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**PLANNING APPLICATION BY
MARK VALLIS FOR RESIDENTIAL
DEVELOPMENT
AT
LAND OFF PARISH GATE DRIVE
ELTHAM
LONDON SE9 2PN**

PLANNING, DESIGN & ACCESS STATEMENT

AUGUST 2015

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1.0 INTRODUCTION

- 1.1 We have been instructed by Mr Mark Vallis to prepare and submit a revised planning application for residential development on the above site to enable a pair of semi-detached three bedroom dwellings to be provided.
- 1.2 The preparation and submission of this application follows a previous refusal of permission for two pairs of semi-detached dwellings on the site and land adjacent that was taken to appeal and dismissed via an appeal decision dated 1st October 2014.
- 1.3 This revised application has been prepared in order to address the constructive points of the Inspector's decision.

2.0 THE APPLICATION SITE

- 2.1 The application site comprises a parcel of land to the rear of Nos. 314 -316 Bexley Road, Eltham. The site has a frontage onto Parish Gate Drive to the east and currently forms an area of disused land. There can therefore be no objection in principle to its redevelopment for residential purposes.
- 2.2 In terms of the character of the surrounding area this comprises a mixture of dwelling types with semi-detached and terraced houses fronting Bexley Road/Blackfen Road to the north and Parish Gate Drive comprising a mixture of dwelling types including substantial flats, terraced houses and semi-detached properties of two storey design.

3.0 RELEVANT PLANNING HISTORY

- 3.1 The most relevant history to the determination of this application is a previous application that was refused permission on the 24th February 2014 under Council reference 13/3280/F. This proposed a pair of semi-detached properties on land to the r/o 314 – 316 Bexley Road and a further two semi-detached properties located at right angles facing north on land to the south adjacent to Thanington Court flats.
- 3.2 The matter was the subject of a planning appeal that was determined on the 4th September 2014 under Planning Inspectorate reference APP/E5330/A/14/2221763 and a copy of this decision forms APPENDIX 1 of this statement.
- 3.3 In summarising the Inspector's decision, the Inspector concluded that no unacceptable harm would be caused to the amenities of surrounding properties including the dwelling fronting Bexley Road (Nos. 314 – 316). The Inspector was also satisfied that the development was acceptable from a highways perspective and in terms of landscaping.
- 3.4 However, the appeal was dismissed with the Inspector raising concerns regarding harm to the character and appearance of the surrounding area. This focused on the irregular shape of the appeal site showing two pairs of semi-detached properties facing different directions that was appearing in sharp contrast to the more conventional layout of adjacent development in relation to the highway.
- 3.5 The Inspector was also concerned that the overall development would bring built form closer to the flats to the south and this would be out of place creating an awkward juxtaposition giving a marked contrast in built form between the houses proposed and the adjacent flats.

- 3.6 Due to these concerns, the Inspector concluded that the “proposal would not respect the existing patten of development and as such would be harmful to the character and appearance of the surrounding area”.
- 3.7 In making their decision, the Inspector did however note that opposite the appeal site there are more recent modest sized residential properties that visually mark the beginning of a large residential estate which stretches to the west of Parish Gate Drive leading to Rider Close and those roads beyond.
- 3.8 As a result of this, the Inspector found conflict with Policies H5, H(c) and DH1 of the Council’s Core Strategy document in relation to harm to the character and appearance.

4.0 RELEVANT PLANNING POLICY CONSIDERATIONS

4.1 Relevant policy to the determination of this application is contained within the National Planning Policy Framework (NPPF), the adopted London Plan and the Council's Core Strategy with detailed policies documents tends to be focusing on policy cited in the Inspector's appeal decision.

National Planning Policy Framework 2012

4.2 The main purpose of the NPPF is to help achieve sustainable development through a plan-led system. The core principle of the framework is that, if development is sustainable, it should go ahead without delay. As paragraph 14 explains, at the heart of the NPPF is a **presumption in favour of sustainable development** which should be seen as a golden thread running through both plan making and decision taking.

4.3 One of the key principles of the NPPF is to encourage the effective use of land by re-using land which has been previously developed and that which is not of high environmental value. Growth is expected to be managed to make the fullest possible use of public transport, walking and cycling with new development to be focused in sustainable locations.

The London Plan (March 2015)

4.4 Since the Inspector's decision, the London Plan has been updated. One of the most significant changes is the housing supply targets set out in Policy 3.3.

- 4.5 The terms of this policy continues to seek the optimum use of existing urban sites for new development with the Royal London Borough of Greenwich expected to provide 2,685 new dwellings per year that equates to 26,850 within the plan period of 2015 – 2025.
- 4.6 Granting permission for two dwellings on the application site would contribute towards meeting this target.

Royal Greenwich Local Plan – Core Strategy with the Town Policies

- 4.7 In dismissing the appeal, the Inspector was satisfied that no conflict with Policy DH (b) of the Core Strategy existing with it seeking to preserve residential amenity. The Inspector was satisfied that no harm to privacy or amenity would be caused by dwellings to the rear of Nos. 314 – 316 Bexley Road.
- 4.8 The Inspector did however find conflict with Policies H5, H(c) and DH1 of the Core Strategy which require new development to have regard to the character of its surroundings.
- 4.9 Policy H(c) concerns background and infill development and states that this will be favourably considered where the following criteria are met;
- There is no unreasonable reduction in the amount of amenity space enjoyed by existing residents.
 - There is no unreasonable loss of privacy.
 - There is no unreasonable noise and disturbance.
 - No harm to wildlife habitats, trees or shrubs would be caused.
 - The character of the area should be maintained within particular regard to the scale, design and density of development.



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- 4.10 Policy DH1 refers to the design and expects all proposals to utilise a higher quality of design in respect of the topography landscape setting and character of the site along with the established layout and spatial character of the surrounding area.

5.0 THE APPLICATION PROPOSAL & CONCLUSIONS

- 5.1 It was acknowledged that the Inspector raised issues with the irregular shape of the site when the previous appeal was determined. In doing so, the Inspector noted the two pairs of semi-detached properties would face different directions, would appear in sharp contrast to the more conventional layout of adjacent development including those which can be seen opposite the application site which marked the beginning of the residential estate.
- 5.2 It is also acknowledged that the Inspector raised concerns in relation to the proximity of dwellings to the flats to the south and the visual juxtaposition that would likely be caused.
- 5.3 It is for this reason that the two semi-detached dwellings previously shown adjacent to the flats have been removed from this application. The application now solely proposes a pair of semi-detached dwellings on land to the r/o 314-316 Bexley Road. Here the dwellings would face the street and would have a regular relationship with the street scene as a result. They would also be positioned opposite dwellings of a similar scale that visually mark the beginning of the entrance to the residential estate which stretches to the west of Parish Gate Drive. The dwellings would therefore appear in keeping with this character whilst being better separated from the flats to the south.
- 5.4 In other aspects the design of the dwellings has remained consistent with those previously determined on appeal. The two properties would not cause unacceptable overlooking to adjacent homes and once again only obscure glazed windows would be located on the flank elevations of the dwellings proposed in order to ensure that the privacy and amenities of surrounding properties are adequately preserved, particularly Nos. 314- 316 Bexley Road.

- 5.5 In addition, the dwellings have all been designed to be compliant with the London Plan Design Guide and the gardens will accord with the Council's adopted standards.
- 5.6 The drawings submitted demonstrate that parking will be provided on site in accordance with the Council's adopted standards and the swept path drawings demonstrate that vehicles will be able to emerge onto the highway in a forward gear to ensure that no harm is caused to pedestrian or highway safety.
- 5.7 The proposal for two semi-detached dwellings of three bedroom design therefore addresses the previous Inspector's concerns by proposing a more conventional development that would sit comfortably within the street scene. It would see the efficient use of existing urban land for new homes in accordance with the thrust of the NPPF and the housing delivery goals of the London Plan.
- 5.8 It is therefore respectfully considered that planning permission should be granted for this proposal.

APPENDIX 1



Appeal Decision

Site visit made on 4 September 2014

by **H Butcher BSc (Hons) MSc MRTPI**

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 1 October 2014

Appeal Ref: APP/E5330/A/14/2221763

Land off Parish Gate Drive, Eltham, London SE9 2PN

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Mark Vallis against the decision of The Council of the Royal London Borough of Greenwich.
 - The application Ref 13/3280/F, dated 23 December 2013, was refused by notice dated 24 February 2014.
 - The development proposed is two 3 bedroom semi detached houses and two 2 bedroom houses on land off Parish Gate Drive.
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Decision

1. The appeal is dismissed.

Procedural matter

2. Since the appeal was made the Royal Borough of Greenwich Core Strategy (2014) (CS) has been adopted. This document supersedes policies referred to in the appeal. Both main parties were given the opportunity to comment on the relevance of the CS to their cases.

Main issues

3. The main issues are the effect of the development on the character and appearance of the surrounding area, and the effect of the development on the living conditions of occupiers of neighbouring properties having particular regard to outlook and privacy.

Reasons

Character and appearance

4. The appeal site is an irregularly shaped piece of open land located on the east side of Parish Gate Drive towards the junction with Bexley Road and Blackfen Road. The surrounding area is formed of a mix of dwellings of varying age, scale and form. There is, however, an order to the pattern of development with similar types of properties being grouped together. On the east side of Parish Gate Drive are a group of flats which front this road. There are also further flats set behind these to the east forming a clear group of this type of development. To the north are more traditional terrace and semi detached two storey properties which front Bexley Road. Opposite the appeal site are
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more recent modest sized residential properties. These visually mark the beginning of a large residential estate which stretches to the west of Parish Gate Drive by turning the corner which leads to Rider Close and beyond.

5. The appeal site currently provides separation between the flats to the south and the two storey dwellings to the north. The proposal would bring two pairs of two storey semi detached properties in close proximity to the flats. In this location they would appear out of place creating an awkward juxtaposition with the flats due to the marked contrast in their forms. Whilst there are other two storey dwellings in the vicinity, the proposed dwellings, due to their siting, would appear separate from these, being located at some distance to the rear of properties fronting Bexley Road, and opposite development forming the entrance of the residential estate. The irregular shape of the appeal site would also mean the two pairs of semi-detached properties would face different directions which would be in sharp contrast to the more conventional layout of adjacent development in relation to the highway.
6. For these reasons the proposal would not respect the existing pattern of development and as such would be harmful to the character and appearance of the surrounding area. It would therefore conflict with policies H5, H(c) and DH1 of the CS which require new development to have regard to the character of the area. Similarly the National Planning Policy Framework requires new development to take account of the character of different areas. Policy DH(b) of the CS referred to by the Council in their first reason for refusal is not, however, relevant to the matter of character and appearance as this policy deals with the amenity of adjacent occupiers.
7. In coming to this conclusion I acknowledge that the design of the proposed dwellings would not be overly bulky consisting of modest sized pairs of semi-detached dwellings with hipped and pitched roofs, and that there would be adequate space to side boundaries. Whilst the gardens to Block B (indicated on submitted plans) would be very short this would not be apparent when viewed from the street scene therefore this aspect of the proposal would not, in itself, be harmful to the character and appearance of the surrounding area. However these matters do not overcome the harm identified above.

Living conditions

8. Parish Gate Drive slopes away to the south. Consequently the appeal site is set on lower ground than Bexley Road. 316 Bexley Road has a rear garden which is some 15m in length, based on the submitted location plan. The pair of semi-detached properties closest to no. 316 (Block A indicated on submitted plans) would be approximately 1.6m away from the shared boundary. The two storey nature of this pair of semi detached dwellings in conjunction with the overall separation distance with no. 316 and the change in levels mean the proposal would not have a significant impact on outlook for occupiers of this neighbouring property. Consequently satisfactory living conditions would be retained.
9. First floor windows serving a bathroom and bedroom are proposed in the side elevation of Block A which would face onto the rear of no. 316. The bedroom served by this window would have the benefit of another window in the front elevation. The appellant has suggested a condition to obscure glaze these

windows. With respect to ground floor windows in this flank the appellant indicates that boundary treatments would be introduced to prevent harmful overlooking. I am satisfied these measures would mitigate any harmful overlooking to occupiers of this neighbouring property.

10. For these reasons I find no conflict with policy DH(b) of the CS which, amongst other things seeks to protect the amenity of adjacent occupiers. Policy DH1 of the CS is a more general policy relating to design and policy DH(a) refers to residential extensions. Both policies are referred to by the Council in their second reason for refusal but these are not specific to the matter of living conditions.

Other matters

11. I acknowledge that the site is at present overgrown and secured by high metal fencing. However this is not something on which my decision would turn as there would be other ways to improve the visual appearance of the site.

12. I have considered the Council's argument that the grant of planning permission would set a precedent for other similar developments. The size and shape of the appeal site in part limits the possibility of similar development in the immediate surrounding area. In any event I have determined this appeal on its own planning merit.

Conclusion

13. Whilst I have found no significant harm in terms of the living conditions of occupiers of neighbouring properties I do find harm to the character and appearance of the surrounding area. I have had regard to all other matters raised, including the contribution this development would make in terms of the effective use of land in a location well served by shops and local services. These matters do not, however, outweigh the harm identified to the character and appearance of the surrounding area. I therefore conclude that the appeal should be dismissed.

Hayley Butcher

INSPECTOR