the first and second floors of the building, via a communal entrance and stairwell. This would be via a secure door onto the public footpath on Wellington Street, as per the current arrangement. It would remain clearly segregated from the accesses to the public house at ground floor. A separate third floor lobby would distinguish the entrance to the proposed residential flats from the shared stairwell.
21. While Standard 8 of the SPD requires all main entrances and communal lobbies to be visible, clearly identifiable and directly accessible from the public realm, there are no development plan policies before me that preclude the sharing of accesses, entrance lobbies or stairwells between residential and non-residential uses.
22. The Council contend the access arrangements would be inappropriate. However, it is not clear from the evidence how this would be harmful to the living conditions of future occupiers. The communal entrance and stairwell are areas in which future occupiers would not spend significant time, and where they would not expect high levels of privacy given that they would be shared with other residential users.
23. There is no compelling evidence that use of the stairwell by commercial occupants of the upper floors of the building would cause undue noise or disturbance for future occupiers of the flats. A planning condition was recommended by the Council in the event the application was approved to secure full details of noise mitigation between residential and non-residential floorspace, and this would have been sufficient to address any noise arising from the shared space.
24. Given the proposed arrangement, a dedicated internal access control system, which could include digital fobs or keys and other security measures, could be implemented to ensure occupiers of the commercial space do not access the

residential areas of the building. Details of such measures could have been secured by planning condition.

25. While I have found that the proposal would provide satisfactory living conditions for future occupiers with regard to privacy, noise and disturbance, it would fail to provide the required depth for private outdoor spaces. It would thus conflict with the requirements of Policy D6 of the London Plan for this reason only. This policy, among other provisions, seeks to ensure housing development is of high-quality design with comfortable and functional layouts that meet the minimal private internal and external space standards.
26. In respect of this main issue, I have not identified any direct conflict with Policies H5 or DH1 of the Local Plan. These policies, among other provisions, seek to ensure that new residential development achieves a high quality of design, including provision of a good-sized balcony or terrace for flats, and state that all developments should provide a positive relationship between the proposed and existing urban context, contribute to a safe and secure environment for users and create attractive, manageable well-functioning spaces within the site.

Cycle parking and refuse

27. Policy T5 of the London Plan requires development proposals to provide appropriate levels of cycle parking which should be fit for purpose, secure and well-located. Policies IM(b) and IM(c) of the Local Plan require compliance with the standards of the London Plan. Table 10.2 of Policy T5 indicates that 12 long-stay and 2 short-stay cycle parking spaces should be provided in this instance.
28. The proposed plans indicate that 10 cycle parking spaces would be provided within the existing basement level of the building. Use of the basement for this purpose would provide secure and sheltered cycle parking close to the entrance of the building. The staircase from the basement is straight and leads directly to street level through a single door.
29. Nevertheless, the doorway is narrow, as are the stairs. The bike store is shown at the opposite end of the basement, behind the proposed bin store. While a bike rail running up the stairs is shown on the proposed plans, navigating a bike to the basement bike store would be somewhat contrived and difficult for some users, thereby discouraging future occupiers from cycling.
30. Policies DH1 and H5 of the Local Plan require such proposals to demonstrate on-site waste management and for residential development to have adequate provision for waste recycling. Likewise, Policy SI7 of the London Plan seeks to ensure developments are designed with adequate, flexible and easily accessible storage space and collection systems for refuse and recyclables.
31. The proposed basement bin store would fall significantly short of the waste storage space required for the number of residential units proposed, as set out in the Council's New Developments Guidance Notes for the storage and collection of waste and recycling materials, dated May 2018. While the appellant would be minded to use the services of a private refuse collection company, there are no further details of the waste management arrangements for the building before me.
32. It is thus not clear whether the bin store would be used by the commercial users of the building, how bins would be retrieved for collection and where the collection

point would be. Inadequate waste storage and management arrangements would not encourage recycling and may result in waste accumulating in communal areas of the building or the public footpath. This would be detrimental to the character and appearance of the area and the living conditions of occupiers and would conflict with the sustainability objectives of the Framework and development plan.

33. In view of the above, it has not been demonstrated that the proposal would provide appropriate levels of cycle parking, or that this would be fit for purpose and well-located. Likewise, the refuse storage and recycling arrangements before me would not be adequate, flexible and easily accessible. Notably, both the Council's Waste and Highways sections raised concerns with regard to these matters.
34. The appellant recognises that the proposal represents a shortfall in both cycle parking and refuse storage. Nevertheless, they contend that this is based on an indicative internal layout of the basement floorspace available, and the layout could be reconfigured to provide a satisfactory level of refuse storage and cycle parking. It is not clear from the submitted plans however whether there is, or could be, sufficient space within the basement of the building to provide the requisite refuse storage and cycle parking provision and layout. It would therefore not be appropriate to reserve these matters to planning conditions in this instance.
35. The proposal would thus fail to provide adequate cycle parking and refuse storage and collection arrangements. It would be contrary to Policies T5 and SI7 of the London Plan and Policies IM(b), DH1 and H5 of the Local Plan. These policies, among other provisions, seek to ensure that development proposals help remove barriers to cycling, including adequate cycle parking, achieve accessible and inclusive environments for all, create attractive, manageable, well-functioning spaces, demonstrate on-site waste management, encourage recycling and ensure developments have adequate waste storage space and collection systems.
36. In respect of this main issue, I have not identified any direct conflict with Policy SI8 of the London Plan, which concerns waste self-sufficiency for London, proposals for materials and waste management sites and how development plans and Mayoral Development Corporations should address these matters.

Other Matters

37. Paragraph 11(d) of the Framework indicates that the presumption in favour of sustainable development is engaged where the policies which are most important for determining the application are deemed out-of-date. This includes, for proposals involving the provision of housing, situations where the local planning authority cannot demonstrate a 5-year housing land supply. At the time of the decision, the Council only had a 2.46-year housing land supply.
38. In such cases, 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. The Framework seeks to significantly boost housing supply. The proposal would provide 7 dwellings in a town centre location with good access to public transport and services. This would positively contribute to the local housing supply and weighs in favour of the proposal given the current shortfall. The scheme would also provide a temporary boost in employment during construction, and additional residents may contribute to the local economy and vitality of the community, though these benefits would be modest given the relatively small scale and context of the development.

39. The environmental objective in Paragraph 8 of the Framework includes minimising waste and pollution. Paragraph 96 aims to achieve healthy, inclusive and safe places, with high-quality public space, and safe and accessible layouts that encourage cycling. Paragraph 109 seeks to ensure transport considerations are integral to the design of schemes, and opportunities to promote cycling are identified and pursued. Paragraphs 115 and 117 indicate that sustainable transport modes, including cycling, should be prioritised. Paragraph 135 seeks to ensure that developments will function well and add to the overall quality of the area and create places with a high standard of amenity for future users.
40. The London Plan and Local Plan policies referred to above remain broadly consistent with the Framework in this regard. I thus apportion significant weight to the identified harm arising from the failure to provide adequate cycle parking and refuse storage and collection arrangements, and the associated development plan conflict. The shallow depth of the proposed private outdoor spaces would also weigh against the proposal, albeit to a lesser extent given the limited harm.
41. Combined, the adverse impacts identified above would significantly and demonstrably outweigh the benefits of the scheme. The proposal therefore would not benefit from the presumption in favour of sustainable development.
42. My attention has been drawn to the grade II* listed building at Woolwich Town Hall and the grade II listed building at Equitable House. Sections 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires special regard to be given to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses.
43. In so far as it relates to this appeal, the significance of Woolwich Town Hall is derived from its Edwardian architecture, including its orange-red brick exterior, decorative Portland stone, slate roofs and lead and copper-clad domes. The building has historic interest as a testament to civic pride and group value as the centrepiece to a planned civic complex. The significance of Equitable House is likewise derived from its well-preserved traditional architecture and monumental scale, including the use of Portland stone, recessed metal-framed multi-pane windows, slate tile mansard roof and central tower. It serves as a focal point to General Gordon Square and is a defining feature of the area.
44. The appeal building is located some distance from both buildings. Though visible from Equitable House across General Gordon Square, and when looking south-west along Wellington Street, the proposed extension would be seen in the wider urban context along with several other large and more contemporary buildings. Looking north-east along Wellington Street from Woolwich Town Hall, the proposal would step back from the street and be partially obscured by other development and street trees. As above, I have found that the proposal would not have a harmful effect on the character and appearance of the appeal site and surrounding area, including the CA and the setting of nearby NDHA. The proposal would therefore not cause harm to the significance of the listed buildings or their setting. Notably, the Council did not highlight any concerns in respect of this matter.
45. Other than where set out above, I have not identified conflict with any other relevant parts of the development plan or national policy and guidance. However, the absence of harm or development plan conflict with respect to other relevant matters weighs neither for nor against the proposal.

Conclusion

46. While I have found that the proposal would not have a harmful effect on the character and appearance of the appeal site and surrounding area, including the CA and the setting of nearby NDHA, and would provide satisfactory living conditions for future occupiers with regard to privacy, noise and disturbance, this does not outweigh the combined harm and development plan conflict arising from the failure to provide adequate cycle parking and refuse storage and collection arrangements, and the requisite depth for private outdoor spaces. The proposal therefore conflicts with the development plan, taken as a whole. I have found no material considerations that indicate the appeal should be determined other than in accordance with the development plan. Consequently, I conclude that the appeal is dismissed.

Ryan Cowley

INSPECTOR