

<b>Woolwich &amp; Thamesmead Area</b> <b>Planning Committee</b> <b>22<sup>nd</sup> September 2020</b>	<b>Agenda Item: 6</b> <b>Reference No: 19/2600/F</b>
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**Applicant: Mendoza Ltd**  
**Agent: Milan Babic Architects**

<b>Site Address:</b> Land at rear of White Swan, 22 The Village, Charlton, London, SE7 8UD	<b>Ward:</b> Woolwich Riverside <b>Application Type:</b> Full Planning Permission
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## **I Recommendation**

I.1 The Committee is requested to grant Full Planning Permission (Ref: 19/2600/F) as outlined below:

*‘Construction of a single storey 3-Bed family dwelling with associated private amenity, driveway, bin and bike storage.’*

Recommendation:

- i. To resolve to grant conditional planning permission according to the conditions in appendix 2, to be detailed in the notice of determination; and
- ii. To Authorise the Assistant Director of Planning & Building Control to:
  - a. make any minor changes to the detailed wording of the recommended conditions as set out in this report and its addendums, where the Assistant Director of Planning & Building Control considers it appropriate, before issuing the decision notice.

## 2 Summary

2.1 Detailed below is a summary of the application:

<b>The Site -</b>	
Site Area (m <sup>2</sup> )	824m <sup>2</sup>
Heritage Assets	<ul style="list-style-type: none"> <li>• Grade II Listed Building known as 'Equitable House'; and</li> <li>• Within the Charlton Village Conservation Area</li> </ul>
Tree Preservation Order	No
Flood Risk Zone	Flood Zone I

<b>Housing</b>	
Density (habitable rooms per hectare - HRH)	144 HRH
Dwelling Mix	One 3-bed dwelling.
Housing Standards Complies with Technical Housing Standards - Nationally Described Space Standards and London Plan Standards?	Yes

<b>Transportation</b>		
Car Parking	No. Existing Off-Street Car Parking Spaces	0
	No. Proposed Off-Street Car Parking Spaces	1
Public Transport	PTAL Rating	4 (Moderate)

<b>Public Consultation</b>	
Number in support	0
Number of objections	9 (This includes an objection from Councillor Gary Parker and The Charlton Society).
Number of neutral comments	0
Main issues raised (addressed in section 10 of this report)	<ul style="list-style-type: none"> <li>• Object to loss of pub garden space;</li> </ul>

	<ul style="list-style-type: none"> <li>• Impact on viability of White Swan;</li> <li>• Impact on neighbour amenity;</li> <li>• Disturbance from pedestrian access along eastern boundary of site and vehicles accessing the site from Torrence Close;</li> <li>• Noise disturbance from adjacent pub for future occupiers of the development;</li> <li>• Lack of private amenity space for proposed dwelling;</li> <li>• On-site car parking not segregated from garden;</li> <li>• Pedestrian access to the site is unsafe;</li> <li>• Proposal would fail to preserve the character of the Charlton Village Conservation Area;</li> <li>• Poor residential accommodation;</li> <li>• Impact on a tree.</li> </ul>
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- 2.2 The application is being reported to the Woolwich and Thamesmead Area Planning Committee because the application has received 8 objections and is therefore required to be determined by members in accordance with the Council’s Statement of Community Involvement.
- 2.3 The report details all relevant national, regional and local policy implications of the scheme, including supplementary planning guidance.
- 2.4 The application is considered acceptable and is recommended for approval, subject to the recommendations set out in section 1.1 of this report.

### 3 Site Plan



### 4 Site and Surroundings (in detail)

- 4.1 The subject site is located to the rear of The White Swan, being a pub with a frontage to The Village to the north. The site exhibits a frontage to Torrance Close to the south.
- 4.2 In its existing state, the site comprises a two (2) storey pub with a rear beer garden (including several trees), rear service yard (comprising storage containers, waste bins, vegetation and cleared dirt/rubble land) and side access driveway.
- 4.3 The specific portion of the site proposed to be developed pursuant to this application includes the rear service yard and a portion of the beer garden (95m<sup>2</sup> excluding the access driveway). The site is enclosed by brick walls, with access available from Torrance Close via timber gates and an existing kerb crossing.
- 4.4 The surrounding area exhibits a mixed-use character consisting of ground level retail premises fronting The Village with upper level accommodation above, terraced dwellings and flats through the surrounding streets, and Charlton House Grounds and Charlton Park to the south.

- 4.5 The site is within Charlton Village Conservation Area but is not subject to a relevant Article 4 Direction and does not comprise a locally or statutorily listed building.

## 5 Relevant Planning History

<i>App Number:</i>	17/2043/F	<i>Decision:</i>	Refused	<i>Decision Date:</i>	17/12/2018
<i>Address:</i>	Land rear of The White Swan, 22 The Village, Charlton, London, SE7 8UD				
<i>Description:</i>	Construction of a new 3-bed dwelling and associated amenities.				
<i>Refusal reason(s):</i>	1. By reason of its scale, bulk, site coverage, contemporary design and cramped appearance, the proposed development would fail to preserve the character and appearance of the Conservation Area and would be contrary to Policies 3.5, 7.8 and 7.9 of the London Plan (2016), Policies H5, H(c), DH1, DH3 and DH(h) of the Royal Greenwich Local Plan: Core Strategy with Detailed Policies (2014), and Charlton Village Conservation Area Character Appraisal.				
<i>Appeal:</i>	APP/E5330/W/18/3202807 dismissed 04/01/2019.				
<p>The Inspector concluded that the proposed development would unacceptably harm the character and appearance of the local area.</p> <p>The Inspector had noted that interested parties raised several additional objections, including the potential effect of the proposal on trees, the White Swan public house as an asset of community value and the living conditions of future occupiers. They noted that these were all important matters and they were taken into account in all of the submitted evidence. However, given the Inspectors findings on the main issue, these are not matters that have been critical to their decision.</p>					

<i>App Number:</i>	16/1530/F	<i>Decision:</i>	Refused	<i>Decision Date:</i>	20/01/2017
<i>Address:</i>	Land rear of The White Swan, 22 The Village, Charlton, London, SE7 8UD				
<i>Description:</i>	Construction of a pair of 3-bed semi-detached two storey family dwellings with basement level.				

<i>Refusal Reason:</i>	<ol style="list-style-type: none"> <li>1. By reason of its scale, bulk, contemporary design, cramped appearance and external materials, the proposed development would fail to preserve the character and appearance of the Conservation Area and would be contrary to Policies 3.5, 7.8 and 7.9 of the London Plan (2016), Policies H3, H5, H(c), DH1, DH3 and DH(h) of the Royal Greenwich Local Plan: Core Strategy with Detailed Policies (2014), Charlton Village Conservation Area and the Council's Residential Extensions, Basement and Conversions Guidance SPD (July 2016).</li> <li>2. The development fails to provide a high-quality design that respects the character of its surroundings and would be contrary to Policies 3.5 and 7.4 of the London Plan (2016), Policies H1, H5, H(c) and DH1 of the Royal Greenwich Local Plan: Core Strategy with Detailed Policies (2014), and the Council's Residential Extensions, Basement and Conversions Guidance SPD (July 2016).</li> <li>3. The proposed development by reason of its location and close proximity to the beer garden, would fail to provide a high-quality living environment for future occupiers of the dwellings due to noise and disturbance from the beer garden. The proposed development would therefore fail to accord with Policy 3.5 of the London Plan and Policy E(a) of the Royal Greenwich Local Plan: Core Strategy with Detailed Policies (2014) and the Council's Residential Extensions, Basement and Conversions Guidance SPD (July 2016).</li> <li>4. The proposed development by reason of inadequate useable external amenity space would fail to accord with Policy H5 of the Royal Greenwich Local Plan: Core Strategy with Detailed Policies (2014) and the Council's Residential Extensions, Basement and Conversions Guidance SPD (July 2016).</li> </ol>
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<i>App Number:</i>	15/2968/F	<i>Decision:</i>	Refused	<i>Decision Date:</i>	02/12/2015
<i>Address:</i>	Land rear of The White Swan, 22 The Village, Charlton, London, SE7 8UD				
<i>Description:</i>	Construction of a pair of 3-bed semi-detached two storey family dwellings with basement level.				

<p><i>Refusal Reasons:</i></p>	<ol style="list-style-type: none"> <li>1. The proposed dwellings, by reason of their location on previously undeveloped land, and forming part of the rear garden to the public house and would fail to promote sustainable forms of development and would appear as a discordant feature within the area failing to respect the established character of the area. As such the proposed dwellings fail to reuse brownfield land and therefore constitute an inappropriate form of development and as fail to comply with Policy 3.5 of the London Plan 2015 and Policies DH1 and DH3 of the Core Strategy with Detailed Policies.</li> <li>2. The proposed dwellings, by reason of their location on previously undeveloped land, and in the absence of a tree survey has failed to demonstrate that the development will not have an adverse impact on existing trees on site contrary to Policies H(c) and OS(f) of the Core Strategy with Detailed Policies.</li> <li>3. The proposed development would feature light wells to the front of the dwelling and which are not a feature of neighbouring. As such the proposal would constitute a discordant and alien feature which would set an undesirable precedent contrary to Policy 7.4 of the London Plan 2015 and Policy DH1 of the Core Strategy with Detailed Policies.</li> <li>4. The proposed development by reason of its isolated location and access via a road that is not well used by members of the public, especially at night would fail to provide a safe and secure environment for future occupiers of the development and would in direct conflict with policy 7.3 of the London Plan 2015.</li> <li>5. The proposed development by reason of is location and close proximity to the beer garden, would fail to provide a high-quality living environment for future occupiers of the dwellings due to noise and disturbance from the beer garden. The proposed development would therefore fail to accord with policy E(a) of the Core Strategy with Detailed Policies.</li> <li>6. The proposed development by reason of inadequate useable garden space would fail to accord with policy H5 of the Core Strategy with Detailed Policies.</li> </ol>
<p><i>Appeal:</i></p>	<p>APP/E5330/W/16/3148088 dismissed 24/11/2016.</p>

Within this appeal, the Planning Inspector considered that the proposal would not have preserved the character and appearance of the Conservation Area, including its scale in terms of site coverage and the detailed design.

In terms of residential amenity, the Inspector noted that it had not been satisfactorily demonstrated that noise from the pub garden would not have an adverse impact on the living conditions of the future occupiers and this could lead to pressure on the business. They did however state that, this would not be sufficient in their view to refuse the scheme if it were the only objection to it. However, as there were other concerns with the scheme there was a degree of conflict and as such raised as a concern.

The concerns raised by the Council in term of the considered secluded position of the new house was not considered as a concern.

The residential amenity space provided on site was considered an issue by the Inspector.

Parking was not considered by the Inspector as an issue.

The Inspector concluded by stated that whilst they give substantial weight to the benefits of providing 2 new dwellings, the degree of conflict with the relevant policies were not enough to outweigh the harm.

<i>App Number:</i>	12/0117/F	<i>Decision:</i>	Granted	<i>Decision Date:</i>	16/03/2012
<i>Address:</i>	Land rear of The White Swan, 22 The Village, Charlton, London, SE7 8UD				
<i>Description:</i>	Change of use of first floor from Manager's accommodation to (CI) providing 8 bedrooms.				

## 6 Proposal (in detail)

- 6.1 The current applications seek full Planning Permission for the construction of a single storey, three (3) bedroom family dwelling with associated private amenity space, driveway, bin and bike storage.
- 6.2 The dwelling would consist of two (2) 'wings' with 'mirroring' chimneys, and would be joined by a lower-height internal corridor. Entry to the dwelling would be via glazed pivot doors in the central corridor, and a window is also

proposed in the front elevation of the corridor. The front elevation of the western wing would include glazed doors leading to outdoor amenity space, and a 'glass box' consisting of projected brick piers with frameless glazing in-between. A blank front elevation (no windows or doors) is proposed for the eastern wing.

- 6.3 A glazed pivot door would also be situated in the rear elevation of the central corridor and would facilitate access to the rear amenity space. No other doors or windows are proposed in the rear elevation. The western side elevation would include glazing to the external-facing portion of the corridor, with no other windows or doors proposed. The eastern side elevation would include three (3) sets of glazed sliding doors (one (1) set per bedroom) and two (2) obscure-glazed high-level windows.
- 6.4 Two double bedrooms and one single bedroom would be provided in the eastern wing and a combined kitchen/dining/living room would be provided in the western wing. Private external amenity space would be provided at the rear of the western wing and within the grounds surrounding the proposed buildings.
- 6.5 One on-site car parking space would be provided in the southern part of the site accessed from Torrance Close via an existing vehicle crossover. Refuse and recycling collection would occur from The Village with bins moved from the proposed dwelling to via a private pedestrian walkway along the eastern boundary of the site.

## **7 Consultation**

- 7.1 Since being submitted in has been subject to one round of public consultation, comprising of:
- Initial consultation comprised of 15 individual neighbour notification letters sent on 3<sup>rd</sup> September 2019;
  - Press notice run on 11<sup>th</sup> September 2019; and
  - A site notice displayed on 12<sup>th</sup> September 2019.

### **Statutory Consultees**

- 7.2 A summary of the consultation responses received along with the officer comments are set out in table below:

<b>Details of Representation and date received</b>	<b>Summary of Comments</b>	<b>Officers comments</b>
Transport for London	No comments to make.	Issues relating to highways are assessed in Section 15 of this report.  Conditions relating to cycle parking and construction management have been recommended in Appendix 2.

### **Council Departments**

- 7.3 A summary of the consultation responses received along with the officer comments are set out in table below:

<b>Details of Representation and date received</b>	<b>Summary of Comments</b>	<b>Officers comments</b>
<b>Conservation Officer</b>	Submitted comments raising no objections and noting that the proposal would preserve the character and appearance of the Charlton Village Conservation Area.	Issues relating to design and heritage are assessed in Section 11 of this report.  Conditions relating to materials and entrance gates have been recommended in Appendix 2.
<b>Environmental Health</b>	Submitted comments recommending refusal due to the potential for noise nuisance and disturbance in the rear private garden of the proposed dwelling from the adjacent pub garden.	Issues relating to quality of accommodation and noise are assessed in Section 14 of this report.  Conditions relating to noise and construction management have been recommended in Appendix 2.

<b>Highways Officer</b>	Submitted comments raising no objections.	<p>Issues relating to highways are assessed in Section 16 of this report.</p> <p>Conditions relating to cycle parking and construction management have been recommended in Appendix 2.</p>
<b>Occupational Health</b>	No response received.	<p>Issues relating to accessibility are assessed in Section 15 of this report.</p> <p>A condition securing compliance with Approved Document M4 Category 2 has been recommended in Appendix 2.</p>
<b>Waste Services</b>	No objection to bins being collected from The Village.	<p>Issues relating to refuse and recycling are assessed in Section 16 of this report.</p> <p>Conditions relating to commercial and residential refuse and recycling storage and collection have been recommended in Appendix 2.</p>
<b>Housing</b>	No comments to make.	
<b>Tree Officer</b>	No objections, subject to a replacement tree being planted in the pub garden.	<p>Issues relating to trees are assessed in Section 18 of this report.</p> <p>Conditions relating to hard and soft landscaping, tree protection and tree planting have been included in Appendix 2.</p>

## Local Residents, Businesses and amenity groups

7.4 A summary of the consultation responses received along with the officer comments are set out in table below:

Consultee	Summary of Comments	Officers comments
The Charlton Society	<ul style="list-style-type: none"> <li>• Object to loss of trees</li> <li>• Object to noise impact of White Swan on proposed dwelling</li> <li>• Object to excessive footprint of the dwelling</li> </ul>	<ul style="list-style-type: none"> <li>• Issued relating to trees are assessed in Section 17 of this report.</li> <li>• Issues relating to noise are assessed in Section 13 of this report.</li> <li>• Issues relating to design are assessed in Section 11 of this report.</li> </ul>
The Charlton Residents' Association	No response received.	

## Councillors

7.5 A summary of the consultation responses received along with the officer comments are set out in table below:

Councillor	Summary of Comments	Officers comments
<b>Councillor Gary Parker</b>	Raised objection to the proposal, the only ground given was concern that the application site notice was not displayed correctly because it did not include the date it was displayed.	The Council's records confirm that a site notice was displayed on 12 September 2020 and a photograph taken at the time of display by officers confirms that the date was written on the notice. In light of this the notice is considered to have been correctly displayed.

## Neighbouring residents

7.6 A summary of the consultation responses received along with the officer comments are set out in table below:

Summary of Comments	Officers comments
<ul style="list-style-type: none"> <li>• Object to loss of pub garden space;</li> <li>• Impact on viability of White Swan;</li> </ul>	<p>Issues relating to the principle of development and viability of the White Swan are addressed in Section 10 of this report.</p>
<ul style="list-style-type: none"> <li>• Impact on neighbour amenity;</li> <li>• Disturbance from pedestrian access along eastern boundary of site and vehicles accessing the site from Torrence Close;</li> </ul>	<p>Issues relating to neighbour amenity are addressed in section 13 of this report.</p>
<ul style="list-style-type: none"> <li>• Noise disturbance from adjacent pub for future occupiers of the development;</li> <li>• Lack of private amenity space for proposed dwelling;</li> <li>• On-site car parking not segregated from garden;</li> <li>• Pedestrian access to the site is unsafe;</li> </ul>	<p>Issues relating to the quality of residential accommodation are addressed in Section 14 of this report.</p>
<ul style="list-style-type: none"> <li>• Proposal would fail to preserve the character of the Charlton Village Conservation Area.</li> </ul>	<p>Issues relating to the design and heritage impact of the proposal are addressed in section 11 of this report.</p>

## 8 Planning Context

8.1 This application needs to be considered in the context of a range of national, regional and local planning policies and Supplementary Planning Guidance / Documents.

- **National Planning Policy Framework (NPPF - 2019)**
- **Planning (Listed Buildings and Conservation Areas) Act 1990 - Section 66 and 72**
- **The London Plan (March 2016)** - Full details of relevant policies refer to appendix 3.
- **The Intend to Publish London Plan (December 2019) (Intend to Publish LP)**- The Intend to Publish version has reached an advanced stage in the adoption process and save for those areas where the Secretary of State has directed modifications the policies in the Intend to Publish version are considered to have substantial weight as a material consideration in the determining of planning applications. Full details of relevant policies refer to appendix 3.
- **The Royal Greenwich Local Plan: Core Strategy with Detailed Policies (“Core Strategy” - 2014)** - Full details of relevant policies refer to appendix 3.

## 9 Material Planning Considerations

9.1 This section of the report provides an analysis of the specific aspects of the proposed development and the principle issues that need to be considered in the determination of application:

- Principle of Development
- Density
- Design and Heritage Impact
- Impact on Neighbouring Amenity
- Quality of Accommodation
- Inclusive Design
- Highways/Refuse
- Sustainability
- Trees
- CIL

## **10 Principle of development**

10.1 At the heart of NPPF, London Plan policy and the Council's Core Strategy policy is the delivery of sustainable development. National policy promotes the bringing forward of sufficient land of a sustainable quality and in appropriate locations to meet the needs of housing, industrial, retail and commercial development.

### *Impact on viability of the White Swan public house*

10.2 Paragraph 8 of the NPPF states that: There are three dimensions to sustainable development: economic, social, and environmental. These dimensions give rise to the need for the planning system to perform a number of roles, including a social role - supporting strong, vibrant and healthy communities, by creating a high quality built environment, with accessible local services that reflect the community's needs and support its health, social and cultural well-being.

10.3 London Plan Policy 3.16 protection and enhancement of social infrastructure states that Development proposals which provide high quality social infrastructure will be supported in light of local and strategic social infrastructure needs assessments. Proposals which would result in a loss of social infrastructure in areas of defined need for that type of social infrastructure without realistic proposals for re-provision should be resisted. The suitability of redundant social infrastructure premises for other forms of social infrastructure for which there is a defined need in the locality should be assessed before alternative developments are considered.

10.4 Policy EA(b) of the Core Strategy (2014) seeks the retention of pubs that have a community role and will resist the change of use or demolition except where continued use as a pub is no longer economically viable and where evidence of 2 years of marketing demonstrates that it is not reasonable capable of being made viable. There is a presumption to protect public houses within the borough and the council would welcome refurbishments to improve its viability.

10.5 The proposal would redevelop part of the beer garden (approximately 95m<sup>2</sup> based on the amended drawings, excluding the extended driveway). The remaining area of the beer garden would comprise an area of 230m<sup>2</sup> (reduced from an existing area of 325m<sup>2</sup>). The submitted Viability Statement (dated February 2020) for the White Swan, following requests by planning officers confirms that the area of pub garden retained would continue to provide

usable outdoor space for patrons and would be proportional in size to the pub gardens of surrounding pubs. The Viability Statement also confirmed that the existing area of pub garden space is not integral to the overall viability of the White Swan because the significant and high quality internal facilities and the nature of the food and drink offering are also key selling points of the pub.

- 10.6 The Inspector noted in the appeal referenced APP/E5330/W/16/3148088 dismissed 24/11/2016 that it had not been satisfactorily demonstrated that noise from the pub garden would not have an adverse impact on the living conditions of the future occupiers and this could lead to pressure on the White Swan. The Inspector did however state that, this would not be sufficient in their view to refuse the scheme if it were the only objection to it. However, as there were other concerns with the scheme there was a degree of conflict and as such raised as a concern.
- 10.7 The impact of noise on the quality of proposed residential accommodation is discussed in section 14 of this report, however the current application is supported by a Noise Impact Statement which demonstrates an acceptable level of noise within the dwelling and any residual impact on the private rear garden of the dwelling adjacent to the public house would not have an unacceptable impact on the amenity of future occupiers of the development and could be satisfactorily mitigated by an acoustic fence which has been recommended as a condition, such that noise complaints from the future occupiers of the development would not harm the viability of the White Swan.
- 10.8 Therefore, the loss of 95sqm of pub garden space would not unacceptably harm the continued viability of the White Swan and the proposal is in accordance with Policy 3.16 and EA(b).

*Principle of an infill residential development*

- 10.9 The Royal Borough of Greenwich makes a major contribution to London's Housing provision, having the third largest target for new housing of all London Boroughs. It is vital that the Royal Borough's unique housing needs are met, while still contributing to the overall London housing numbers. The Borough's current target for the plan period is for a minimum of 26,850 net additional dwellings over the 10-year period 2015 - 2025 (an average of 2,685 per year, as set out in the London Plan 2016). The current application would positively contribute to this if found acceptable and permission approved. The Draft London Plan also sets ambitious targets for housing which the development would also contribute to.

10.10 Policy 3.3 of the London Plan (2016) highlights the pressing need for more homes in London and states that Boroughs should seek to achieve and exceed relevant minimum borough annual average housing targets. This is supported by Policy 3.4 which adds that development should optimise housing output for different types of location.

10.11 The proposal is for the creation of a single 3-bedroom dwellinghouse on the site which would contribute to the housing targets set by the Borough and London in general and would also provide a much-needed family unit in the Borough in meeting the above policy framework.

10.12 In this instance, the proposal would constitute backland development. The Council's Policy H(c) Backland and Infill Development states that due to the pressure for land for new housing in Royal Greenwich, infill and backland sites are increasingly considered for housing development. However, it states that in order for such developments to be considered acceptable, they must comply with the following criteria:

- i. There is no unreasonable reduction in the amount of amenity space enjoyed by existing residents, especially for those in houses with the shared use of a garden;*
- ii. There is no unreasonable loss of privacy from overlooking adjacent houses and/or their back gardens (also see Policy DH(b));*
- iii. There is no unreasonable increase in noise and disturbance from traffic gaining access;*
- iv. There is no significant loss of wildlife habitats, particularly trees or shrubs which would adversely affect the appearance and character of the area; and*
- v. The character of the area is maintained with particular regard to the scale, design and density of the development.*

10.13 The proposal would not reduce the private amenity space for any residents, given it does not relate to an existing residential property. It is acknowledged though that the proposal would reduce the area of the beer garden, which serves as amenity space for the pub however as stated above this loss is considered to be acceptable; compliance with criteria (i) would therefore be achieved.

10.14 The proposed house would be single storey and therefore the windows of the development would not overlook surrounding properties due to the presence of screening provided by the existing boundary treatments.

- 10.15 The proposal is intended to incorporate one (1) on-site car parking space, to be accessed via Torrance Close. Given the existing function of Torrance Close as a service road and the existing vehicular access facilitated to the site via Torrance Close, no significant increase in traffic movements or related noise is considered to result from a car accessing the proposed family dwelling in accordance with criteria iii.
- 10.16 The proposal would result in the loss of several trees however the site is not subject to any ecological designations and none of the trees are subject to a TPO therefore the loss of these trees is considered to be acceptable and the proposal would not result in an unacceptable loss of wildlife habitat in accordance with criteria iv. Conditions relating to hard and soft landscaping, tree protection and tree planting have been included in Appendix 2.
- 10.17 The scale of the proposed dwellinghouse would be subordinate to surrounding buildings and would not appear prominent in the streetscene. The architectural form is considered to be high quality and sympathetic to surrounding architectural character. In light of this the development would preserve the character of the area, in accordance with criteria v. A more detailed discussion of the design and heritage impact of the development follows in section 12 of this report.
- 10.18 In summary the proposed infill development is acceptable in principle and a discussion of all other relevant planning considerations follows in the remainder of this report.

## **11 Density**

- 11.1 Development policy seeks to optimise the development capacity of a site. As part of this assessment table 3.2 of the London Plan sets out recommended density thresholds for sites depending on their location and their accessibility to public transport (PTAL rating). The application site is characterised as an urban area with a modest access to public transport with a PTAL rating of 4.
- 11.2 The recommended density level for the site is therefore between 150-250 habitable rooms per hectare (50-95 units per hectare). Whilst the density of the proposed development would be 144 habitable rooms per hectare and therefore below the guidance, it is still considered in this circumstance acceptable.

## **12 Design and Heritage**

- 12.1 The NPPF seeks, in summary and in reference to this report, to promote good quality living through design and sustainable environments and conserve and enhance the historic environment. New development should make a positive contribution to local character and distinctiveness.
- 12.2 The site lies within the Charlton Village Conservation Area and is also within an Area of Special Character.
- 12.3 Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires special attention to be paid to the preservation and enhancement of the character and appearance of the conservation area(s). Paragraph 193 of the NPPF states that great weight should be placed on the conservation of designated heritage assets, with clear and convincing justification being required for any harm to, or loss of, the assets significance (paragraph 194). This same requirement is in place at the local level, through Policy 7.8 of the London Plan and Policies DH3 and DH(h) of the Core Strategy. Policy H5 of the Core Strategy requires proposals to have a high quality of design and to be limited to a scale and design appropriate to the building and locality.
- 12.4 Paragraph 193 of the NPPF (2019) states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). Paragraph 194 of the NPPF states that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.
- 12.5 As well as considering the above policies, it is also key that the proposal addresses the grounds for dismissal from the earlier appeal. The Inspector concluded that 'the proposed development would unacceptably harm the character and appearance of the local area (and conservation area)'. Specific issues identified by the Inspector related to the following:
- The cramped layout, detailed design, flat roof form and extensive glazing would be at odds with properties in the immediate locality.
  - With limited space around the new building on 3 sides, the proposal would appear cramped in terms of layout.
  - The flat roof, together with large expanses of solid uninterrupted brick walls, would contribute to an overly bulky 'box-like' structure with an outward appearance that would be unattractive, rudimentary and uncertain.

- The proposed development would not achieve the stated objective of high quality design nor would it assimilate well in its back land setting nor blend into its immediate surroundings.

- 12.6 The modern architectural style of the proposed dwelling allows for clear visual differentiation from the buildings in the vicinity, whilst the incorporation of materials and features characteristic of the surrounding area (for example brickwork, chimneys, roof tiles and a pitched roof form) assist in the dwelling sympathetically integrating with its context.
- 12.7 The scale and massing of the proposed dwelling are also considered appropriate for the site. In particular, by virtue of its single storey form, the dwelling would not be visible from The Village, and would not be a dominant or obtrusive feature in other views, including from the rear of The White Swan, the upper level windows of other nearby development or the adjoining parkland.
- 12.8 The articulated mass of the building, achieved through the two (2) wings and central corridor, would break-down the building bulk and prevent the dwelling appearing as 'an overly bulky box-like structure'. The setbacks from all boundaries together with the suitably-proportioned amenity spaces to the front and rear would further soften the appearance of the built form and contribute to the 'green', low density character of the area. Whilst the Inspector previously identified that limited space on three (3) sides would contribute to a cramped layout, this is considered to have been overcome through the setbacks now provided adjacent to all boundaries together with the new layout of outdoor amenity spaces across the site.
- 12.9 From Torrance Close and neighbouring properties, the brick boundary wall would continue to be the most prominent aspect of the development, which reflects the existing situation and the general street scene of Torrance Close. Those elements of the dwelling extending above the height of the boundary wall, including the proposed brickwork elevations, roof tiles and chimney stacks, would reflect surrounding development. The integration of the dwelling with its surrounds would be further assisted by the height of the building, which would be contained below the canopy height of nearby trees.
- 12.10 In addition, the proposed façade finishes, including the natural materials and neutral palette, generally reflect the surrounding area and would be considered visually recessive. Whilst large expanses of glazing are not characteristic, the projecting brick pillars are considered to suitably break-down the appearance of the glass box. These design features are considered

to overcome the Inspector's concerns with extensive glazing being at odds with the immediate locality.

- 12.11 Further, the varying design and pitch of the roof form, appropriately-positioned building openings, and modulated building mass as achieved through the tri-wings, would avoid the unattractive, box-like appearance previously criticised by the Inspector. Accordingly, by virtue of architectural design, scale, massing, materials and finishes, the proposed dwelling is considered to appropriately relate to adjoining properties, the street scene and the character of the Charlton Village Conservation Area. The previous grounds for dismissal are considered to have been appropriately addressed.
- 12.12 The Council's Conservation Officer reviewed the proposal and submitted comments stating that the development would be discreet within the streetscene and would not have a detrimental effect on the character and appearance of the conservation area, subject to details of material and the entrance gates being secured by condition; conditions to this effect have been added in Appendix 2.
- 12.13 The site also lies within an Area of Special Character which is predominantly characterised by the green open spaces including Charlton House Gardens and Charlton Park to the south of the site. As the proposed development is single storey and limited in footprint it would not affect the green and open character of the area, in accordance with Policy DH(l).
- 12.14 In summary, the proposed development would preserve the character and appearance of the Charlton Village Conservation Area as well as the surrounding Area of Special Character, in accordance with Chapter 16 the NPPF, Policies 7.4, 7.6 and 7.8 of the London Plan (2016), and Policies DH1, DH3, DH(h) and DH(l) of the Core Strategy (2014).

### **13 Residential Amenity**

- 13.1 Core Strategy Policy DH(b) states that new developments will only be permitted where it can be demonstrated that the proposal does not cause an unacceptable loss of amenity to adjacent occupiers by reducing the amount of daylight, sunlight or privacy they enjoy or result in an unneighbourly sense of enclosure.
- 13.2 Policy 7.15 of the London Plan requires development proposals to seek to reduce noise and manage the effects of noise.

- 13.3 Core Strategy Policy EA(a) states that planning permission will not normally be granted where a proposed development or change of use would generally have a significant adverse effect on the amenities of adjacent occupiers or uses, and especially where proposals would be likely to result in an unacceptable emission of noise, light, vibrations, odours, fumes, dust, water and soil pollutants or grit.
- 13.4 The proposed dwelling would adjoin the beer garden of The White Swan to the north, communal outdoor space associated with the block of flats to the west, Torrance Close to the south (on the opposite side of which is situated Charlton House Grounds), and garages and a service yard to the west. As such, the site would not immediately adjoin any sensitive uses or habitable rooms and would be substantially-distanced from any such sensitive uses. As well as this substantial separation distance, the proposed dwelling would be buffered from the nearest residential properties by boundary walls and vegetation.
- 13.5 Given this separation, combined with the single storey form of the proposed dwelling and landscaped setbacks adjacent to all site boundaries, the proposal is not considered to unacceptably impact on sense of enclosure, outlook or daylight/sunlight access for any neighbouring property. Likewise, by virtue of its single storey form and the 1.8m high boundary wall, the proposal would not give rise to any unacceptable overlooking.
- 13.6 Further, the residential use of the site for a single dwellinghouse is not anticipated to generate excessive levels of noise, light or other emissions. Noting the current mix of uses in the area, any emissions associated with the use of the dwelling are considered to be largely imperceptible compared to existing background levels.
- 13.7 Therefore the proposal would suitably safeguard neighbouring amenity, including with respect to sense of enclosure, outlook, daylight/sunlight, privacy, noise, light and other emissions, in accordance with Policies 7.6 and 7.15 of the London Plan and Policies DH(b) and E(a) of the Core Strategy.

## **14 Quality of Accommodation**

- 14.1 With regards to unit type, the development seeks to deliver one 3-bedroom dwellinghouse arranged over one floor for 5 persons

14.2 An assessment of the proposed dwelling against the required space standards is considered below in line with Table 3.3 'Minimum space standards for new dwellings of the London Plan, and the Nationally Described Space Standards.

<b>House</b>	<b>Nationally Described and London Plan Space Standard's (m<sup>2</sup>)</b>	<b>Proposed GIA (m<sup>2</sup>)</b>
<b>1 storey 3 bedroom 5 person house</b>	86	88

14.3 As can be seen from the above, the dwellinghouse meets the minimum GIA requirements of the London Plan. All of the bedrooms would exceed the minimum size internal floor space requirements of 11.5sqm for a double bedroom and 7.5sqm for a single bedroom. The dwellinghouse would also have a usable layout and sufficient built in-storage of at least 2.5sqm would be provided. London Plan Policy 3.5 requires new dwellings to provide a minimum of 2.5m floor to ceiling height for at least 75% of the gross internal area (GIA) which the proposed dwellinghouse would fail to achieve, however it would provide 2.3m internal ceiling height for at least 75% of the GIA which complies with the Nationally Described Space Standards (2015) which is considered to be acceptable in this instance. This indicates that the dwellinghouse would provide sufficient internal living space.

*Outlook, light and privacy*

14.4 Standard 29 of the London Plan Housing SPG (2016) states that developments should minimise the number of single aspect dwellings. Standard 32 of the SPG states that all homes should provide for direct sunlight to enter at least one habitable room for part of the day. Standard 28 of the SPG states that design proposals should demonstrate how habitable rooms within each dwelling are provided with an adequate level of privacy in relation to neighbouring property, the street and other public spaces.

14.5 Royal Greenwich Local Plan; Core Strategy Policy H5 states that the quality of new housing should meet the standards of Mayor of London's Housing SPG. Policy H5 also confirms the Council's presumption against single-aspect north facing units and a presumption in favour of dual aspect units where possible.

14.6 The dwellinghouse would have 360 degree aspect at and all habitable rooms would be served by at least one window which would provide sufficient natural light and outlook. None of the habitable rooms of the proposed dwelling would be significantly overlooked and a reasonable level of privacy would therefore be afforded to future occupants.

*Private external space*

14.7 The London Housing SPG (2016) standard 26 requires a minimum of 5sqm of private outdoor space for 1-2 person dwellings, and an extra 1sqm should be provided for each additional occupant. Policy H5 requires housing suitable for family occupation (3+ bedrooms) should provide at least 50sqm of private garden space.

14.8 The proposed dwellinghouse would benefit from a main private garden to the south of the dwellinghouse as well as a small courtyard to the north of the site which exceed to the policy requirement for external amenity space.

*Noise*

14.9 Core Strategy Policy EA(a) states that planning permission will not normally be granted where a proposed development or change of use would generally have a significant adverse effect on the amenities of adjacent occupiers or uses, and especially where proposals would be likely to result in an unacceptable emission of noise, light, vibrations, odours, fumes, dust, water and soil pollutants or grit; this is supported by Policy 7.15 of the London Plan.

14.10 The submitted Noise Impact Statement documents the results of an environmental noise survey undertaken at the site. At the time of the survey, the background noise climate was made up by distant road traffic noise from the nearby B210 and noise from patrons sitting in the beer garden of The White Swan. The report concludes that subject to implementation of sound insulation, acoustic glazing and appropriate ventilation strategies in the construction of the dwelling, noise levels within the dwelling would be within national guidelines and noise disturbance would not occur.

14.11 The Council's Environmental Health Team recommended the application be refused citing concerns that noise from the adjacent pub garden would harm the amenity of the future occupiers of the development due to the proximity of the rear garden of the dwelling to the pub garden. Officers acknowledge these concerns but note that the primary external amenity space for the

dwelling would be to the south separated from the pub garden by the bulk of the proposed building which would satisfactorily screen noise from the pub garden and mitigates that concerns raised by Environmental Health.

14.12 Furthermore, the Inspector noted in the appeal referenced APP/E5330/W/16/3148088 dismissed 24/11/2016 that it had not been satisfactorily demonstrated that noise from the pub garden would not have an adverse impact on the living conditions of the future occupiers and this could lead to pressure on the business. The Inspector did however state that, this would not be sufficient in their view to refuse the scheme if it were the only objection to it. However, as there were other concerns with the scheme there was a degree of conflict and as such raised as a concern. The current application is supported by a Noise Impact Statement which demonstrates an acceptable level of noise within the dwelling. In light of the comments from the Inspector the impact of the pub garden on the private rear amenity space of the proposed dwelling would not be sufficient to warrant refusal of the application.

14.13 To ensure that the impact of noise from the pub garden on the rear amenity space of the proposed dwelling is minimised, details of an acoustic fence along the north boundary of the site has been recommended as a condition.

14.14 In summary, the proposed development would provide an acceptable standard of residential accommodation for future occupants of the new development, in accordance with London Plan Policies 3.5 and 7.15, the Mayor's Housing SPG and Policies H5 and E(a) of the Core Strategy.

## **15 Inclusive design**

15.1 London Plan Policies 3.5 and 3.8 state that new housing must meet building regulation M4(2) 'accessible & adaptable dwellings'. Policy 7.2 requires developments to be designed so that they provide an inclusive environment for all members of society.

15.2 Core Strategy Policy H5 supports the principles of inclusive living environment and Policy DH1 also states that all new developments should achieve accessible and inclusive environments. It is advised that any new dwelling is designed to meet Part M4(2) of the Building Regulation as it is a requirement of London Plan Policies 3.5 and 3.8 and Core Strategy Policy H5.

15.3 The development should comply with the standards of Approved Document M4 category 2: accessible and adaptable dwellings and highlighted the following shortfalls in M4(2) compliance. Officers consider that the design and layout of the development could be reasonably amended to comply with the standards of Approved Document M4 category 2 and compliance would therefore have been recommended as a condition.

## **16 Highway and Refuse and Recycling**

16.1 London Plan Policy 6.13 requires the maximum standards in Table 6.2 to be applied. Core Strategy Policy IM(c) states that developments must provide the minimum level of car parking provision necessary as set out in the London Plan. This is supported by Policy IM4 of the Core Strategy which seeks to promote sustainable forms of transport.

16.2 Policy 6.10 of the London Plan required development proposals to ensure high quality pedestrian environments and emphasise the quality of the pedestrian and street space.

16.3 One on-site car parking space would be provided in front of the entrance to the dwelling accessed from an existing crossover on Torrence Close. The site has a moderate PTAL of 4 and would provide 3 bedroom accommodation for which one on-site car parking space is appropriate and in accordance with the maximum standards of the London Plan.

16.4 London Plan Policy 6.9 states that developments should provide secure, integrated and accessible cycle parking facilities in line with the minimum standards set out in Table 6.3. Table 6.3 Cycle Parking minimum standards states that for CI uses 1 long stay space should be provided per 20 bedrooms and 1 short stay space per 50 bedrooms.

16.5 The development would provide 2 cycle parking spaces at the rear of the site which meets the requirements of Table 6.3 of the London Plan.

### *Refuse and recycling*

16.6 London Plan Policies 5.16 and 5.17 require developments to minimise waste and encourage recycling. Policy DH1 of the Core Strategy requires development proposals to demonstrate on-site waste management including evidence of waste reduction, use of recycled materials and dedicated recyclable waste storage space.

- 16.7 Refuse and recycling storage would be provided adjacent to the north east corner of the dwellinghouse, from which it would be transported by future occupants of the dwelling to the curb on The Village to the north on collection days because Greenwich refuse vehicles do not collect refuse from Torrence Close. The drag distance for the bins would be 30m along a flat private pathway along the eastern boundary of the site which is considered to be an acceptable distance in this instance. Details of bin storage at the northern end of the site on collection days has been recommended as a condition to ensure that bins are positioned appropriately and rationalised with the commercial activities of The White Swan.
- 16.8 In summary, subject to the recommended condition, the parking and refuse and recycling storage facilities for development are acceptable and in accordance with Policies, 5.16, 5.17, 6.9, 6.10 and 6.13 of the London Plan and Policies DHI, IM4, IM(b) and IM(c) of the Core Strategy (2014).

## **17 Sustainability**

- 17.1 London Plan policy 5.2 requires developments to incorporate sustainable design measures and should make the fullest contribution to minimising carbon dioxide emissions in accordance with the following energy hierarchy:
- 1) Be lean: use less energy
  - 2) Be clean: supply energy efficiently
  - 3) Be green: use renewable energy
- 17.2 London Plan Policy 5.15 states that developments should minimise the use of mains water by incorporating water saving measures and equipment, and residential development should be designed so that mains water consumption would meet a target of 105 litres or less per head per day. A condition to requiring the development to be designed to minimise mains water consumption has been recommended.
- 17.3 In light of the above, the proposed development would comply with London Plan Policies 5.2 and 5.15.

## **18 Trees**

- 18.1 London Plan Policy 5.10 states that development proposals should integrate green infrastructure from the beginning of the design process to contribute to urban greening, including the public realm.
- 18.2 London Plan Policy 7.12 states that existing trees of value should be retained and any loss as the result of development should be replaced following the principle of 'right place, right tree'. Wherever appropriate, the planting of additional trees should be included in new developments, particularly large-canopied species.
- 18.3 Policies OS4 and OS(f) of the Core Strategy seek to protect, restore and enhance biodiversity. Gardens are recognised as important elements of green space and provide an opportunity for residents to conserve and enhance biodiversity.
- 18.4 The site contains 12 trees of varying quality however is none are subject to any Tree Preservation Orders. The submitted Tree Survey states that all trees within the site will require removal to facilitate the development.
- 18.5 The submitted Tree Survey states that 'given the minimal visual amenity value of these trees direct mitigation by way of new planting is not thought to be necessary in this context. It may however be considered appropriate to plant a replacement for tree T2 (Willow); a species of small compact growth habit would be preferable given the proximity to the proposed development'. The Tree Survey also states that only one (1) tree on adjoining sites would be affected (being T3), however the impact on this tree would not unacceptably compromise this tree.
- 18.6 The Council's Tree Officer submitted comments raising no objection to the removal of the trees and recommended that tree T2 (Willow) be felled and a suitable replacement tree planted in the pub garden because of the poor condition of the tree. Details of a replacement tree have been recommended as a condition in Appendix 2.
- 18.7 In light of the comments from the Tree Officer and the provision of replacement planting and landscaping, the loss of the trees on the site is considered to be acceptable and in accordance with Policies 5.10 and 7.12 of the London Plan and Policies DH1, DH(l), OS4 and OS(f) of the Core Strategy.

## **19 Community Infrastructure Levy (CIL)**

- 19.1 The Mayor has introduced a London-wide Community Infrastructure Levy (CIL) to help implement the London Plan, particularly policies 6.5 and 8.3. The Mayoral CIL<sup>2</sup> formally came into effect on 1st April 2019, and it will be paid on commencement of most new development in Greater London that was granted planning permission on or after that date. The Mayor's CIL will contribute towards the funding of Crossrail. The Mayor has arranged boroughs into three charging bands. The rate for Greenwich is £35 per square metre.
- 19.2 The Royal Borough adopted its Local Community Infrastructure Levy (CIL) charging schedule, infrastructure (Regulation 123) list, instalments policy and exceptional circumstances relief policy on the 25th March 2015 and came into effect in Royal Greenwich on the 6th April 2015.
- 19.3 The proposed development would not be liable to the Mayor's CIL and the RBG Community Infrastructure Levy.

## **20 Implications for Disadvantaged Groups**

- 20.1 The implications for disadvantaged groups identified below are an integral part of the consideration of the development and community benefits as set out in the report:
- There are no specific implications for disadvantaged groups identified for the application.

## **21 Conclusion**

- 21.1 The development of part of the pub garden of The White Swan would maintain the viability of the pub and would provide a high quality residential development which would preserve the amenity of neighbour properties as well as the character and appearance of the Charlton Village Conservation Area.
- 21.2 The proposal has overcome the refusal reasons attached to the previous application on the site for a similar proposal referenced

- 21.3 The proposal is in accordance with the NPPF (2019) and relevant policies of the London Plan (2016) and Royal Greenwich Core Strategy (2014), as well as the Draft New London Plan yet to be formally adopted.
- 21.4 Accordingly, it is recommended that planning permission be granted for application reference ,in line with Section I of this report.

**Background Papers:**

National Planning Policy Framework (2019)

The London Plan (2016)

he Intend to Publish London Plan (2019)

Royal Greenwich Local Plan: Core Strategy with Detailed Policies (2014)

Responses from consultations

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