

Eltham & Kidbrooke Area Planning Committee	Agenda Item: 5
3 December 2020	Reference No: 20/1518/F

Applicant: Mr Jain, CM International
Agent: Mr Butt, Lendel Stephens Ltd

Site Address: Land rear of 67 & 67a Eglinton hill, Plumstead, London, SE18 3NT	Ward: Shooters Hill Application Type: Full Planning Permission
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1. Recommendation

1.1 The Committee is requested to grant Full Planning Permission (Ref: 20/0925/F) as outlined below:

‘Construction of a 3 bedroom 5 person dwelling, construction of a new access, boundary treatments and other associated works..’

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:

The Site -	
Site Area (m ²)	416m ²
Heritage Assets	None
Tree Preservation Order	<ul style="list-style-type: none"> • Two TPO oak trees within the northern part of the site. • A TPO oak tree on council owned land in front of the site on Mayplace Lane recently fell in a storm and is expected to be replaced.
Flood Risk Zone	Flood Zone 1

Housing	
Density (habitable rooms per hectare – HRH)	120 HRH
Dwelling Mix	One, 3-bedroom dwellinghouse
Housing Standards Complies with Technical Housing Standards – Nationally Described Space Standards and London Plan Standards?	Yes

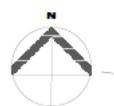
Transportation		
Car Parking	No. Existing Off-Street Car Parking Spaces	0
	No. Proposed Off-Street Car Parking Spaces	1
Public Transport	PTAL Rating	2 (Low)

Public Consultation	
Number in support	0
Number of objections	13
Number of neutral comments	1
Main issues raised (addressed in section 10 of this report)	<ul style="list-style-type: none"> • Impact on the character of the area. • Impact on local ecology • Impact on local parking stress

	<ul style="list-style-type: none"> • Disturbance during construction • Impact on protected trees • Loss of back garden space • Mayplace Lane is too narrow • Impact on neighbour amenity
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- 2.2 The application is being reported to the Eltham and Kidbrooke Area Planning Committee because the number of objections received exceeds 8 and the application being called before Members by Councillor Thorpe (also raised objections) and Councillor Merrill, 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 At the time of writing a members’ site visit has been arranged for Saturday 28th November 2020.
- 2.5 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 Eglinton Hill is a residential road which consists of a mixture of semi-detached, terraced and detached houses. Numbers 65-67 Eglinton Hill comprises of four floors and are occupied as a residential property. The site formerly formed part of the rear garden used by the occupiers living at 67 Eglinton Hill. To the south of the site is a 4-storey modern block of flats known as Highview.
- 4.2 The ground slopes down from South to North across the site and also down to Mayplace Lane to the East.
- 4.3 There are two TPO trees within the site, as well as a group of TPO trees to the north the site. A large oak tree sited between the eastern boundary of the site and Mayplace Lane was subject to a TPO but was recently blown down. The strip of land between the site and Mayplace Lane is owned by the Royal Borough of Greenwich and therefore the fallen tree belonged to the Council.
- 4.4 The site is not within a conservation area, nor in the vicinity of any statutorily or locally listed buildings. The site does not fall within a Flood Zone..

5. Relevant Planning History

16/4035/F Construction of 5x2-bed and 1x1-bed dwelling houses.
Refused 17/07/2018 for the following reasons:

1. The principle of new dwellings would not be supported due to the limited plot size and would constitute unacceptable garden grabbing to the detriment of the established character and appearance of the area. The proposed development of this site is, therefore, unacceptable for reason and would be contrary to the Core Strategy Policy H(c) and London plan Policies 3.4 and 3.5 of the London Plan.
2. The proposed development due to its resultant plot sizes would have an adverse impact on the spatial character and appearance of the area; and the design and appearance of the proposed dwellings would fail to respect the established character and appearance of the built form in the area due to its cramped appearance within an infill plot, which is contrary to policies 3.5, 7.4 and 7.6 of the London Plan

(2016) and policies H5 and DH1 of the Royal Greenwich Local Plan: Core Strategy with Detailed Policies (adopted July 2014).

3. The proposed dwelling does not provide a suitable quality of living environment with internal and external amenity space that does not achieve national standards and as such the development would constitute a cramped and poor living environment contrary to the Nationally Described Space Standards, Policy 3.5 of the London Plan (2016) and Policy H5 of the Royal Greenwich Local Plan: Core Strategy with Detailed Policies (adopted July 2014).
4. In the absence of a construction method statement, the proposed development fails to fully demonstrate the existing mature trees would be adequately protected and would not result in adverse impact on the biodiversity of the area, contrary to London Plan 7.19 (2015) and Core Strategy Policy OS(f) Royal Greenwich Local Plan: Core Strategy with Detailed Policies (2014).
5. The proposal fails to demonstrate that adequate secure off-street parking for the residents would be provided on site, contrary to Policies IM(c) of the Royal Greenwich Local Plan: Core Strategy with Detailed Policies (2014) and Policy 6.13 of the London Plan (2016).
6. The proposal fails to demonstrate adequate recycling and refuse space for resident's onsite, contrary to Policy H5 of the Royal Greenwich Local Plan: Core Strategy with Detailed Policies (2014) and Policy 5.16 of the London Plan (2016).

Appeal dismissed 18/09/2018 ref: APP/E5330/W/17/3191146

- Whilst the Inspector did not raise objections to a residential use on the site, in this appeal the Inspector noted that the proposed development would constitute a significantly different form of development from the adjacent block at Highview and from the surrounding two and three storey houses. The Inspector also noted that the development would also represent a high density form of development when compared to the existing pattern of development of the surrounding houses and gardens and would appear as somewhat cramped on the site. Overall, the Inspector concluded that the development would look incongruous and would jar with the established character and appearance of the surrounding area.

11/0573/F Erection of 2 x 4 bed three storey town houses with off street parking and refuse storage. **Refused 09/06/2011** for the following reasons:

1. The proposal development due to its sitting on this backland site, would have an adverse impact on the character and appearance of the locality, contrary to UDP Policies SD1, D1, H1, H10 and O8 and PPS 3.
2. The proposed development would not meet with the requirements of Lifetime Homes standards. As such, the proposal would result in the creation of a poor living environment, contrary to Policy H.17 of the Unitary Development Plan 2006.

09/1574/F Erection of a three/four storey block comprising four x one-bed, two x two-bed, two x three-bed and one bedsit/studio flat including parking and bicycle storage. **Refused 25/01/2009** for the following reasons:

1. The proposed development by reason of its bulk and mass would constitute an over-development of the site being out of scale with adjacent properties failing to respect the established character of the area, contrary to Policies SD1, D1, H1, H7 and H10 of the Unitary Development Plan and result in the loss of an open area of land that makes a positive contribution to the open character and visual amenities of the area contrary to Policy O8 of the Unitary Development Plan.
2. The proposed development by reason of its close proximity to the neighbouring property to No.2 Dallin Road would have an adverse impact on the amenities of the occupiers of this house by reason of an increase sense of enclosure, overlooking and loss of privacy, contrary to Policies SD1, D1, H1, H7 and H10 of the Unitary Development Plan, and the introduction of new vehicular access would intensify the use of the narrow road at Mayplace Lane, resulting in an increase in noise and disturbance to this property contrary to policy E1 of the Unitary Development Plan.
3. The proposed development by reason of its close proximity to the protected Oak tree, would be detrimental to its the future long term health of the tree, contrary to Policies D3 and D8 of the Unitary Development Plan

Appeal dismissed 11/08/2010 ref: APP/E5330/A/10/2122222/NWF

- In this appeal the Inspector considered the application site to not be residential garden space, but highlighted that the site has an environmental and amenity function and provides a welcome break in the built up area. The Inspector also noted that development should be integrated with, and complement, neighbouring buildings in the local area more generally and noted that this is especially relevant in the case of the appeal site in terms of the prevailing scale and layout. The Inspector agreed with the Council in that this 3/4 storey block would have preserved the amenity of the neighbouring occupiers.

6. Proposal (in detail)

- 6.1 The construction of a 3 bedroom 5 person dwelling, construction of a new access, boundary treatments and other associated works. The dwellinghouse would be constructed on a vacant and overgrown plot of land to the rear (east) of Nos. 67 and 67A Eglinton Hill. This land is under separate ownership to Nos. 67 and 67A and is separated by an existing boundary wall which is a long-standing arrangement.
- 6.2 The proposed dwelling would be single storey above ground level with one basement level and would be of contemporary design. At ground floor level would be a double bedroom and a single bedroom as well as a living room and bathroom, at basement level would be another double bedroom and a combined kitchen/dining room arranged around an external courtyard as well as another bathroom.
- 6.3 The dwelling would be set within a large garden with parking for one vehicle at the front of the site accessed via a new vehicle entrance from Mayplace Lane.
- 6.4 No trees would be removed as part of the development although the dwelling would be sited adjacent to two oak trees which are subject to a Tree Preservation Order TPO. The dwelling would be set within a landscaped garden including proposed tree planting along the rear (western) boundary of the site.

7. Consultation

- 7.1 Since being submitted in has been subject to the following public consultations:

- Ward Councillors were consulted on 1st July 2020
- Forty-Five (45) Neighbouring properties were consulted on 2nd July 2020
- A site notice was displayed at the site on 2nd July 2020.

Statutory Consultees

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

Details of Representation and date received	Summary of Comments	Officers comments
London Fire Brigade	An undertaking should be given that, access for fire appliances as required by Part B5 of the current Building Regulations Approved Document and adequate water supplies for firefighting purposes, will be provided.	Issues relating to Fire Safety are assessed in Section 20 of this report.

Council Departments

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

Details of Representation and date received	Summary of Comments	Officers comments
Tree Officer	No objections. The smaller oaks (G1) on the site that formed part of the TPO do not appear to be affected and are afforded protection in the arboricultural report. Two oak trees are only affected by the patio area and therefore care should be taken when installing this	Issues relating to Trees are assessed in Section 17 of this report. Conditions relating to tree protection and landscaping as well as an informative advising the applicant of plans to replace the fallen oak tree have been

	from possible root damage. There should not be any issues with replanting the oak tree on Mayplace Lane as long as the developers are made aware that it will be replaced at some point	recommended in Appendix 2.
Environmental Health	No objections, recommended conditions relating to and construction/demolition hours.	Issues relating to quality of accommodation and noise are assessed in Section 14 of this report. Conditions relating to construction management and air quality have been recommended in Appendix 2.
Highways Officer	Submitted comments raising no objections.	Issues relating to highways are assessed in Section 16 of this report. Conditions relating to cycle parking and construction management have been recommended in Appendix 2.
Occupational Health	This scheme should comply with the standards of Approved Document M4 category 2: accessible and adaptable dwellings. Compliance with M4(2) should be conditioned, and I will want to review all unit layouts (1:50) and general arrangement drawings (1:100) at submission of details stage, to check compliance with M4(2).	Issues relating to accessibility are assessed in Section 15 of this report. A condition relating to accessibility has been recommended in Appendix 2.

Waste Services	No objections.	<p>Issues relating to refuse and recycling are assessed in Section 16 of this report.</p> <p>Conditions relating to residential refuse and recycling storage and collection have been recommended in Appendix 2.</p>
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Neighbouring residents

7.4 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"> • Impact on the character of the area; • Impact on amenity of neighbouring properties due to scale of development, loss of privacy and noise/disturbance; • Density of development; • Previous applications on the site refused; • Impact on local ecology; • Impact on local parking stress; • Disturbance during construction; • Impact on protected trees; • Loss of back garden space; • Mayplace Lane is too narrow for traffic; • Impact on trees; • Impact on provision of utilities; 	<ul style="list-style-type: none"> • Impact on provision of utilities is not a valid planning consideration for this application. • Impact on surrounding property prices is not a valid planning consideration for this application. <p><i>All other concerns are addressed within subsequent sections of this report.</i></p>

<ul style="list-style-type: none"> • Impact on value of surrounding properties; • Impact on drainage; • Fire safety concerns. 	
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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
Councillor Danny Thorpe	<ul style="list-style-type: none"> • Siting and scale of the development would harm the green and open character of the area. • Concern for the quality of the living environment for future occupiers due to habitable accommodation being provided at basement level. • Concerns for the amenity of neighbouring occupiers due to the potential for overlooking from the development of the rear gardens of properties along Eglinton Hill. 	These concerns are addressed with subsequent consideration sections of this report.

Councillor Sarah Merrill	<ul style="list-style-type: none"> Requested the application be heard at committee in the event officers recommend approval. 	It is noted that this was called in to committee.
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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 Appearance
- Impact on Neighbouring Amenity;
- Quality of Accommodation;

- Inclusive Design;
- Highways/Refuse;
- Trees;
- Sustainability;
- Ecology and Biodiversity;
- Fire Safety;
- CIL; and
- Implications for Disadvantaged Groups

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.

Principle of additional residential accommodation on the site

10.2 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.

10.3 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.

10.4 The proposal is for the creation of 1 x 1 bedroom dwelling and 1 x 2 bedroom dwelling 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.

- 10.5 The proposed development is a backland development and Policy H(c) of the Core Strategy requires such development to be assessed individually against each criterion below:
- 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 adjoining houses and/or their back gardens.
 - 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.
 - v. The character of the area is maintained with particular regard to the scale, design, and density of the development.
- 10.6 The site was formerly part of the rear garden of 67 Eglinton Hill, however as this land has been separated from No.67 for a significant period by a wall, it is not considered to be part of the external amenity space of No.67. This is further evidenced by the title plan for the site which has been submitted with the application and confirms the site as being separate from No. 67. It is noted that in the previous applications on the site including the dismissed appeal ref: APP/E5330/A/10/2122222/NWF, the development was considered to not result in an unacceptable loss of external amenity space for surrounding properties. Therefore, the proposal satisfies criteria i.
- 10.7 Due to the limited height of the upper floor windows, the significant separation distance to the nearest neighbouring properties on Eglinton Hill, Dallin Road and Mayplace Lane and presence of screening vegetation at the side and rear of the development, the development would not unacceptably overlook neighbouring properties, in accordance with criteria ii.
- 10.8 Due to the significant separation distance to the nearest neighbouring properties the presence of screening vegetation and the low number of movements, vehicles accessing the site would not cause significant noise and disturbance impacts on neighbouring occupiers, in accordance with criteria iii. Further, adjacent to the site is a flatted development with a carpark, therefore vehicles accessing the site would not be out of character.
- 10.9 The site is not subject to any ecological designations, however the applicant has submitted an ecological appraisal which confirms that the site is not

occupied by significant wildlife habitat and this satisfies the requirements of criteria iv. There are two trees subject to a Tree Protection Order (TPO) within the site, and the site is surrounded by mature trees to the rear on the unmade and un-adopted road Mayplace Lane. No trees would be removed as part of this development and a further assessment of the impact on trees is considered within Section 17 of this report.

- 10.10 In summary the provision of a backland residential development on the site is acceptable in principle. A discussion of the proposal in terms of its impact on the character of the area pursuant to criteria v. of Policy H(c) as well as an assessment against all other material 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 a suburban area with low access to public transport with a PTAL rating of 2.
- 11.2 The recommended density level for the site is therefore between 150-250 habitable rooms per hectare (HRH). The site has an area of 416m², proposed to have 5habitable rooms and, as such a density of 120HRH. This is slightly below the London Plan density requirement, however given the site constraints the development is still considered to satisfactorily optimise the housing potential of the site.

12. Design and Appearance

- 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 London Plan Policy 7.4 has regard to local character and states in its overall strategic aim that 'development should have regard to the form, function, and structure of an area, place or street and the scale, mass and orientation of surrounding buildings'.

- 12.3 Policy DH1 of the adopted Royal Greenwich Local Plan Core Strategy with Detailed Policies (2014) require proposals to have a high quality of design and to maintain scale and design which creates a positive relationship with the host building and locality.
- 12.4 The scale and massing of the development would accord with the prevailing pattern of development and would preserve the character and appearance of the area. The development responds to the topography of the land and its limited height and footprint would ensure that it appears as a subordinate feature of the landscape.
- 12.5 In terms of its more detailed design, the contemporary architectural form with variations in its height responds well to the constraints of the site and is considered to be high-quality design subject to the acceptability of the materials and finish which have been secured by condition.
- 12.6 The proposed elevational treatments would be vertical timber cladding which extends over the roof, full details of the specification and appearance of this cladding have not been provided, however the material is supported in principle and would respond well to the wooded nature of the surroundings. The rest of the materials palette includes aluminium windows and doors and concrete for the base and lower portions of the elevations as well as a glass balustrade. Subject to the materials being high quality, the materials palette is supported.
- 12.7 The application follows the dismissal of an appeal for the construction the erection of a three/four storey block comprising four one-bed, two, two-bed, two, three-bed and one bedsit/studio flat including parking and bicycle storage (Appeal dismissed 11/08/2010 ref: APP/E5330/A/10/2122222/NWF). In this appeal the Inspector considered the application site to not be residential garden space, but highlighted that the site has an environmental and amenity function and provides a welcome break in the built up area. The Inspector also noted that development should be integrated with, and complement, neighbouring buildings in the local area more generally and noted that this is especially relevant in the case of the appeal site in terms of the prevailing scale and layout. The Inspector agreed with the Council in that this 3/4 storey block would have preserved the amenity of the neighbouring occupiers.
- 12.8 The application follows the dismissal of an appeal for the construction of 5x2-bed and 1x1-bed dwelling houses (Appeal dismissed 18/09/2018 ref: APP/E5330/W/17/3191146). In this appeal the Inspector noted that the

proposed development would constitute a significantly different form of development from the adjacent block of flats at Highview and from the surrounding two and three storey houses. The Inspector also noted that the development would also represent a high density form of development when compared to the existing pattern of development of the surrounding houses and gardens and would appear as somewhat cramped on the site. Overall, the Inspector concluded that the development would look incongruous and would jar with the established character and appearance of the surrounding area.

- 12.9 The current application is considered to overcome the concerns raised by the Inspector in the two previous appeals because it is significantly smaller in height, being only single storey above ground level, and significantly smaller in footprint, being only one 3-bedroom dwellinghouse. The current proposal is also of a high quality design and architectural form which responds to the topography of the site and the green and wooded character of the area. The incorporation of elements such as a green roof and vertical timber cladding as well as proposed planting would help to blend the development into its surroundings so that it would not appear prominent in the streetscene and would continue to provide a welcome break in the built form.
- 12.10 The two previous appeals did not raise an in-principle objection to the residential redevelopment of the site and did not consider the development to result in the loss or back garden space or to constitute 'garden grabbing'.

Hard and soft landscaping

- 12.11 Policy DH1 Design states that to achieve a high quality of design, all developments are expected to provide a positive relationship between the proposed and existing urban context by taking account of topography, landscape setting, ridges and natural features. Policy DH1 also requires development to enhance biodiversity consistent with the Greenwich Biodiversity Action Plan and also reduce surface water flood risk and landscape the environment in a way that provides for permeable surfaces.
- 12.12 The proposal would provide a high quality hard and soft landscaping plan which would be a significant improvement on the existing arrangement of the site which is currently significantly overgrown. Full details of hard and soft landscaping have been secured by condition to ensure this element of the scheme is delivered to the highest quality.

12.13 In summary, the proposed backland development is considered to have overcome the concerns raised by the Inspector in two previous appeals on the site and would have an acceptable impact on the character and appearance of the area, in accordance with Policies 7.4 and 7.6 of the London Plan (2016), and Policies DH1 and H(c) 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.

Impact on outlook, daylight/sunlight and sense of enclosure

13.4 Due to the limited height of the development at one storey above ground level, as well as the significant separation distance to the surrounding properties on Eglinton Hill, Dallin Road and Mayplace Lane, the development would not result in loss of amenity due to loss of outlook or sunlight or increased sense of enclosure to these adjacent residential units. The dwelling would be sited 23m from the rear elevation of the properties on Eglinton Hill to the rear and 11.6m from the flank elevation of the 4-storey block of flats to the south of the site which are considered to be significant distances.

Impact on privacy

13.5 The Mayor's Housing SPG (2016) states that Designers should consider the position and aspect of habitable rooms, gardens and balconies, and avoid windows facing each other where privacy distances are tight. In the past, planning guidance for privacy has been concerned with achieving visual separation between dwellings by setting a minimum distance of 18 – 21m

between facing homes (between habitable room and habitable room as opposed to between balconies or terraces or between habitable rooms and balconies/terraces). The Housing SPG states that while these distances can be useful yardsticks for visual privacy, adhering rigidly to these measures can limit the variety of urban spaces and housing types in the city, and can sometimes unnecessarily restrict density and it will often be beneficial to provide a set-back or buffer where habitable rooms directly face a public thoroughfare, street, lane or access deck

- 13.6 Due to the significant separating distance of 23m between the rear windows of the proposed welling and the rear windows of the properties fronting Eglinton Hill significant loss of privacy due to overlooking would not occur. The development would also feature a raised external amenity space above the flat roof of the basement element of the development which rises above the surrounding ground level by up to 1.4m. The rear of this raised terrace would be 14m from the rear elevation of Nos. 67 and 67A Eglinton Hill to the rear and significant overlooking from the terrace would not occur due to the significant intervening distance as well as the presence of proposed tree planting along the rear boundary which would provide screening. It is also noted that use of the terrace is likely to be infrequent.
- 13.7 The nearest property to the south of the site is the 4-storey block known as Highview which includes residential windows at 1st floor level which would not be overlooked by the development due to the significant height difference between the two developments with the application site significantly lower due to the topography of the area which slopes down south to north. There are no residential properties to that would be overlooked to the north or east of the site.

Noise and disturbance

- 13.8 One on-site car parking space is proposed and as this space is located at the front of the site, vehicles accessing the site would not cause noise and disturbance to neighbouring residents.
- 13.9 As a basement is proposed, and the submitted Basement Impact Assessment demonstrates that the excavation of a basement would not unacceptably harm the amenity of the neighbouring occupiers and would not compromise surrounding structures.
- 13.10 In summary, 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), H(c) and E(a) of the Core Strategy.

14. Quality of Accommodation

- 14.1 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.

Unit type	Nationally Described and London Plan Space Standard's (m ²)	Proposed GIA (m ²)
2 storey 3 bedroom 5 person flat	93	150

- 14.2 As can be seen from the above, the dwelling 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 dwelling 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 dwelling would achieve. This indicates that the dwelling would provide sufficient internal living space.

Outlook, light and privacy

- 14.3 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.
- 14.4 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.

- 14.5 The dwelling would be triple aspect and all habitable rooms would be served by at least one window which would provide sufficient natural light and outlook. The submitted Daylight/Sunlight assessment confirms that the dwelling would achieve broad compliance with BRA guidelines for daylight and sunlight but notes that the basement living rooms would fall below the recommended guidance for levels of direct sunlight during winter months. However, the BRA guidelines acknowledge that full compliance may not always be possible and recommends in such cases that the development be designed to mitigate this. The accommodation in the basement would be served by a sunken courtyard as well as high level windows in the north side elevation as well as rooflights and this would provide sufficient outlook and natural light. The Daylight/Sunlight Assessment confirms that all habitable rooms in the development would achieve BRE compliant average daylight factor which demonstrates that all rooms would achieve acceptable levels of natural light.
- 14.6 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 dwelling would benefit from a 188sqm private rear garden as well as a large front garden which is well in excess of the policy requirement.

Noise and Air Pollution

- 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 Policies 7.14 and 7.15 of the London Plan.

14.10 The dwelling would be set in a backland location within a residential location with no significant noise sources in the vicinity. As such the future occupiers of the development would not be exposed to harmful levels of noise or air pollution.

14.11 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, 7.14 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 arrangement of the dwelling could reasonably comply with the requirement of M4(2) and details demonstrating full compliance 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 The site has a low PTAL of 2 and would provide 3 bedrooms, 1 on-site car parking space would be provided which is considered acceptably provision in line with Policy 6.13 and IM(c).
- 16.4 A new vehicular access to the site would be created from Mayplace Lane which is acceptable in principle and comments received from the Council's Highways Officer raised no objections on highway safety grounds.
- 16.5 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. This table states that residential developments should provide 1 space per 1-bedroom unit and 2 spaces per all other units.
- 16.6 Cycle storage for 2 bicycles would be provided at the front of the site within a cycle locker which is acceptable.

Refuse and recycling

- 16.7 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.
- 16.8 Refuse and recycling storage would be provided at the side of the dwelling and it has been confirmed by Greenwich Refuse that the site could be serviced via Mayplace Lane and it noted that the adjacent flatted development at Highview is serviced via Mayplace Lane.
- 16.9 In summary, 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 DH1, IM4, IM(b) and IM(c) of the Core Strategy (2014).

17. Trees

- 17.1 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.
- 17.2 London Plan Policy 7.21 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.

- 17.3 Core Strategy Policy H(c) states that proposals for backland development should not result in significant loss of wildlife habitats, particularly trees or shrubs which would adversely affect the appearance and character of the area.
- 17.4 There are two TPO trees, two mature oak trees, within the site along its northern boundary and it should be noted that the site is surrounded by mature trees to the rear on the un-adopted road Mayplace Lane. A large oak tree subject to a TPO sited between the eastern boundary of the site and Mayplace Lane (outside the development site) was recently blown down. The strip of land between the site and Mayplace Lane is owned by the Royal Borough of Greenwich and therefore the fallen tree belonged to the Council. Discussions with the Council's Tree Officer confirmed that the fallen tree will be replaced by a replacement of similar size in due course.
- 17.5 The submitted Arboricultural Impact Assessment confirms that no trees would be removed to implement the development. The two TPO oak trees within the site are categorised within the submitted Arboricultural Impact Assessment (AIA) as being poor quality however they are to be retained and the AIA confirms that the foundation of the development would not harm the surrounding trees, the nearest being the two TPO oak trees. A patio is proposed at the rear of the dwelling which would encroach into 30% of the root protection area (RPA) of the oak trees however harm to the trees could be satisfactorily mitigated by implementing a 'no-dig' construction method when constructing the patio and this approach is recommended by the AIA.
- 17.6 The siting of the proposed dwelling would not prejudice the anticipated replacement of a TPO oak tree in front of the site on Mayplace Lane which was blown down in a storm because of the dwelling would be significantly set back from the where this tree would be replanted.
- 17.7 During implementation of the development suitable measures to protect existing trees within and surrounding the site are recommended by the AIA and these measures have been secured by condition.
- 17.8 The landscape plan included within the proposal proposes new trees to be planted along the western boundary which would contribute to urban greening as supported by the London Plan and Core Strategy and would also

help to further screen the development from the nearest neighbouring properties on Eglinton Hill. Details of the specific species, size and maintenance arrangements have been recommended as a condition.

17.9 In summary, subject to the recommended condition, the development would have an acceptable impact on surrounding trees, in accordance with Policies 5.10 and 7.21 as well as Policies DH1 and H(c) of the Core Strategy.

18. Sustainability

18.1 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

18.2 The dwelling would feature a green roof atop the basement element and the ground floor roof would feature solar panels which is supported by Policy 5.2 as well as Core Strategy Policy E(f) which states that New build development proposals should be designed to incorporate living roofs or walls.

18.3 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.

18.4 In light of the above, the proposed development would comply with London Plan Policies 5.2 and 5.15 and Policy E(f) of the Core Strategy.

19. Ecology and Biodiversity

19.1 London Plan Policy 7.19 states that Proposals should wherever possible make a positive contribution to the protection, enhancement, creation and management of biodiversity.

19.2 Policy OS4 of the RBG Core Strategy states that Royal Greenwich's rich biodiversity and geodiversity will be protected, restored and enhanced.

19.3 The site is not subject to any ecological designations and the submitted Preliminary Ecological Appraisal Survey confirms that in addition to a desktop ecological study an on-site ecological survey was conducted by qualified ecologists on 28th February 2020 and the survey concludes that the site is not inhabited by significant wildlife species or habitat. The report does not recommend further ecological survey and makes no recommendations which would prevent the development as proposed from moving forwards. A condition requiring the development to be implemented in accordance with all recommendations of the Preliminary Ecological Appraisal Survey has been recommended.

19.4 Subject to the recommended condition, the development would have an acceptable impact on local wildlife and ecology, in accordance with Policy 7.10 of the London Plan and Policy OS4 of the Core Strategy.

20. Fire Safety

20.1 Policy D12 'Fire safety' of the Draft London Plan (yet to be formally adopted) states that in the interests of fire safety and to ensure the safety of all building users, all development proposals must achieve the highest standards of fire safety and ensure that they identify suitably positioned unobstructed outside space:

- a) for fire appliances to be positioned on
- b) appropriate for use as an evacuation assembly point

20.2 It is noted that the site is accessed via Mayplace Lane which is a narrow single track road. The London Fire Brigade reviewed the proposal and raised no objections in principle to the development on fire safety grounds. But highlighted that an undertaking should be given that, access for fire appliances as required by Part B5 of the current Building Regulations Approved Document and adequate water supplies for firefighting purposes, will be provided.

20.3 In light of the comments from London Fire Brigade and the presence of existing flatted development adjacent to the site at Highview which is also accessed from Mayplace Lane, the narrowness of the access is not considered to present an unacceptably fire safety risk and could be suitably mitigated in line with current Building Regulations. Further assessment of development in relation to the fire safety requirements of the Building Regulations is beyond the scope of the planning considerations for this application and the development is considered to be acceptable in terms of fire safety. An

informative advising the applicant of the comments from London Fire Brigade has been recommended.

21. Community Infrastructure Levy (CIL)

- 21.1 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 CIL2 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.
- 21.2 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.
- 21.3 The proposed development would not be liable to the Mayor's CIL and the RBG Community Infrastructure Levy.

22. Implications for Disadvantaged Groups

- 22.1 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.

23. Conclusion

- 23.1 The development to provide a high quality three bedroom dwellinghouse suitable for family occupation whilst preserving the character and appearance of the area as well as the amenity of the neighbouring occupiers.
- 23.2 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.

23.3 Accordingly, it is recommended that planning permission be granted for application reference, in line with Section 1 of this report.

Background Papers:

National Planning Policy Framework (2019)

The London Plan (2016)

Housing SPG (2016)

Nationally Described Space Standards (2015)

The Intend to Publish London Plan (2019)

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

Responses from consultations

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