
Appeal Decision

Site visit made on 30 May 2025

by **C Housden BSc(Hons) MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 04 July 2025

Appeal Ref: APP/E5330/W/25/3358606

55 Bastion Road, Abbey Wood, Greenwich SE2 0RH

- 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 Mrs Cynthia Young against the decision of the Council of the Royal Borough of Greenwich.
 - The application ref is 24/1983/F.
 - The development proposed is described as “retention of a single family dwellinghouse converted into 2No self contained flats”.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. On my site visit I observed that the conversion had already taken place. The plans reflect this by showing the “pre-existing” situation before the conversion and the “existing” situation after the conversion.
3. However, the existing plans did not correspond to the layout that I observed on my visit. In particular, the living room of Flat B as shown on the existing plans was being used as a bedroom, and the storeroom in the roof was being used as a living area.
4. Notwithstanding, I have dealt with the appeal on the basis that planning permission is being sought for the conversion of a single dwelling into two single bedroom flats, which is reflected on the submitted drawings.

Main Issues

5. The main issues relevant to this appeal are:
 - the effect of the proposed development on the supply of small-medium family dwellings; and
 - whether the proposed development would provide adequate living conditions for future occupiers of Flat B, with particular regard to the provision of internal floor space and access to private external amenity space.

Reasons

Family housing

6. Policy H(b) of the Royal Greenwich Local Plan Core Strategy with Detailed Policies (2014) (CSDP) seeks to protect small and medium sized family dwellings. For the

purposes of the policy, a terraced dwelling with an original floor area less than 130m² is protected by Policy H(b).

7. The subtext of this policy confirms that the existing stock of small and medium sized family dwellings have a vital and versatile role in meeting housing needs of the area which justifies their protection.
8. The evidence before me shows that the dwelling had an original floor area less than 130m². Therefore, the pre-existing dwelling represents a small-medium family property which the development plan seeks to protect.
9. I do not have evidence before me which demonstrates how local needs, with specific regard to the loss of the small-medium sized family unit, has been taken into account by the appeal scheme. The development would reduce and harm the existing stock of small-medium sized family units.
10. The appeal proposal would therefore conflict with Policy H(b) of the CSDP which seeks to safeguard the existing housing stock of small-medium sized family units.

Living conditions

11. The Council has assessed Flat B as a one-bedroom property with a double bedspace on the basis that previous tenancy documents have shown it has been rented out to two people. However, it is the size of the bedroom that determines how the occupancy is defined. A bedroom which does not meet the size of a double room cannot be assessed as a double room. If a single bedroom is being over-occupied this would be a matter which falls outside the scope of this appeal.
12. The evidence shows that Flat B would meet the minimum gross internal floor area requirements of Policy D6 of the London Plan (2021) (LP) and the Nationally Described Space Standards as a one-bedroom dwelling with a single bed space. On this basis, the proposal would provide a suitable standard of floor area, including the size of the bedroom, to ensure adequate living conditions for a single future occupier.
13. However, Flat B does not have access to the rear garden space and no outdoor private amenity space is provided. Policy D6 of the LP requires at least 5m² of private outdoor amenity space for 1-2 person dwellings. I have not been presented with any convincing justification demonstrating why this arrangement would be acceptable. Occupiers of the flat could not undertake the usual activities associated with a private outdoor space, such as hanging out washing or sitting outside. As such, I find that the flat would provide an inadequate form of residential accommodation which would be harmful to the living conditions of occupiers.
14. Although living conditions would be acceptable with regard to the provision of floor area, I have found that future occupiers would experience unacceptable living conditions, with particular reference to the lack of access to private external amenity space for Flat B. Therefore, the proposal would conflict with Policies D6 and H2 of the LP and Policies H5 and DH1 of the CSDP. These policies, amongst other matters, seek to ensure development is well designed and of a high quality that provides appropriate outdoor space to ensure adequate living conditions of future occupiers of developments.

15. The Council has referred to Policy H1 of the CSDP in its second reason for refusal. However, this policy relates to the provision of housing over the local plan period and therefore isn't directly relevant to this main issue.

Other Matters

16. The appellant has suggested that the conversion of the property occurred over ten years ago and therefore "should be approved under planning guidelines".
17. However, this appeal has been submitted under the provisions of section 78 of the Town and Country Planning Act 1990 (as amended), and it is therefore against a refusal of planning permission.
18. The evidence before me does not show that the Council has issued a certificate of lawful development to confirm the conversion was lawful, nor is there sufficient information before me to demonstrate that this fallback position is more than a theoretical possibility. I therefore cannot afford weight to this matter in favour of the development given the amount of uncertainty.

Planning Balance

19. The proposal is not in accordance with the aforementioned policies of the CSDP and LP, by virtue of the permanent loss of a small-medium sized family property and to the significant harm to the living conditions of future occupiers through lack of access to private external amenity space for Flat B. For this reason, the proposal conflicts with the development plan as a whole.
20. However, the Council cannot demonstrate a five-year housing land supply, with the Council's officer report setting out a position of 2.46 years. The provisions of paragraph 11(d) of the National Planning Policy Framework (the Framework) are engaged. Footnote 8 confirms in these circumstances the policies which are most important for determining the application are considered out-of-date.
21. Paragraph 232 of the Framework confirms due weight should be given to policies, according to their consistency with the Framework.
22. Paragraph 61 of the Framework sets out the Government's objective of significantly boosting the supply of homes. The adopted housing strategy is failing to meet the local housing needs of the area, which the evidence shows is significant. As such, conflict with Policy H(b) of the CSDP, which is a restrictive policy to the creation of new housing units through the conversion of existing units, would carry limited weight against the proposal.
23. The importance of achieving well-designed development is a key aspect of sustainable development, as set out in section 12 of the Framework, where it is clear at paragraph 139 that development which is not well designed should be refused. Paragraph 135(f) promotes health and well-being in developments and achieving a high standard of amenity for future occupiers. Whilst paragraph 124 of the Framework seeks to make effective use of land, this is to be achieved while also safeguarding and improving the environment and ensuring safe and healthy living conditions.
24. Therefore, based on the consistency with the Framework, the conflict between the appeal proposal and Policies D6 and H2 of the LP and Policies H5 and DH1 of the CSDP would carry significant weight against the proposal.

25. As mentioned, the Government's objective is to significantly boost the supply of housing, including through small and medium schemes. The proposal would contribute towards the Council's housing land supply. However, given the small scale of the proposal, this would at most attract moderate weight in favour of the proposal.
26. As such, the adverse effects of granting planning permission would significantly and demonstrably outweigh the benefits when assessed against the policies of the Framework as a whole. Therefore, in this case, the presumption in favour of sustainable development, as set out in the Framework, would not apply.

Conclusion

27. The proposal conflicts with the development plan and the material considerations do not indicate that the appeal should be decided other than in accordance with it. Therefore, I conclude that the appeal should be dismissed.

C Housden

INSPECTOR