

# Greenwich Area Planning Committee

## Agenda

**Place** To Be Held Remotely

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**Date** Tuesday, 09 March 2021

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**Time** 6:30 PM

This meeting is viewable by the press and public on the Council's [Youtube Channel](#).

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### Councillors

Stephen Brain (Chair)	Labour
Mariam Lolavar (Vice Chair)	Labour
Norman Adams	Labour
Chris Lloyd	Labour
Maureen O'Mara	Labour
Aidan Smith	Labour
Vacancy	Labour
Geoffrey Brighty	Conservative
Pat Greenwell	Conservative

Members are reminded that officer contacts are shown at the end of each report and they are welcome to raise questions in advance with the appropriate officer. This does not prevent further questioning at the meeting.

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If you require further information about this meeting please contact the Corporate Governance Officer:  
Jean Riddler  
Email: [corporate-governance@royalgreenwich.gov.uk](mailto:corporate-governance@royalgreenwich.gov.uk)

## Agenda

- 1 Apologies for Absence**  
To receive apologies from Members of the Committee
- 2 Urgent business**  
The Chair to announce any items of urgent business circulated separately from the main agenda.
- 3 Declarations of Interests**  
Members to declare any personal and financial interests in items on the agenda. Attention is drawn to the Council's Constitution, the Council's Code of Conduct and associated advice.
- 4 I Hyde Vale, Greenwich, London, SE10 8QG ref: 20/2645/MA**  
The Committee is requested to grant a Minor Material Amendment to application I8/2743/MA, as outlined in the report.

Date of Issue  
Monday, 01  
March 2021

Debbie Warren  
Chief Executive

### Remote Meetings

This meeting will be conducted remotely in accordance with the Coronavirus Act 2020 and related regulations.

This meeting will be viewable live, and for one year afterwards, on the Council's Youtube Channel: <https://www.youtube.com/user/royalgreenwich>

Those who have agreed to participate in the meeting have deemed to have consented to being recorded, and to the public use of the recording.

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## **AREA PLANNING COMMITTEES PUBLIC INFORMATION**

### **PLEASE TURN ALL MOBILE PHONES TO SILENT MODE**

#### **Terms of Reference**

The Area Planning Committees have delegated powers to take decisions on matters within their Terms of Reference as published in the Council's Constitution.

#### **Areas**

The three Area Planning Committees (APC) deal with matters relating to the following Wards:

**Eltham & Kidbrooke APC** covers: Coldharbour & New Eltham, Eltham North, Eltham South, Eltham West, Kidbrooke with Hornfair, Middle Park & Sutcliffe, and Shooters Hill.

**Greenwich APC** covers: Blackheath Westcombe, Greenwich West, and Peninsula.

**Woolwich & Thamesmead APC** covers: Abbey Wood, Charlton, Glyndon, Plumstead, Thamesmead Moorings, Woolwich Common and Woolwich Riverside.

#### **Determining planning applications**

When determining planning applications and related matters Officers and Councillors must adhere to important principles set out in legislation and Central Government Guidance.

Applications shall be determined in accordance with the Development Plan unless material considerations indicate otherwise. (Section 38A, Planning and Compulsory Purchase Act, 2004). The development plan comprises the Royal Greenwich Local Plan: Core Strategy with Detailed Policies 2014 and the Spatial Development Strategy for Greater London.

The Key Principles of which are:

- If there are other material considerations, the Core Strategy is the starting point and other considerations weighed up against it.
- Where the Core Strategy is not relevant or there are policy conflicts, the application must be treated on its merits.

## **Material Planning Considerations include;**

- Statutory provisions contained in Planning Acts and Statutory Regulations and Planning Case Law.
- Central Government planning policy and advice as contained in Circulars, The National Planning Policy Framework (NPPF) and National Planning Policy Guidance (NPPG).
- Planning Briefs and other Supplementary Planning Guidance, e.g. Home Extension Guidelines.
- Site specific issues such as availability of infrastructure, density, car parking.
- Environmental effects such as effect on light, noise, overlooking, effect on the street scene.
- The need to preserve or enhance the Special Character or appearance of Conservation Areas and protect Listed Buildings.
- Previous planning decisions, including appeals.
- Desire to retain and promote certain uses.

## **Matters that must not be taken into account when determining planning applications include**

- Moral and religious issues.
- Unfair competition.
- Breach of private covenants or other property rights.
- Devaluation of property.
- Protection of a private view.
- Identity of an applicant or occupier.

### **LEAD OFFICERS**

Assistant Director (Planning and Building Control)

Major Developments Manager - Major Projects

Area Development Manager West

Area Development Manager East

Legal Adviser – Planning

Corporate Governance Officer

## **Area Planning Committees are meetings in public, not public meetings.**

This meeting is being streamed live on the Council's YouTube Channel and a recording of this meeting will be available to view for one year after this meeting.

New emergency Regulations have been introduced to enable local authorities to hold virtual remote meetings. To ensure the smooth running of these virtual meetings, some of the Council's procedures have been amended in accordance with emergency powers.

The following additional procedure rules will apply to meetings of the Area Planning Committees, which will all be held via the online Zoom facility.

Only those members of the public who have registered to speak at the meeting 2 working days before the meeting, will be provided with a link to participate in the meeting.

- During the meeting, all participants will be in control of their own microphone on Zoom.
- The microphone should be set to mute at all times until the Chairperson invites you to address the Committee
- Any member of the Committee who wishes to ask questions to an officer or to a speaker who has verbally addressed the Committee, or to speak during the discussion part of the meeting, should do so by raising the thumbs up icon on Zoom. Please be patient, the Chairperson will be aware you wish to speak and will come to you in due course.

Each speaker will have two, or more, minutes each to speak (at the Chairperson's discretion). Members of the Committee will then have the opportunity to address questions to the speaker, after which the speaker's participation in the meeting will end.

- The 'chat' function on Zoom will be disabled in the interests of transparency.

The Chairperson will have complete discretion of the procedure to be adopted for the meeting and the order in which those entitled to address the Committee are permitted to make his or her submissions.

If you have activated the raised hand function while speaking, please remember to switch it off once you have finished your submission.

· If the Chairperson needs to adjourn the meeting, she /he will announce the time of adjournment and indicate when the meeting will be reconvened, and all participants should stay in the meeting until the meeting has ended.

Any member of the Committee who loses visual or audio connection during the virtual meeting must notify the Chair before any voting takes place and the loss of connectivity will be recorded within the minutes of the meeting.

Voting on any agenda item will take place by the Chair asking each member of the Committee on how they wish to vote.

## **The Procedure for considering Applications**

The conduct of the meeting is at the discretion of the Chair. According to the number of items to be considered, the Chair will strictly control the time for speakers wishing to address the Committee.

Any additional material (i.e. photographs, dioramas' etc.) not previously submitted to Planning Officers that you wish to draw to the attention of the Committee must be submitted no less than two working days before the meeting to the Corporate Governance Officer at [corporate-governance@royalgreenwich.gov.uk](mailto:corporate-governance@royalgreenwich.gov.uk) .

Any documentation received after this deadline, including at the meeting, will not be accepted. This deadline is to allow sufficient time to scrutinise any additional information and for it to be presented to Members.

At the start of the meeting the Chair will summarise the procedure to be followed and announce that anyone wishing to address the Committee should give the Corporate Governance Officer their names, as if they are not included on the list they will not be permitted to speak.

- 1 Council Officers will introduce each item, outlining Officers' recommendations on the matter, and answer any questions from the Committee. The Chair will then invite members of the public on the list to come to the table and address the Committee.
2. Both objectors to and supporters of an application, including amenity societies will be invited to address the Committee. The Chair has indicated that the following times will generally be allocated to speakers on any one application. The Chair may vary the time available, e.g. where there is a significant number of speakers or where there is a repetition or non-planning matters are being raised.
  - Individuals – up to two minutes each
  - Organised groups – up to four minutes each
  - Elected representatives (MPs and Councillors) – up to five minutes each
  - Applicant – up to 10 minutes



3. Comments should be confined to planning matters and the public will be advised to include everything they wish to say in one contribution, as normally no further opportunity will arise. It must be noted that only relevant planning considerations can be taken into account when considering planning applications (see 'determining planning applications' for details).
4. Members of the Committee may wish to ask questions. The speaker should return to the public seating area. There will be no further input or interruption from members of the public.
5. The Applicant and or their representatives will be invited to address the Committee, once all other parties have spoken, in order to respond to any points raised by previous speakers or Members.
6. The public will be able to listen to the Councillors' discussing the item and coming to a decision. The Chair will then announce the decision.



<b>GREENWICH AREA PLANNING COMMITTEE</b>	
<b>TITLE</b> Declarations of Interests	<b>ITEM NO.</b> 3
<b>CHIEF OFFICER</b> Chief Executive	

**1. Decisions Required**

The Committee is requested to:

- 1.1 Note the list of Councillors’ memberships (as Council appointed representatives) on outside bodies, joint committees and school governing bodies.
- 1.2 Request that Members orally declare any personal or financial interests, including those detailed, in specific items listed on the agenda as they relate to matters under discussion.

**2. Members’ Interests**

- 2.1 Appended to this report is a list of the outside bodies, joint committees and school governing bodies that each member of the Planning Board has been appointed to by the Council or the Leader. The list does not include bodies with which a Member is involved in a personal or private capacity.

**Personal interests**

- 2.2 A Member has a personal interest where any business is likely to affect:
  - (a) them, or
  - (b) a relevant person or a relevant body (where the Member is aware that they have the interest);

more than a majority of those in the ward you represent.

A **relevant person** is defined as the member’s spouse or civil partner, a person who they are living with as husband and wife or as civil partners, or a person with whom they have a close association.<sup>1</sup>

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<sup>1</sup> See the guidance in Annex 1 of the Code of Conduct

A **relevant body** is defined as (a) any organisation, school governing body or outside committee or trust which they have been appointed to by the Royal Borough or by the Leader, or (b) any other voluntary organisation, school governing body or commercial organisation where you are a management committee member, school governor, trustee or director.

2.3 Members must declare the existence and nature of any personal interest at the start of the meeting, or when the interest becomes apparent. Members must say which item their interest relates to.

2.4 A Member who has a personal interest may stay, speak and vote, except where the business:

(a) affects the financial position of the Member or any person or body described in paragraph 2.2 above, or

(b) relates to an interest that would be affected financially or relates to the determining to any approval, consent, licence, permission or registration in relation to the Member or any person or body described in paragraph 2.2 above

### **Financial Interests**

2.5 A Member has a financial interest where any business relates to or is likely to affect an interest set out in paragraph 18 of the Code of Conduct, and which is the Member's interest or the interest of a person described in paragraph 2.2(a) above.

2.6 Members must declare the existence and nature of any financial interest at the start of the meeting, or when the interest becomes apparent. Members must say which item their interest relates to.

2.7 A Member who has a financial interest must leave the meeting, but may attend to make representations, answer questions or give evidence relating to the business, provided that the public are also allowed to attend the meeting for the same purpose, and provided they leave the meeting immediately after doing so. The Member must not participate in the discussion nor the vote.

### **General**

2.8 The Code also requires Members to declare interests in relation to relevant bodies for six months after ceasing from being a member and take the appropriate action in relation to financial interests.

Background Papers

Agenda and Minutes of the Annual Meeting of the Council – 15 May 2019.

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<b>Councillor</b>	<b>Organisation</b>	<b>Role</b>	<b>Governorship</b>
Adams	Greenwich Dance Agency	Member	
Brighty	Blackheath Joint Working Party	Member	
Fletcher, L	Greenwich Blue Coat Foundation	Member	
Khan	-		
Lloyd	Overview & Scrutiny Joint Health Committee	Member	
Merrill	Shooters Hill Woodlands Working Party	Member	
O'Mara	Sir John Evelyn Charity	Member	
Smith, A	Blackheath Joint Working Party	Member	
	Environmental Protection UK	Member	
	Greenwich Leisure Ltd - Libraries Board	Member	
	Local Government Information Unit	Member	
	Sir John Evelyn Charity	Member	
	Twinkle Park Trust	Member	





**Applicant:** Andrew Shorten Architects on behalf of Vision Construct Ltd

<b>Site Address:</b> 1 HYDE VALE, GREENWICH, LONDON, SE10 8QG	<b>Ward:</b> Greenwich West <b>Application Type:</b> Minor Material Amendment
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## 1.0 Recommendation

1.1 The Committee is requested to approve the Minor Material Amendment to application 18/2743/MA, as outlined below:

- variation of Condition 2 (Approved Plans);
- variation of Condition 7 (CO2 Emissions);
- variation of Condition 13 (Accessible & Adaptable Dwellings); and
- variation of Condition 20 (Number of Residential Units) as added by application 20/2015/NM

of this consent.

subject to:

- (i) Conditions set out in Appendix 2; and
- (ii) A deed of variation as set out at Section 8.44 and 8.45 of this report.

## 2.0 Summary

2.1 Planning permission and Listed Building consent was originally granted at appeal for the demolition of the existing building and the construction of a 4 storey (including basement) development comprising 4x3 bedroom houses; 1x2 bedroom and 2x1 bedroom units; 4x domestic outbuildings and associated works (Ref. 17/2178/F & 17/2179/L)

2.2 Subsequently planning permission was granted by the Greenwich Area Planning Committee under planning reference 18/2743/MA on the 23/10/2018, for the following:

*An application submitted under Section 73 of the Town & Country Planning Act 1990 for a minor material amendment in connection with the planning permission 17/2178/F (APP/E5330/W/17/3184879) dated 06/07/2017 for the Demolition of existing buildings and construction of a 4 storey (including basement) development comprising 4 x 3 bedroom houses; 1 x 2 bedroom and 2 x 1 bedroom units; 4 x domestic outbuildings and associated works. (Resubmission)] to allow the variation of condition 2 (Approved Plans to reflect new cycle stores) and condition 14(Amended Cycle Provision).*

- 2.3 Since the granting of planning permission, the site has been acquired by the current applicant who has commenced building works on site. The applicant has been advised that any works that take place outside of the existing consent is done at their own risk whilst the current submission is considered.
- 2.4 On implementing the consent, it became clear to the applicant that some aspect of the original consent could not be implemented. The applicant initially submitted a Section 73 application (minor material amendment) to address these, but due to the Finney Case this application was withdrawn as it would have resulted in the description of development being amended.
- 2.5 The applicant subsequently submitted a Section 96a application (non-material amendment), which revised the development description to state “Demolition of existing buildings and construction of a 4 storey (including basement) development for residential purposes; 4 x domestic outbuildings and associated works” and include an additional condition as follows:

*The development hereby approved shall consist of 7 residential units comprising 4 x 3 bedroom houses; 1 x 2 bedroom and 2 x 1 bedroom units. Reason: In the interests of good planning and to ensure that the development is carried out in accordance with the approved documents, plans and drawings submitted with the application and is acceptable to the local planning authority.*

- 2.6 Under the current Section 73 application the applicant now proposes to vary the following conditions of application 18/2743/MA:
- variation of Condition 2 (Approved Plans);
  - variation of Condition 7 (CO2 Emissions);
  - variation of Condition 13 (Accessible & Adaptable Dwellings); and

- the addition of Condition 20 as added by application 20/2015/NM (Number of Residential Units)

As a result of the proposal the number of residential units on the site would be reduced to 6 and consist of 5 x 3-bedroom houses and 1 x 2-bedroom unit.

2.7 Detailed below is a summary of the application:

<b>The Site -</b>	
Site Area (m <sup>2</sup> )	577m <sup>2</sup> (0.0577 hectares)
Heritage Assets	West Greenwich Conservation Area and the buffer zone to the Maritime Greenwich World Heritage Site.
Tree Preservation Order	No
Flood Risk Zone	No

<b>Proposal</b>	
Building Height	8.12m maximum height [same as previous approval]
No. of storeys	3 storeys plus basement [same as previous approval]
Floor area [net internal]	1,010 sqm [same as previous approval]  Proposed basements have increased in area, but the garden rooms have reduced in area therefore same overall area as previously granted scheme.

<b>Public Consultation</b>	
Number in Support	0
Number of objections	A total of 20 objections have been received to the current application.  Re-consultation was carried out on the application in light of revised drawings and additional information and 3 further objections were received; these persons

	<p>had raised objections on the initial submission.</p> <p>Given that the earlier withdrawn Section 73 application [20/0807/MA] is very similar to the current Section 73 application all of the objections received for both applications have been taken into account. In this regard 4 individuals submitted objections to the withdrawn MA, but have not made representations on the current application.</p> <p>The main issues raised in objection relate to:</p> <p>Poor Design/ Scale &amp; Bulk;</p> <p>Loss of Light to Neighbouring Properties due to larger rear extension;</p> <p>Overlooking/loss of privacy;</p> <p>Not considered minor amendments;</p> <p>Refuse changes negative impact on neighbours;</p> <p>Loss of green roof;</p> <p>Ignoring original conditions;</p> <p>Massing of the roof;</p> <p>Poor quality residential units;</p> <p>Noise and Disturbance;</p> <p>Further details in relation to the objections received are set out in the main report.</p>
Number of Comments	1

2.8 The application has also been called into the Greenwich Area Planning Committee for consideration by Cllr Khan.

2.9 The application is considered acceptable and is recommended for approval, subject to the conditions listed in Appendix 2.

### **3.0 Site and surroundings (in detail)**

3.1 The application site lies on the north-eastern side of Hyde Vale in between the junctions with Royal Hill and King George Street, and previously comprised of a two-storey commercial building originally built at some point in the early 19<sup>th</sup> century (Georgian era) and rebuilt / altered significantly in the 20<sup>th</sup> century. The building has been demolished and building works have commenced on site.

3.2 The site measures approximately 577 square metres (or 0.0577 hectares) in area and is irregularly shaped measuring approximately 35 metres along the south-western boundary facing the highway and approximately 24 metres deep at the northern end of the site.

3.3 The site is accessed from Hyde Vale. The surrounding area is predominately residential in nature and consists of terraced properties. The adjoining building (63 Royal Hill), which the application site is attached to is a Grade II listed building. The application site is located within the West Greenwich Conservation Area and the buffer zone to the Maritime Greenwich World Heritage Site.

3.4 The site has a good Public Transport Accessibility (PTAL) rating of 4.



**Figure 1: Site Plan**

#### **4.0 Relevant Planning History**

**4.1 20/2015/NM-** An application submitted under Section 96 of the Town & Country Planning Act 1990 for a minor material amendment to planning permission 18/2743/MA, dated 29/1/2019 for the ‘demolition of existing buildings and construction of a 4 storey (including basement) development comprising 4 x 3 bedroom houses; 1 x 2 bedroom and 2 x 1 bedroom units; 4 x domestic outbuildings and associated works’, to allow: - Removal of number of units from the description of development – Add an addition condition to confirm the number of residential units permitted on site and the mix of residential units. **Approved 20/09/2020**

**E/20/0563** – Development not being built in accordance with the plans allowed on appeal (ref: 17/2178/F & 17/2179/L)

**4.2 20/1505/SD** – Submission of details pursuant to the discharge of condition 15 (Emission of Oxides of Nitrogen) of planning permission 18/2743/MA, dated 29/01/2019. **Approved 23/07/2020**

- 4.3 **20/0829/MA** – An application submitted under Section 73 of the Town & Country Planning Act 1990 for a minor material amendment in connection with the planning permission 18/2743/MA dated 29/01/2019. To allow: the variation of Condition 2 (Approved Plans ); the variation of Condition 7 (CO2 Emissions); and the variation of Condition 13 (Accessible and Adaptable Dwellings). **Withdrawn 28/05/2020**
- 4.4 **20/0807/MA** – An application submitted under Section 73 of the Town & Country Planning Act 1990 for a minor material amendment in connection with the planning permission 18/2743/MA, dated 29/01/2019 to allow: - Variation of Conditions 2 (Approved Drawings), 7 (Energy Statement) and 13 (Accessible & Adaptable Dwellings). **Withdrawn 14/09/2020**
- 4.5 **E/20/0462** – construction of garden structures appear higher than the boundary walls as shown on plans allowed on appeal
- 4.6 **19/2320/SD** – Submission of details pursuant to the discharge of Conditions 3 (Facing Materials), 4 (Hard and Soft Landscaping Details), 6 (Demolition and Basement Construction Method Statement), 9 (Rainwater Recycling System Details), 10 (Refuse and Recycling Facilities), 16 (Contamination Risk Assessment), 17 (Demolition Timescale Details) and 18 (Demolition Work Details Required to Discharge Conditions 6 & 16) of planning permission 18/2743/MA, dated 29/01/2019. **Approved 16/10/2019**
- 4.7 **E/19/0295** – Erection of hoardings and scaffolding blocking the pavement and demolition of the building without the discharge of pre-commencement conditions and before the submission of details have been approved. **Officer comments** – APPLICATION 19/2320/SD APPROVED 16/10/2019.
- 4.8 **19/1133/PREI**- Demolition of the existing building and construction of 6 no dwellings (including 4 with garden rooms to the rear), bicycle and bin storage. (Minor amendment to previously approved 18/2743/MA in connection with the planning ref 17/2178/F (APP/E5330/W/17/3184879) dated 06/07/2017). **Issued 11/04/2019**

- 4.9 **18/4046/SD** - Submission of details pursuant to the discharge of Condition 6 (Demolition and Basement Construction Method Statement), condition 17 (Contract and Timescale for Implementation) and condition 18 (Demolition Works) of appeal decision dated 30/04/2018 (Appeal Reference: APP/E5330/W/17/3184879; Planning Reference: 17/2178/F). (Re-consultation – Additional condition number to discharge). **Refused 15/01/2019**
- 4.10 **18/4047/SD** - Submission of details pursuant to the discharge of Conditions 9 (Rainwater Recycling System) of appeal decision dated 30/04/2018 (Appeal Reference: APP/E5330/W/17/3184879; Planning Reference: 17/2178/F). **Refused 14/01/2020**
- 4.11 **18/4048/SD** - Submission of details pursuant to the discharge of Conditions 2 (Protection of interior & exterior fabric and features) of appeal decision dated 30/04/2018 (Appeal Reference: APP/E5330/Y/17/3184881; Planning Reference: 17/2179/L). **Approved 11/01/2019**
- 4.12 **18/2743/MA** - An application submitted under Section 73 of the Town & Country Planning Act 1990 for a minor material amendment in connection with the planning permission 17/2178/F (APP/E5330/W/17/3184879) dated 06/07/2017 for the Demolition of existing buildings and construction of a 4 storey (including basement) development comprising 4 x 3 bedroom houses; 1 x 2 bedroom and 2 x 1 bedroom units; 4 x domestic outbuildings and associated works. (Resubmission) to allow the variation of condition 2 (Approved Plans to reflect new cycle stores) and condition 14 (Amended Cycle Provision). **Approved 29/01/2019**
- 4.13 **17/2178/F** - Demolition of existing buildings and construction of a 4 storey (including basement) development comprising 4 x 3 bedroom houses; 1 x 2 bedroom and 2 x 1 bedroom units; 4 x domestic outbuildings and associated works. **Refused 21/09/2017**  
**APP/E5330/W/17/3184879** Appeal concerning the above. **Allowed 30/04/2018.**
- 4.14 **17/2179/L** - Demolition of existing buildings in conservation area; erection of replacement 4 storey including basement development comprising 4 x 3 bedroom houses; 1 x 2 bedroom and 2 x 1 bedroom units; 4 x domestic outbuildings; cycle and landscaping provision, refuse



and recycling facilities with associated works. Provision of one on street parking space. **Refused 21/09/2017 APP/E5330/W/17/3184881** – Appeals concerning the above. **Allowed 30/04/2018.**

4.15 **15/1580/L** – Demolition of existing building and construction of a 4-storey building over basement providing 7 x residential units and 4 x single storey outbuildings with associated refuse/recycling, bike stores, and landscaping. **Refused 23/06/2017**

4.16 **15/1233/F** – Demolition of existing building and construction of a 3-storey building plus basement providing 7 x residential units and 4 x single storey outbuildings with associated refuse/recycling, bike stores, and landscaping. **Refused 23/06/2017**

## **5.0 Proposals (in detail)**

5.1 The current application seeks a minor material amendment to address issues associated with the previously granted scheme. These proposed changes relate to the following:

- variation of Condition 2 (Approved Plans);
- variation of Condition 7 (CO2 Emissions);
- variation of Condition 13 (Accessible & Adaptable Dwellings); and
- variation of Condition 20 (Number of Residential Units) as added by application 20/2015/NM

5.2 Condition 2 – Approved Plans

- 1) Change line of rear of basement to allow for a straight line of piling
- 2) Changes relating to boiler Room to adjacent house on King George St
- 3) Omission of the perforated metal shutters to ground floor windows
- 4) Pitched roof and gutter detail
- 5) Elevational changes due to discrepancies in the drawings for the approved scheme
- 6) Garden Room changes including:
  - a) Adjustment to plan to accommodate existing BT Pole rear corner of the garden room to Unit 1 has to step in around this pole as it must be retained in its current position.
  - b) Change to roof lights
  - c) Minor alteration to cycle store
  - d) depth of garden room reduced to be in line with legal site boundary

### 5.3 Condition 7 - CO2 Emissions

The Energy Statement by NRG confirms compliance with this condition. However, to achieve compliance with the 35% target for reduction in CO2 emissions, it is required that 26 solar panels are installed on the roof at a pitch of 5 degrees.

### 5.4 Condition 13: Part M4(2) Compliance

Given the site constraints it is impossible to make all 6 units Part M4(2) compliant. It is impossible to give step free level access to houses 5 & 6, It is proposed that Part M4(2) requirement is applied only to houses 1-4 and Part M4(1) be applied to houses 5 & 6. On this basis the development will achieve a compliance rate of 67% based on the number of units provided.

### 5.5 Condition 20: Change from 7 Units to 6 Units

The result will be the exact same occupancy as before but in one unit rather than two. The unit mix would be revised from 4x3 bedroom houses; 1x2 bedroom and 2x1 bedroom units to 5 x 3 bedroom houses and 1 x 2 bedroom unit.

## 6.0 Consultation

6.1 The application since being submitted in September 2020 has been subject of public consultation, comprising of a press notice, site notice and consultation letters. This also included consultation with statutory bodies and local amenity groups.

### 6.2 **Statutory Consultees**

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

<b>Details of Representation</b>	<b>Summary of Comments</b>	<b>Officer's comments</b>
Local Ward Councillors	Application called in to be decided before Greenwich Area Committee by Cllr Khan	Noted
Occupational Therapist	It is accepted that at this stage it is not possible to make units 5 & 6 fully M4(2) compliant, however my	Noted. Unit 5 and 6 will be M4(1) compliant and all

	understanding is that it would be your decision as to whether you would change the condition to M4(1) and agree exceptions.	other units will be M4(2) compliant .
Waste Services	Satisfied with the proposal once the bins can be opened from the proposed location.	The applicant has confirmed that the bins are openable from the proposed location and therefore this is acceptable. The location of the bin store is the same as the previously approved scheme.
Historic England	We do not consider that it is necessary for this application to be notified to Historic England under the relevant statutory provisions.	Noted

### Local residents

6.2.2. A summary of the consultation responses received from local residents along with the officer comments are set out in table below:

Summary of Comments	Officer's comments
Poor Design/ Scale & Bulk;	The design of the scheme remains as per the previously approved scheme. Whilst there are small changes to the roofscape and the rear extension it is considered that the scale and bulk remains the same.
Loss of Light to Neighbouring Properties due to larger rear extension;	It is acknowledged that the rear extension is slightly larger than the previously approved, however this is not significant enough to have create a loss of light for neighbouring properties. The rear extension is 0.3m greater in depth due to the wall

	<p>thickness required and 0.325m greater in height for similar reasons.</p> <p>Some of the objections relate to the approved dwellings in terms of overlooking, loss of light, loss of habitats, screening etc, however there are no changes proposed to the dwellings granted under 18/2959/F within the current planning application. This is further discussed in the Principle of Development section of this report</p>
Overlooking/loss of privacy;	There are no proposed amendments to the scheme which would create overlooking or loss of privacy. This is discussed in more detail in the proposed amendments section of this report.
Not considered minor amendments;	This is discussed in the Minor Material Amendment Section of this report
Refuse changes negative impact on neighbours;	The location of the bin store and number of bins provided is the same as the previously granted scheme. Waste Services are satisfied with the provisions.
Loss of green roof;	The green roof remains as per the previous approval
Ignoring original conditions;	Many of the conditions associated with the previous approval have been discharged as set out in the planning history section of this report.
Building works which have already been completed are in violation of previous planning approvals and conditions and therefore unlawful;	The applicant has commenced development on site. Any works carried out which are outside of the remit of the previous approval are done so at the developers risk.
New extension is roughly 1m higher than that approved, as well as being full width;	The rear extension 0.325m higher than the previously granted proposal.

Massing of the roof;	Whilst the shape of the roof has changed slightly it does not create any negative impacts and retains the integrity of the design. The overall height of the development remains as per the previous permission. The changes are required in order to achieve adequate floor to ceiling heights through the development.
Poor quality residential units;	The layouts provide for a high-quality residential accommodation with increased natural light and improved layouts based on the previous approval
Noise and Disturbance;	None of the proposed amendments would increase noise and disturbance over and above what was previously approved.
limited number of units benefiting from step free access	4 of the 6 units have step free access. Units 5 & 6 are M4(1) compliant and the remainder of the scheme is M4(2) compliant.
The issue of access to the communal bin store on the Hyde Vale frontage	No issue with access to the bin store. Waste services are satisfied with the layout. Same location as previously approved scheme.
The issue of access to the cycle store provision for house 6 on the King George Street frontage.	No issue with access to the cycle store. Same location as previously approved scheme.

## 7.0 **Planning Context**

7.1 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)**
- **Technical Housing Standards – Nationally Described Space Standard (Department for Communities and Local Government – March 2015)**
- **Planning (Listed Buildings and Conservation Areas) Act 1990**

- **The London Plan (2021)** - 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.
- **West Greenwich Conservation Area Appraisal (2013)**

For full details of relevant SPD / Documents refer to appendix 3.

## **8.0 Planning Considerations**

- 8.1 The planning considerations relevant to this application are as follows:
- a) What Constitutes a Minor Material Amendment/Principle of Development;
  - b) Proposed Amendments;
  - c) Design and Impact on the Character and Appearance of the West Greenwich Conservation Area, Maritime Greenwich World Heritage Site Buffer Zone and Nearby Listed Structures;
  - d) Impact on the Amenity of the Area and of Neighbouring Occupiers; and
  - e) Deed of Variation

### What constitutes a Minor Material Amendment/Principle of Development

- 8.2 An application can be made under section 73 of the Town and Country Planning Act 1990 to vary or remove conditions associated with a planning permission. One of the uses of a S.73 applications is to seek a minor material amendment to approved plans as well as the wording of conditions. A S.73 application results in a new permission being issued sitting alongside the original permission, which remains intact and un-amended.
- 8.3 There is no statutory definition of a ‘minor material amendment’, however Government guidance has suggested a non-statutory definition: “a minor material amendment is one whose scale and nature results in a development which is not substantially different from the one which has been approved”.
- 8.4 The principle of redeveloping the land has been established under the previous applications and buildings works have commenced on site. As such the merits of the 2017 application, including the principle of

demolishing the former building and the site's redevelopment for housing is not under consideration.

- 8.5 Since the granting of planning permission, the 2016 London Plan has been under review and is to be formally replaced on the 2<sup>nd</sup> March with the 2021 London Plan. Consequently, by the time Members consider this application there will have been a change in adopted planning policy. Whilst this is the case the overall aims of the 2021 London Plan are not materially different to those of the 2016 London Plan in that the new London Plan seeks to ensure that housing is delivered to meet the needs of residents and that new housing delivers a high quality living environment, that development is of a high quality of design and protects London's heritage, addresses environmental issues and transport issues for example.
- 8.6 Indeed, one of the major changes within the 2021 London Plan is Policy H2, which seeks to increase the contribution of small sites (below 0.25ha in size) to meeting London's Housing targets. It is expected that such site will deliver 3010 new homes in the Royal Borough of Greenwich within the plan period. The proposed development would assist in the Council meeting this requirement.
- 8.7 As such the principle of development remain acceptable. Furthermore, the height, scale and bulk and the design of the development also remains acceptable and the proposed houses would still deliver a high-quality living environment for prospective occupiers. Finally, the approved houses would still not have an adverse impact on the residential amenity of occupiers of adjoining occupiers.
- 8.8 With this in mind, Officers consider that the proposed changes would constitute a minor material amendment and as discussed in the following sections of the report, the proposed amendments are considered to be acceptable.
- 8.9 Therefore, the wider principle of re-developing the site has been established under the previous consent and remain acceptable.

#### Reduction from 7 to 6 Units

- 8.10 The applicant proposes to change the number of units from 7 units to 6 units and this would result in an amendment to Condition 20 which was added under application 20/2015/NM.

- 8.11 The current condition states “The development hereby approved shall consist of 7 residential units comprising 4 x 3-bedroom houses; 1 x 2 bedroom and 2 x 1 bedroom units”. If the current application is approved the condition would be amended to state “The development hereby approved shall consist of 6 residential units comprising 5 x 3 bedroom houses and 1 x 2 bedroom unit.
- 8.12 The previously approved development included 2 no 1 bed flats [Units 5 & 6]. Both of these flats were to be located over two floors with a bedroom on one level and a living area on another level. When the design of this project was developed to a construction drawing standard, it proved impossible to accommodate these two flats as they were represented in the planning drawings. The applicant proposes to merge the two flats into one 4 storey, 3 bedroom house [Unit 5]. This house would have 2 single bedrooms at first floor level and master bedroom at the top level. The result would be the exact same occupancy as before but in one unit rather than two. It will also allow for the kitchen to be located at basement level, therefore not compromising the escape from upper level bedrooms in case of fire.
- 8.13 The two one bed flats had a floor area of 60sqm and 61sqm whereas the 3 bed unit now has a floor area of 121sqm which is compliant with national space standards as set out in the new London Plan and provide a high quality living environment for future occupiers. The inclusion of an additional family style unit at this location is welcomed and as the works required to create this unit are internal constitute a minor material amendment.
- 8.14 The applicant also proposes to reconfigure the internal layouts of all the units but the floorspace, number of bedrooms [apart from new Unit 5 as outlined above] and occupancy remains as per the previously approved scheme and would comply with the space standards required by the new London Plan and within the Nationally Described Space Standards.
- 8.15 The changes relate to the location of living space, bathrooms and orientation of bedrooms etc. Following an assessment of the previously approved layouts and the current layouts it is concluded that the proposed layouts are an improvement on the previously approved scheme in terms of usability of the spaces and would create a high standard of accommodation for future occupants.



### Change line of rear of basement to allow for a straight line of piling

- 8.16 The approved design misrepresents the actual relationship between external level at lower ground floor and main ground floor. The drawing implies that there is little difference in level and only a few steps are required to connect them. In fact, a full flight of 16 steps is required to connect the lower ground floor external courtyard to the garden level. The result of this is that there would be a significant amount of additional piling involved to construct this lower level as the piling would have to step around the stairs for each unit. Given that this development is immediately adjacent to a Grade II listed house, the applicant proposes a straight line of piles which would significantly reduce the potential impact on this protected structure. This is welcomed as it would protect the neighbouring listed property and prevent unnecessary piling. It also creates more useable space at basement level as the unoccupied space under the ground floor patio space would become a utility room. It also allows for more natural light into the basement area through walk on floor glazing at ground floor level. It is noted that this would increase the floor area at basement level by 4.5sqm for the utility area and 2.6sqm for the external courtyard for each unit. However, given the minor nature of the increase in floor space and given that this is below ground works it is considered acceptable in design terms and would constitute a minor material amendment.

### Changes relating to boiler Room to adjacent house on King George Street

- 8.17 The impact of this boiler room formed the basis for some of the changes as approved under 18/2743/MA. However, the impact wasn't adequately dealt with in that design change and therefore some further modifications are required to the approved scheme to ensure that the project will be compliant with the approved drawings. The situation with this boiler room is a little unusual in that the adjacent residential accommodation on King George Street has a boiler room at ground floor level that extends into the footprint of the site that is the subject of this application. Overhead, there is a flying freehold over this boiler room, allowing for development at the upper levels. However, there is an issue relating to levels, as the top of this boiler room is higher than the proposed first floor level of Unit 6. Therefore, it is not possible to extend the external terrace in over this area. Instead it is proposed to locate a small boiler room directly over the one below. This new boiler room at first floor level will have a raised floor that is higher than the rest of the first floor to Unit 6. As a result of this

small change, there will now be one opening in the south east wall to the terrace and not two as per the approved drawings. However, it is proposed that a new opening will be added to the south west wall of the terrace, so it retains two openings for good natural light. Whilst this would alter the provision of the private open space for Unit 6 from 5sqm to 3sqm it is considered to be acceptable given that part of the previously proposed location for the private open space is occupied by the boiler room of the adjoining building.

#### Front Elevation

In terms of the approved elevations and section drawings there are some technical changes required to meet Building Regulation requirements. These changes though will not alter the original design intent. The proposed changes were discussed with the conservation officer who stated that

*“Whilst the original approval was assessed on the grounds that the demolition and replacement building was ‘less than substantial harm’ to the setting of the West Greenwich Conservation Area the approved scheme was considered to be ‘contextual’ for this sensitive location and surrounding townscape. The approved design had a ‘reflective’ but modern interpretation of the building it replaced with a sense of continuous long vista as the original building. Whilst I raise no heritage concerns for the amended opening arrangement for the ground floor north east elevation, concerns raised for the changes proposed for the windows on the first floor. The approved scheme have windows with vertical emphasis which is very much the characteristics of the Conservation Area. By changing the windows to have a more horizontal emphasis as proposed, it will change the appearance of the building and that’s considered to be detrimental to this sensitive setting. I would strongly advise the applicant to revise the scheme to include windows which may be functional and constructible, but aesthetically they must have a vertical emphasis”.*

Following the receipt of the above comments the applicant revised the proposal and made the following comments:

*“While the exact detail of the approved windows cannot be achieved, due to errors in the approved drawings, we have redesigned the proposed windows to match, as close as possible, the approved window detail. We have added a stone panel above and below the window and added a vertical stone reveal each side of the window that spans the length of the window plus the two stone panels. I think this has reintroduced a much greater vertical emphasis to these windows”.*

On the revised proposal the conservation officer had the following comments:

*“Having carefully considered the proposed changes, I would recommend that the proposal is further amended to address the alignment of the windows with the glazed opening to the rear. As discussed, the Upper floor windows must not exceed the position beyond the glazed openings on the ground floor level. This will further straighten the established uniformed window and door pattern of the West Greenwich Conservation Area”.*

The applicant aligned the windows on the front elevation to the conservation officer’s satisfaction and therefore all elements of concern raised by conservation have been addressed in the revised proposal.

#### Pitched roof and gutter detail

8.18 The height of the approved scheme is in line with the adjacent Grade II listed house at No 63 Royal Hill. The overall height of the roof of the proposed scheme is identical to the approved scheme, but an issue has been identified regarding the floor to ceiling height of the top floor. To resolve this the applicant has to slightly raise the pitched part of the roof. This will not impact on the capping height at the top of the wall or the overall height of the development.

8.19 In relation to the roof changes the Conservation Officer stated that on the previously granted scheme

*“Careful attempt was also taken to ensure the height of the building is no greater than the one it replaces. It would be useful to know the height difference between the approved and amended scheme”.*

8.20 The applicant responded stating

*“The level at the top of the proposed front wall exactly matches that of the approved scheme and that of the adjacent house also. The overall height of the roof of the proposed scheme is identical to the approved scheme. Headroom had to be found to make the scheme implementable without increasing the height of the front wall or the overall height of the development. The proposed solution is to raise the pitched part of the roof a bit. This will not impact on the capping height at the top of the wall or the overall height of the development”.*

The Conservation Officer was satisfied with the response and given that the maximum height of the neighbouring property would not be exceeded this alteration is considered to be acceptable and would not negatively impact the designation heritage asset or the conservation area.

### Rear Elevation

- 8.21 The previously approved rear extension at ground floor level has a maximum height of 2.75m from ground floor level. However, this is not a buildable element as it is drawn with a wall thickness of 150mm thick, which is not possible for a flat roof. The real thickness of a flat roof once ceiling depth, structure, falls for water run-off, insulation and waterproofing are taken into account is roughly 650mm. The rooflight must also have an upstand to prevent water ingress. Furthermore, adequate floor to ceiling heights are required. In the initial drawings submitted with the application the applicant proposed a maximum height of 3.425m. However, the applicant has revised the proposal since the application was submitted to revise the height of the rear projection. It has been reduced in height to 3.075m, which is just 0.325m above the previously approved drawing. The applicant has advised that the proposed detail is now at the limits of what would be acceptable under Building Regulations. The depth of the proposed rear extension has also been increased slightly which has come about as the correct wall thicknesses are required, this results in an increased depth of 0.3m from the previously approved scheme. Therefore, the current proposal is 0.325m higher and 0.3m deeper than the previously approved scheme. The applicant has provided 3D images to show the impact of this change from neighbouring properties which is available to view in the drawing pack. Given the limited changes in height and depth and the reasoning for the changes it is considered that there would be no impact on the overall design of the scheme and that the changes constitute a minor material amendment.

### Changes to the garden room

- 8.22 The proposed changes to the garden rooms to the rear of the properties include the following:
- Depth of all garden rooms reduced to match legal site boundary line. The garden rooms which were previously approved were approximately 20sqm. Given that there are no minimum standards for outbuildings the reduced size of the garden rooms, which ranges from 14sqm to 6.5sqm is deemed acceptable.

- Adjustment to layout to accommodate existing BT Pole in the rear corner of the garden room to Unit 1. The room has to step in around this pole as it must be retained in its current position. This reduces the size of this garden room from approx. 20sqm to 14sqm and this is deemed to be acceptable.
- The roof lights as shown in the approved scheme are not practical, due to the fact that the glazed part would effectively be acting as a gutter where water could gather. Therefore, it is proposed to inset a more simple roof lights in the centre of each garden room. These are away from the boundary so they will not have any impact on neighbouring properties. They are also sitting within the green roof as per the approved finish of the roof to these garden rooms and there is no increase in height as a result of this proposed change.
- The cycle stores are in the same location as that shown in 18/2743/MA with the same number of storage spaces provided, but now the configuration of them is slightly different and more detailed layout is provided.

### CO2 Emissions

8.23 In relation to Condition 7 [CO2 Emissions] it states “No development above ground level shall commence until there shall have been submitted to and approved in writing by the local planning authority an Energy Statement demonstrating how the dwellings hereby permitted will apply the Mayor's energy hierarchy to secure a 35% reduction in CO2 emissions over and above Part L of the Building Regulations 2010 (as amended). Development shall be carried out in accordance with the approved Energy Statement and the dwellings hereby permitted shall not be occupied until details of their compliance with the approved Energy Statement have been submitted to and approved in writing by the local planning authority”.

8.24 The applicant proposes that this condition is fulfilled so that the development is carried out in accordance with the Energy Statement submitted with this application. Primarily this relates to the installation of 26 solar panels as shown on the submitted drawings, to achieve the required 35% reduction in CO2 emissions. The Energy Statement prepared by NRG confirms compliance with this condition. This element of the proposal has been discussed and agreed with the Conservation Officer and the Sustainability Team and is therefore considered to be acceptable. Therefore, given that the solar panels are required to meet a condition on the approved consent these details are considered to constitute a minor material amendment.

Given the above it is proposed to amend the wording of this condition to ensure that the agreed measures are implemented.

Part M4(2)

8.25 In allowing the appeal the following condition was attached:

*No development above ground level shall commence until there shall have been submitted to and approved in writing by the local planning authority drawing's illustrating how the development here by permitted complies with M4(2) of the Building Regulations (2010) (as amended) relating to accessible and adaptable dwellings. Development shall be carried out in accordance with the approved details prior to first occupation of the dwellings hereby approved.*

The applicant has pointed out that there is a 700mm level difference from one end of the site to the other. The top of wall height across the development is fixed at a matching height to the Grade II listed house at No 63 Royal Hill. As a result, it is not possible to step the houses up as the street rises. As a result of the above constraints, it is impossible to make all 6 units Part M4(2) compliant. The applicant has therefore designed the scheme to ensure that as many of the houses as possible are M4(2) compliant with the remaining dwellings complying with M4(1). As such 4 dwellings (Units 1-4) would meet M4(2) standards with 2 dwellings (Unit 5-6) being M4(1). On balance this is considered acceptable in this instance.

Design and Impact on the Character and Appearance of the West Greenwich Conservation Area, Maritime Greenwich World Heritage Site Buffer Zone and Nearby Listed Building

8.26 Policy DHI of the Core Strategy requires all developments to be of a high design quality and demonstrate that they positively contribute to the improvement of both the built and natural environments.

8.27 As the application site is located within the West Greenwich Conservation Area the impact of the development on this identified heritage asset needs to be assessed. Under Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, when assessing a proposal related to a conservation area special attention should be paid to the desirability of preserving or enhancing the character or appearance of that designated heritage asset. Chapter 16 of the National Planning

Policy Framework (NPPF) identifies the significance of heritage assets (which also includes World Heritage Sites) and places an importance on their conservation. Paragraph 193 of the NPPF states that when assessing planning applications affecting heritage assets, great weight should be placed on their conservation. 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.

- 8.28 As the proposal is in close proximity to a listed building, Officer have regard to S.66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, which outlines that in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority ... shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.
- 8.29 The above is supported by Core Strategy Policies DH3 DH4, DH(h) and DH(i) as well as London Plan Policies HCl and HC2.
- 8.30 The present application seeks to amend the previously approved scheme with a number of minor changes.
- 8.31 Whilst the applicant proposes a slight change to the overall roof form in order to achieve floor to ceiling heights it is not proposed to increase the maximum height of that approved under the previous scheme and therefore this is considered to be acceptable. Furthermore, the Conservation Officer is satisfied that the proposed changes would not impact the neighbouring listed building nor the wider conservation area.
- 8.32 The changes to the piling at basement level are welcomed as it creates a straight uniform line which has less impact on the structural integrity of the neighbouring properties. Furthermore, given that these are below ground works it does not visually impact on the conservation area or the listed building.
- 8.33 In relation the front elevation changes these are minor in nature and respect the design integrity of the previously approved scheme. The conservation officer is satisfied with the proposed changes to the window alignment, removal of shutters and materials and therefore this is deemed to be acceptable on conservation grounds.

- 8.34 In terms of the proposed changes to the rear extension, as already outlined there is a slight increase in depth and height proposed. Given that these works relate to ground floor level only and the limited scale of the increases it is considered that there would be no harm to the listed building or the wider Conservation Area if implemented.
- 8.35 The presence of the Grade II Listed Building at 63 Royal Hill is noted. However, the proposed development is considered to be minor in nature and would have little to no impact on the setting of the adjacent listed building in comparison to what has already been consented.
- 8.36 As such the proposal complies with S.66 and 72 of the of the Planning (Listed Buildings and Conservation Areas) Act 1990, the NPPF (2018) as well as Core Strategy and London Plan Policies.

#### Impact on the Amenity of Neighbouring Occupiers

- 8.37 Royal Greenwich Local Plan; Core Strategy with Detailed Policy (2014) Policy DH(b) states that development 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 un-neighbourly sense of enclosure.
- 8.38 The proposed changes would have no significant impact on neighbouring properties in comparison to what has already been consented. Each of the proposed changes are assessed in terms of any potential impact on neighbouring occupiers.
- 8.39 In terms of the rear extension, the current proposal is 0.325m higher and 0.3m deeper than the previously approved scheme. In the original permission for the development, under 17/2178/F (APP/E5330/W/17/3184879), the inspector stated that

*“The proposed development would increase the depth of building at its rear, including basement level accommodation, and closet wings, at ground floor level. A row of garden rooms would be introduced at the back of the site. A tall boundary wall exists between the appeal site and the rear gardens of Nos 31 to 35 King George Street which are orientated in a moderately less than perpendicular relationship to No 1. This boundary wall is intended to remain as part of the proposed development at its existing height. Beyond this whereas the*



*closest closet wing would be slightly taller than the existing wall it would be adequately separated from it, and as a consequence, would not constitute an obtrusive feature from this garden area. I saw that the windows of Nos 31 to 35 that have a view of the appeal site would be separated by a considerable distance from the nearest closet wing, which due to its limited depth and scale would, whilst visible from these windows, not unduly interrupt the quality or amount of outlook available from them. Taking these matters together, leads me to the conclusion on this main issue that the appeal scheme would not constitute a harmful overdevelopment of the site in these terms and would avoid harm to the living conditions of the occupants of adjacent dwellings in terms of outlook. Consequently, the proposed development would not conflict with Policies 7.6 of the London Plan; or DH(b) of the Core Strategy insofar as, taken together and amongst other things, they seek to ensure that new development does not cause an unacceptable loss of amenity to the occupiers of adjacent properties including through creating an unneighbourly sense of enclosure”.*

- 8.40 The applicant has provided 3D images to show the impact of this change from neighbouring properties which is available to view in the drawing pack. Given the limited changes in height and depth and the reasoning for the changes it is considered that there would be no adverse impact on the residential amenity of adjoining occupiers in terms of loss of outlook, increased sense of enclosure, loss of privacy or a loss of daylight and sunlight.
- 8.41 In relation to the proposed roof changes, whilst the form of the roof would be altered slightly the overall height would remain the same and therefore there would be no impact on neighbouring properties.
- 8.42 In terms of the changes to piling and basement area, given that this is below ground these works have no impact on neighbouring properties. The changes to the garden rooms would not impact on adjoining properties as the height would remain as per the previously approval proposal and the depth is to be reduced slightly to be in line with the legal boundary. The reduction in the number of units would not impact on neighbouring properties as it would provide for the exact same occupancy as before but in one unit rather than two.
- 8.43 Overall the proposal is considered to be acceptable and in compliance with the mains of Core Strategy Policy DH(b).

## Deed of variation

8.44 The previous scheme, which was allowed on appeal was subject to a Unilateral Undertaking which had the following heads of terms:

- Highways Works
- Car Club
- Parking Permits

8.45 To ensure that these previously agreed terms are secured as a result of the current application a deed of variation is required to be completed.

## 9.0 **Conclusion**

9.1 The development is considered acceptable and would result in no substantial change to the previously consented scheme. As such it is considered that the current minor amendment can be supported. Based on the above, it is recommended that permission be granted for application reference 20/2645/MA, subject to the conditions outlined in Appendix 2.

Background Papers:        Planning (Listed Building and Conservation Areas) Act 1990  
                                     National Planning Policy Framework  
                                     The London Plan (2021)  
                                     Royal Greenwich Local Plan; Core Strategy with Detailed Policies (2014).  
                                     Greenwich Park Conservation Area Appraisal

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## **Appendix 1 - Drawing numbers**

The following drawings and associated documentation has been submitted by the applicant in support of application reference 20/2645/MA:

7000 P1, Cover Letter, 7100 P2, 7101, P2, 7102 P5, 7103 P5, 7104 P5, 7105 P2, 7106 P4, 7107 P2, 7108 P2, 7109 P4, 7110 P2, Comparative Analysis Drawings [7201 P1, 7202 P2, 7203 P2, 7204 P2, 7205 P2, 7211 P1, 7112 P1, 7113 P1, 7206 P2, 7202, P1, 7208 P2, 7209 P2, 7210 P2], 7401 P1 [Lower Ground Floor Plan – Overlay Analysis], 7402 P1 [Ground Floor Plan – Overlay Analysis], 7214 P2 [Rear Elevation – Overlay Analysis], Rear Elevation Height Analysis P1-13, Energy Statement, Revised Energy Statement November 2020, Approved Drawings under 17/2178/F [084 001 B, 084 020 D, 084 029 E, 084 030 E, 084 032 H, 084 033 H, 084 034 E, 084 040 C, 084 041 E, 084 046 D, 084 051 D, 084 052 A, 084 053 C, 084 090 B, 084 092 C, 084 031 I, 084 035 I, 084 042 D, 084 048 D, 084 070 F, 084 072 F, 084 073 00, 084 093, 084 094, 084 100 B, 084 P901 A, 084 P902, 084 P903 A.

## **Appendix 2 - Conditions and Informative(s)**

### **Condition 01**

The development shall be carried out strictly in accordance with the application plans, drawings and documents hereby approved and as detailed below:

7000 P1, 7100 P2, 7101, P2, 7102 P5, 7103 P5, 7104 P5, 7105 P2, 7106 P4, 7107 P2, 7108 P2, 7109 P4, 7401 P1, 7402 P1, 7214 P2, Rear Elevation Height Analysis P1-13, Revised Energy Statement November 2020 and Cover Letter.

Reason: In the interests of good planning and to ensure that the development is carried out in accordance with the approved documents, plans and drawings submitted with the application and is acceptable to the local planning authority.

### **Condition 02**

No development shall take place until samples of all facing materials windows, railings/balustrades and boundary treatments have been submitted to and approved by the local planning authority in writing. The relevant works shall be carried out in accordance with the approved sample details.

Reason: In order that the Local Planning Authority may be satisfied with the external appearance of the buildings and the development and ensure compliance with Policies D4, HCI and HC2 of the London Plan (2016) and Policies H5, DH1, DH3, DH(h) and DH(i) of the Royal Greenwich Local Plan: Core Strategy with Detailed Policies (Adopted July 2014).

**The details submitted under application reference I9/2320/SD, which were approved on the 16/10/2019, satisfy the requirements of this condition.**

#### Condition 03

Notwithstanding condition (2) no development shall take place until details of hard and soft landscaping (including any shrubs or trees to be retained or replaced) have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details and completed prior to the first occupation of the development hereby approved.

Reason: In order to maintain the character and amenities of the area and ensure compliance with Policy DH4 London Place (2016) and Policies DH1 and OS(f) of the Royal Greenwich Local Plan: Core Strategy with Detailed Policies (Adopted July 2014).

**The details submitted under application reference I9/2320/SD, which were approved on the 16/10/2019, satisfy the requirements of this condition.**

#### Condition 04

Demolition or construction works (including earth removal, piling work and any mechanical building operations) shall take place only between 0800 to 1800 on Mondays to Fridays, 0800 to 1300 on Saturdays and shall not take place at any time on Sundays or on Bank or Public Holidays.

Reason: To safeguard the amenities of neighbouring properties and the area generally and ensure compliance with Policies DI4 and SI 1 of the London Plan (2021) and Policies E(a) and E(c) of the Royal Greenwich Local Plan: Core Strategy with Detailed Policies (Adopted July 2014).

## Condition 05

No development shall take place, including any works of demolition, until a Demolition and Basement Construction Method Statement has been submitted to, and approved in writing by the local planning authority. The Statement shall provide for:

- i) appointment of a suitably qualified professional (civil or structural engineer);
- ii) a ground and hydrological condition report dealing with groundwater flow ensuring structural stability during demolition;
- iii) temporary propping/temporary works and construction work minimising disturbance;
- iv) drilling of boreholes;
- v) sequence of temporary works to minimise the effect on neighbours and management of water flow;
- vi) details and justification for the piling methodology to be adopted;
- vii) proposals for monitoring vibration and procedures to be put in place to minimise such disturbance, including in relation to any piling on the site (it is expected that vibration over 1mm/s measured as a peak particle velocity would constitute unreasonable vibration);
- viii) likely noise levels to be generated from plant;
- ix) details of any noise screening measures, including to those related to piling on the site;
- x) proposals for monitoring noise and procedures to be put in place where agreed noise levels are exceeded, including those related to piling on the site;
- xi) likely dust and dirt levels and details of measures to control and monitor the emission of dust and dirt during construction including those related to piling operations;
- xii) proposals for controlling unacceptable release of materials such as

asbestos;

xiii) the parking of vehicles of site operatives and visitors;

xiv) loading and unloading of plant and materials;

xv) storage of plant and materials used in constructing the development;

xvi) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;

xvii) haulage routes;

xviii) wheel washing facilities and facilities for discharging the water;

xix) a scheme for recycling/disposing of waste resulting from demolition and construction works.

Construction works onsite shall be carried out in accordance with the approved Demolition and Basement Construction Method Statement.

Reason: To safeguard the amenities of neighbouring properties and the area generally and ensure compliance with Policies D14 and SI 1 of the London Plan (2021) and Policy E(a) of the Royal Greenwich Local Plan: Core Strategy with Detailed Policies (Adopted July 2014).

**The details submitted under application reference I9/2320/SD, which were approved on the 16/10/2019, satisfy the requirements of this condition.**

#### Condition 06

The development shall be carried out in accordance with the Energy Statement submitted which demonstrate how the dwellings hereby permitted will apply the Mayor's energy hierarchy to secure a 35% reduction in CO2 emissions over and above Part L of the Building Regulations 2010 (as amended). Development shall be carried out in accordance with the approved Energy Statement including the provision of 26 No solar panels highlighted on drawings 7205 P2.

Reason: To minimise further carbon dioxide emissions and mitigate climate change, and to comply with Policy EI of the Royal Greenwich Local Plan: Core Strategy with Detailed Policies (adopted July 2014).

#### Condition 07

The dwellings hereby permitted shall not be occupied until the requirements of Regulation 36 (2) (b) of Part G 2 of the Building Regulations 2010 (as amended) in terms of water efficiency have been complied with.

Reason: To secure water efficiency within the development and to ensure compliance with Policy SI 5 of the London Plan (2021) and Policy DHI of the Royal Greenwich Local Plan: Core Strategy with Detailed Policies (adopted July 2014).

#### Condition 08

Notwithstanding condition No (2) no development above ground level shall take place until details of the rainwater recycling system demonstrating the maximum level of recycled water that can feasibly be provided have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details, completed prior to the occupation of the development, and retained thereafter.

Reason: To ensure that the development reduces the risk of surface water flooding and ensure compliance with Policy SI 5 of the London Plan (2021) and Policy DHI of the Royal Greenwich Local Plan: Core Strategy with Detailed Policies (2014).

**The details submitted under application reference 19/2320/SD, which were approved on the 16/10/2019, satisfy the requirements of this condition.**

#### Condition 09

Notwithstanding condition No (2) no development shall take place until details of the storage facilities for refuse and recycling receptacles and arrangements for their collections have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the

approved details, completed prior to the occupation of the development, and retained thereafter.

Reason: In order that the Council may be satisfied with the details of the proposal and ensure compliance with Policy SI 7 of the London Plan (2021) and Policies H5 and DH1 of the Royal Greenwich Local Plan: Core Strategy with Detailed Policies (Adopted July 2014).

**The details submitted under application reference I9/2320/SD, which were approved on the 16/10/2019, satisfy the requirements of this condition.**

#### Condition 10

No enlargement, or other alterations to the development permissible under Class A, Class C, Class D, Class E, Class F, Class G and Class H of Schedule 2 Part 1 of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (or any order revoking and re-enacting that order with or without modification) may be carried out without the prior approval of the Local Planning Authority.

Reason: In view of the restricted size of the site uncontrolled enlargements, or alterations could affect the character of the area and the amenities of neighbouring properties and ensure compliance with Policy D4, HC1 and HC2 of the London Plan (2021) and Policies DH1, DH3, DH4, DH(b) and DH(h) of the Royal Greenwich Local Plan: Core Strategy with Detailed Policies (Adopted July 2014).

#### Condition 11

The flat roof areas of the single-storey elements at the rear of the development hereby permitted shall not be used as balconies, roof gardens or similar amenity areas.

Reason: To protect the privacy and amenity of the adjoining properties and ensure compliance with Policy DH(b) 'Protection of Amenity for Adjacent Occupiers' of the Core Strategy 2014.



## Condition 12

Units 1-4 shall be M4(2) compliant and Units 5 & 6 shall be M4(1) compliant as set out in the submitted drawings. Development shall be carried out in accordance with the approved details prior to first occupation of the dwellings hereby approved.

Reason: To accord with Policy D7 of the London Plan (2021) and Policy H5 of the Royal Greenwich Local Plan: Core Strategy with Detailed Policies (2014).

## Condition 13

No dwelling shall be occupied until space has been laid out within the site in accordance with drawing No. 7102 P5 for bicycles to be parked and those spaces shall thereafter be kept available for the parking of bicycles.

Reason: To ensure adequate cycle parking is available on site and to promote sustainable transport by reducing the need for car travel and ensure compliance with Policy T5 of the London Plan (2021) and Policies IM(b) and IM(c) of the Royal Greenwich Local Plan: Core Strategy with Detailed Policies (adopted 30th July 2014).

## Condition 14

No dwelling shall be occupied until the details of the rated emissions of NO<sub>x</sub> (Oxides of Nitrogen) not exceeding 'air quality neutral' from its proposed boilers have been submitted to the local planning authority for its approval in writing. Installation of boilers shall be carried out in accordance with the approved details.

Reason: To ensure that the host building, the stability of the site and the residential amenity of adjoining occupiers is safeguarded and to ensure compliance with Policy SI 1 of the London Plan (2021) and Policy E(a) of the Royal Greenwich Local Plan: Core Strategy with Detailed Policies (adopted 30th July 2014).

**The details submitted under application reference 20/1505/SD, which were approved on the 23/07/2020, satisfy the requirements of this condition.**

## Condition 15

No development shall commence until an assessment of the risks posed by any contamination, carried out in accordance with British Standard BS 10175: Investigation of potentially contaminated sites - Code of Practice and the Environment Agency's Model Procedures for the Management of Land Contamination (CLR 11) (or equivalent British Standard and Model Procedures if replaced), shall have been submitted to and approved in writing by the local planning authority. If any contamination is found, a report specifying the measures to be taken, including the timescale, to remediate the site to render it suitable for the approved development shall be submitted to and approved in writing by the local planning authority. The site shall be remediated in accordance with the approved measures and timescale and a verification report shall be submitted to and approved in writing by the local planning authority. If, during the course of development, any contamination is found which has not been previously identified, work shall be suspended and additional measures for its remediation shall be submitted to and approved in writing by the local planning authority. The remediation of the site shall incorporate the approved additional measures and a verification report for all the remediation works shall be submitted to the local planning authority within 30 days of the report being completed and approved in writing by the local planning authority.

Reason: To ensure that the host building, the stability of the site and the residential amenity of adjoining occupiers is safeguarded and to ensure compliance with Policy E(a) of the Royal Greenwich Local Plan: Core Strategy with Detailed Policies (adopted 30th July 2014).

**The details submitted under application reference I9/2320/SD, which were approved on the 16/10/2019, satisfy the requirements of this condition.**

## Condition 16

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any order revoking and re-enacting that Order with or without modification), the height

of the site's boundary walls shall not be increased without express consent of the local planning authority.

Reason: To protect the privacy and amenity of the adjoining properties and ensure compliance with Policy DH(b) 'Protection of Amenity for Adjacent Occupiers' of the Core Strategy 2014.

#### Condition 17

The development hereby approved shall consist of 6 residential units comprising 5 x 3 bedroom houses and 1 x 2 bedroom unit.

Reason: In the interests of good planning and to ensure that the development is carried out in accordance with the approved documents, plans and drawings submitted with the application and is acceptable to the local planning authority.

### **Appendix 3 - National, regional and local planning policies and Supplementary Planning Guidance / Documents**

#### The NPPF (2018)

Chapter 2 Achieving sustainable development  
Chapter 5 Delivering a sufficient supply of homes  
Chapter 9 Promoting sustainable transport  
Chapter 11 Making effective use of land  
Chapter 12 Achieving well-designed places  
Chapter 16 Conserving and enhancing the historic environment

#### The London Plan (2021)

GG2 Making the best use of land  
GG4 Delivering the homes Londoners need  
Policy D1 London's form, character and capacity for growth  
Policy D3 Optimising site capacity through the design-led approach  
Policy D4 Delivering good design  
Policy D5 Inclusive Design  
Policy D6 Housing quality and standards  
Policy H1 Increasing housing supply  
Policy H2 Small sites

Policy H10 Housing size mix  
Policy HCI Heritage conservation and growth  
Policy HC2 World Heritage Sites  
Policy SI8 Waste capacity  
Policy T5 Cycling  
Policy T6 Car parking

The Royal Borough of Greenwich Adopted Core Strategy (July 2014)

Policy H1	New Housing
Policy H2	Housing Mix
Policy H5	Housing Design
Policy H(b)	Conversions
Policy DH1	Design
Policy DH3	Heritage Assets
Policy DH(b)	Protection of Amenity for Adjacent Occupiers
Policy DH(g)	Local Views
Policy DH(h)	Conservation Areas
Policy DH(j)	Locally Listed Buildings
Policy EA(a)	Local Employment Sites
Policy EA(b)	Pubs
Policy E1	Carbon Emissions
Policy E2	Flood Risk
Policy E(a)	Pollution
Policy OS(f)	Ecological Factors
Policy IM1	Infrastructure
Policy IM(a)	Impact on the Road Network
Policy IM(b)	Walking and cycling
Policy IM(c)	Parking standard
Policy IM4	Sustainable Travel

Supplementary Planning Guidance/Documents:

Nationally Described Space Standard (2015)

London Housing SPD (2016)

Residential Extensions, Basement and Conversion Guidance SPD (2018)