



Appeal Decision

Site visit made on 20 May 2025

by **S Lo LLB M.SRA**

an Inspector appointed by the Secretary of State

Decision date: 24th of June 2025

Appeal Ref: APP/E5330/W/25/3359392

24 Southspring, Greenwich, Avery Hill, London DA15 8EA

- 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 Hekuran Vata against the decision of Royal Borough of Greenwich.
 - The application Ref is 24/3491/F.
 - The development proposed is the erection of self-contained dwelling house having 2-bedroom and a study on land adjacent to extended existing dwelling house.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. A previous planning application (24/1694/F) for a similar development was refused in September 2024, due to concerns over design and the quality of living conditions for future occupiers. Another planning application (23/2495/F) was dismissed on appeal (APP/E5330/W/23/3332283) in May 2024, due to concerns over character and appearance. Both schemes proposed detached dwellings, whereas the current proposal is for a semi-detached unit. The current proposal seeks to address the concerns raised in those earlier decisions.

Main Issues

3. The main issues are:
 - the effect of the proposed development on the living conditions of neighbouring occupiers at No.3 Radfield Road; and
 - the effect of the proposed car parking arrangement, having regard to transport accessibility and connectivity.

Reasons

Living Conditions – No.3 Radfield Road

4. The appeal site is a parcel of residential curtilage land located to the side of 24 Southspring, comprising a mixture of garden land, hardstanding and a single-storey structure.
5. While the proposed two-storey building would be positioned directly adjacent to the border of No.3 Radfield Road, its location to the west means their garden area would still receive unobstructed sunlight for a large part of the day. While no daylight/sunlight assessment has been provided, there is no evidence before me

that the proposed development would result in significant overshadowing. Accordingly, although the proposed development would result in an increase in built form, it would not substantially diminish access to sunlight at No.3.

6. Currently, the garden of No.3 currently benefits from a reasonable level of privacy due to the absence of nearby built form and presence of amenity land at adjacent dwellings. The plans indicate that the proposed first-floor bedroom and bathroom would directly overlook the rear garden of No.3. While the bathroom window is marked as obscure glazed, the bedroom window lacks such annotation. As such, it would provide elevated views in close proximity of the rear garden of No.3. While a degree of mutual overlooking is commonplace in urban environments, the proposed development would introduce an elevated and prominent vantage point which directly overlooks private amenity space, thereby resulting in unacceptable harm to residential amenity.
7. I have considered the appellant's observations that No.3 benefits from a dual outlook and a relatively large plot. I also recognise that the roof pitch of the proposed development would slope away from the shared boundary. However, the proposed development would be positioned less than one metre from the boundary with No.3. Given this close proximity, its height, scale, and massing would result in a dominant and enclosing form. It would severely restrict the outlook from, and create a strong sense of enclosure within, much of the rear garden of No.3. As such, the development would appear unacceptably overbearing and visually intrusive to those neighbouring occupiers.
8. I have considered whether a planning condition could be used to mitigate the privacy impact of the proposed development in relation to No.3. However, no details have been provided as to how such a condition would operate in practice, particularly given the proximity and height of the proposed building. Installing an effective privacy screen would likely require physical alterations that would not reflect the development as currently proposed in the submitted plans. Furthermore, no wording for such a condition has been provided. As a result, I am not satisfied that a condition would be precise, enforceable, or reasonable in all respects.
9. In reaching this view, I have considered the appellant's references to other approved dwellings in the area. At Whistlers Grove (09/2105/F), permission was granted for three affordable three-bedroom homes. While these also adjoined neighbouring rear gardens, they retained tree screening and were set over 20 metres from the nearest dwelling, offering a significantly greater degree of separation than the proposal. The scheme at 12 Southspring (21/0052/F) involved a two-storey semi-detached house. Notably it was set within a large front and side garden, without any windows directly overlooking neighbouring properties. 14 Southspring (20/3623/F), involved the development of a three-bedroom attached dwelling. This was located within a corner plot with substantial garden space and screening. That proposal included no flank windows, and an appropriate separation distance was maintained. Given the differences in site context and layout, I cannot be certain that these examples are directly comparable to the appeal proposal and therefore ascribe them only limited weight.
10. In conclusion, the proposed development would have a harmful effect on the living conditions of neighbouring occupiers at No.3 Radfield Road. It would result in an unacceptable loss of amenity to adjacent occupiers, contrary to Policy DH(b) of the Royal Greenwich Local Plan: Core Strategy with Detailed Policies (2014) (RGLP).

It would not deliver appropriate outlook, privacy and amenity, contrary to Policy D3 of the London Plan (2021) (the LP).

11. The Council also cites conflict with the Urban Design Guide SPD (2023). Notwithstanding that it provides clear design principles, I have not been drawn to any wording that relates to conflict with this main issue. Accordingly, this document has not been referred to in my conclusion.

Car Parking

12. Policy T6 of the LP states that car parking should be restricted in line with levels of existing and future public transport accessibility and connectivity. It refers to the maximum car parking standards set out within Table 10.3 of Policy T6.1 of the LP. The supporting text for this policy highlights that the dominance of vehicles on streets is a significant barrier to walking and cycling, such that new parking provision must be carefully controlled. Although consideration should be given to local circumstances and the quality of public transport provision, the starting point for discussions should be the highest existing Public Transport Accessibility Level (PTAL) at the site.
13. The plans indicate that the proposed development includes off-street parking for two cars at the front of the property. The appeal site has a PTAL rating of 1b, indicating a very low level of transport accessibility. While the Council supports the principle of off-street parking due to the low PTAL rating, it considers that the provision of two spaces exceeds the maximum standard of 0.75 spaces per dwelling, as set out in Policies T6 and T6.1 of the LP.
14. Policy T6 adopts a graduated approach, linking maximum parking provision to PTAL ratings, dwelling size and location within central, inner or outer London. While it allows comparatively more parking in areas with lower public transport, as is the case here, it still sets clear and flexible standards. As such, any additional provision in car parking would contribute to the dominance of vehicles within London and be likely to increase car dependency.
15. In reaching this view, I have considered the appellant's comments that the anticipated increase in trip generation as a result of the proposed development would be minimal. If there were any additional trips that may require occasional overspill parking, there is no evidence of existing congestion or highway safety issues that would preclude this. On the contrary, the absence of a Controlled Parking Zone suggests a relatively low level of parking stress. Despite the low PTAL rating, there is no evidence to suggest the site is so poorly connected to shops or bus routes, as to justify additional parking provision, particularly given its location within inner London.
16. In conclusion, the proposed car parking arrangement would have a harmful effect on transport accessibility and connectivity. It would provide inappropriate levels of car parking provision, contrary to Policy IM(c) of the RGLP. It would not reduce the dominance of vehicles on London's streets, contrary to Policy T2 of the LP. It would fail to comply with the relevant maximum car parking standards, contrary to Policy T6 of the LP.

Other Matters

17. The appellant states that the proposed development offers environmental, social and economic benefits. The proposal is a small windfall site that would result in economic benefits through its construction and future support for local services and facilities by occupiers of the development. It would be well located in terms of accessibility to local services and facilities. By providing a two-bedroom dwelling, it would help to diversify the local housing stock and would boost the supply of homes. However, considering the scale and nature of the proposed development, these benefits are relatively limited and do not overcome the harm identified under the main issues and the conflict with the development plan.
18. Interested parties have raised concerns regarding the number of repeated applications for the appeal site, traffic and parking problems arising from the number of vans and trucks, the amount of development that has already occurred and the potential intensification of the business use of the appeal site and dwelling. Regardless, my attention is directed toward the matters which have been applied for in the planning application, specifically the proposed erection of the dwelling. Any other issues, such as potential enforcement action, fall outside the scope of this appeal and would need to be considered between the Council and those interested parties.

Planning Balance

19. As noted above, harm has been identified in relation to the main issues, resulting in conflict with the development plan as a whole. The Council acknowledges that they are only able to demonstrate a housing land supply of 2.46 years. This constitutes a very significant level of undersupply, and the Council recognise that they are unable to demonstrate a five-year housing land supply. As such, paragraph 11 d) of the Framework applies. In such circumstances, 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, having particular regard to key policies.
20. While the very significant level of undersupply is acknowledged, the proposed development would deliver only one new dwelling. As such, the benefit associated with this increase would be relatively limited. Nevertheless, having regard to the policies of the Framework taken as a whole and the need to consider any adverse impacts, the proposal would conflict with key policies. In particular, it would fail to provide adequate living conditions for neighbouring occupiers and would not secure an appropriate level of on-site parking.
21. Consequently, the adverse impacts of the proposal significantly and demonstrably outweigh the benefits of the proposal when assessed against the Framework as a whole. As a result, the presumption in favour of sustainable development does not apply.

Conclusion

22. The proposal conflicts with the development plan taken as a whole and material considerations do not indicate that the appeal should be determined other than in accordance with it. Therefore, for the reasons set out above, I conclude that the appeal should be dismissed.

S Lo

INSPECTOR