

Local Planning Committee 16 July 2024	Agenda Item: 9 Reference No: 24/0832/F Web Link: Planning Documents
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Applicant / Agent: Draw and Plan

Site Address: 31 Nithdale Road, Plumstead, London, SE18 3PF	Ward: Shooters Hill Application Type: Full Planning Permission
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1. **Recommendation**

- 1.1 That Full Planning Permission be **GRANTED** for the change of use of from two flats (Use Class C3) to large HMO (Sui Generis) for 7 people, including the removal of a front window and all associated works.
- 1.2 Subject to the conditions (Appendix 2) to be detailed in the notice of determination.
- 1.3 To authorise the Assistant Director (Planning & Building Control) to:
- i. Make any minor changes to the detailed wording of the recommended conditions as set out in this report (Appendix 2), where the Assistant Director (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)	0.02 Ha
Local Plan Allocation	None
Heritage Assets	None
Tree Preservation Order	None
Flood Risk Zone	1 (No Flood Risk Assessment Required)

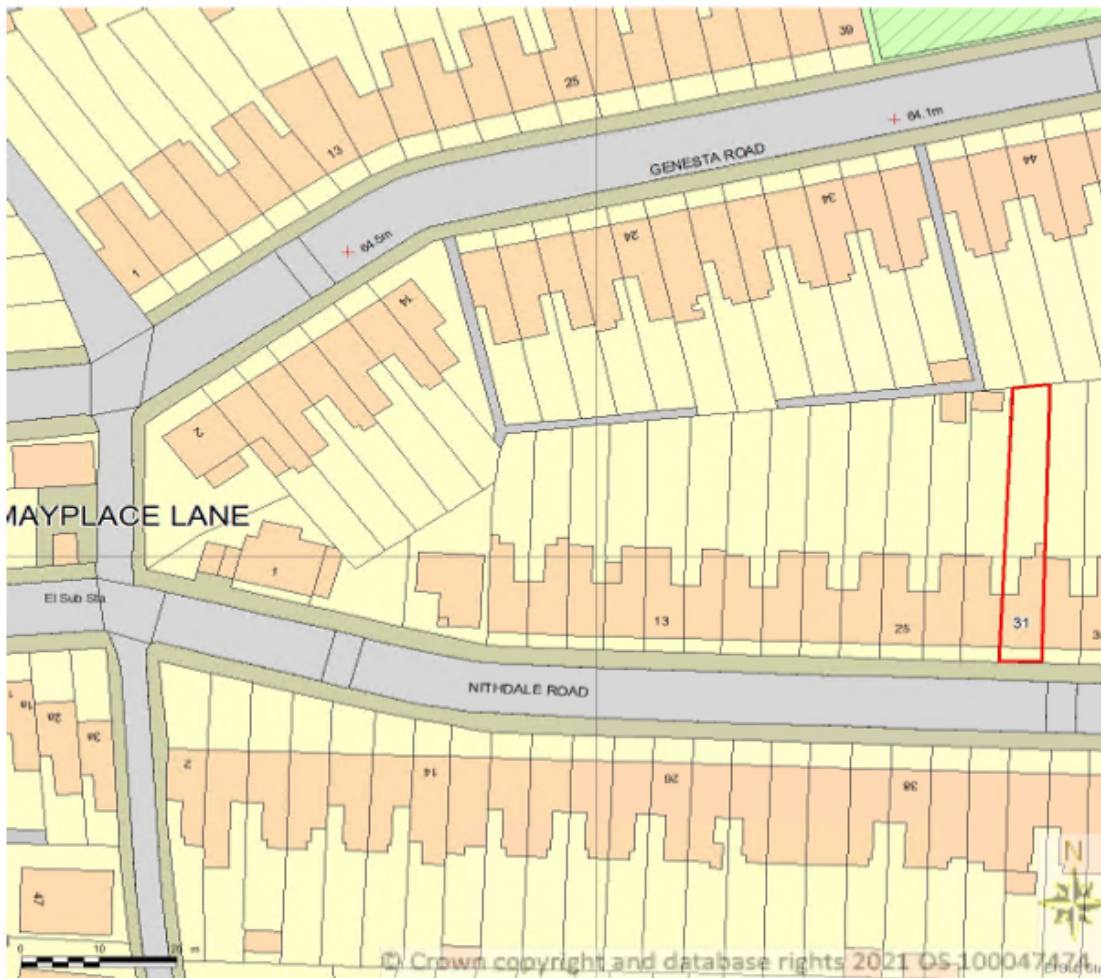
Existing and Proposed Building	
Building Height	8.9 metres
No. of storeys	2
Ground area coverage (m ²)	65.3

Transportation		
Car Parking	No. existing car parking spaces	0
Car Parking	No. Proposed Car Parking Spaces	0
Cycle Parking	No. Proposed Cycle Parking	2
Public Transport	PTAL Rating	1b

Public Consultation	
Number of neighbours in Support	0
Number of objections – addressed in section 6 of this report.	Thirty-five (35) objections have been received in relation to the proposed development from 26 nearby residents

- 2.2 The application has received twenty-four objections from local residents and has been called into committee by Councillor Ivis Williams.
- 2.3 The report details all relevant national, regional and local policy implications of the scheme, including supplementary planning guidance.
- 2.4 The application is considered to be acceptable and is recommended for approval subject to that set out in section 1 above.

Site Plan



3 **Site and Surroundings**

- 3.1 The application site is 31 Nithdale Road, London, SE18 3PF.
- 3.2 The site is located on the northern side of Nithdale Road and relates to a two-storey terraced dwellinghouse which has been divided into two flats, the surrounding area is residential in character, comprising predominantly terrace dwellings which are similar in character to the application site.
- 3.3 The application site is not located within a conservation area and does not relate to a listed building.
- 3.4 The application site has a PTAL rating of 1b (where 0 is the worst and 6b is the best).
- 3.5 The site is within Flood Zone 1.

4. Relevant Planning History

Relevant Planning History					
App Number:	21/2814/F	Decision:	Refused	Decision Date:	16/02/2022
Address:	31 Nithdale Road, Plumstead, London, SE18 3PF				
Description:	Ground floor rear extensions, rear dormer roof extension and change of use from two flats (Class C3) to a large house in multiple occupation (Sui Generis).				
Reasons for refusal:	<p>1. The proposed development, by reason of its large maximum capacity and the nature of its use, would cause unacceptable impacts on the amenity enjoyed by neighbouring properties, specifically with respect to the increased comings and goings to the site and with respect to increased noise pollution impacts to neighbouring occupiers. As such, the proposed development would be contrary to Policy D14 of the London Plan (2021), and Policy E(a) of the Royal Greenwich Local Plan: Core Strategy (2014).</p> <p>2. The proposed development, by reason of its large maximum capacity and the nature of its use, would bring forward unacceptable transport impacts on the operation of the highway network, as well as unacceptable impacts on the ability for neighbouring properties to park, particularly given the proximity of the site to the school on Nithdale Road to the east. As such, the proposed development would be contrary to Policy T4, T6 and T6.1 of the London Plan (2021) and Policies IM4, IM(a) and IM(c) of the Royal Greenwich Local Plan: Core Strategy with Detailed Policies (2014).</p>				
Appeal:	<p>Subsequently Allowed at appeal APP/E5330/W/22/3298788 on the 19th December 2022.</p> <p>On living conditions, the Inspector concluded the following:</p> <p><i>'I conclude that the proposed development would not have an unacceptable effect on the living conditions of neighbouring properties in relation to noise and disturbance. The proposed development would therefore comply with Policy D14 of the London Plan, and Policy E(a) of the Royal Greenwich Local Plan: Core Strategy with Detailed Policies (CSDP) which together, amongst</i></p>				

	<p><i>other things, avoids development which would have a significant adverse effect on the amenities of adjacent occupiers or users, especially where proposals would likely result in significant adverse noise impacts on health and quality of life.'</i></p> <p>On highway safety they concluded:</p> <p><i>'I conclude that the proposed development would not harm highway safety. As such, it would not be contrary to Policies T4, T6 and T6.1 of the London Plan and Policies IM4, IM(a) and IM(c) of the CSDP which together, amongst other things, assesses and mitigates transport impacts and encourages the reduction of the use of the private car.'</i></p>
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App Number:	21/1819/F	Decision:	Refused	Decision Date:	19/07/2021
Address:	31 Nithdale Road, Plumstead, London, SE18 3PF				
Description:	Construction of a single storey rear extension, part rear side infill extension and Insertion of 2 roof lights to front and rear roofslopes and change of use from two flats (C3) to an 8 person Sui Generis HMO.				
Reasons for refusal	The proposed development, by virtue of the insufficient internal living floor space provided in bedrooms 5 and 6 as well as the inadequate floor to ceiling height and outlook provided in bedroom 8, current proposal would provide cramped, substandard and oppressive living conditions for future occupiers and would be contrary to Policy D6 of the adopted London Plan (2021), H5 of the Core Strategy (2014), the Mayor's Housing SPG (2016), the Residential Extensions, Basements and Conversions SPD (2018) and the RBG Standard for HMOs (2018).				

5. Proposals (in detail)

- 5.1 Planning permission is sought for the conversion of the two existing flats (Use Class C3), to a large HMO (Sui Generis).
- 5.2 The proposal also relates to the removal of a window to the front elevation and the demolition of the front wall.

- 5.3 The proposed HMO would provide two bedrooms at ground floor level in addition to the kitchen and bathroom. At first floor level there would be four bedrooms with a bathroom and separate WC.
- 5.4 It is noted that permission was granted (planning ref: 21/2814/F) for a change of use to a large HMO, however this change has not been implemented. The previous application also involved the installation of rear extensions, rear dormers and associated works and these changes are no longer proposed under the current application. The internal layout of the HMO proposed under the current application has changed since that which was previously approved.
- 5.5 Amended plans have been submitted during the process of this application to provide more internal space for three of the proposed bedrooms and this has improved the quality of accommodation proposed.

6. **Consultation**

- 6.1 The application, since being submitted in March 2024 has been subject to full public consultation comprising of a site notice and nine neighbour notification letters sent to adjacent occupiers. The application was subject to a second consultation process in May 2024 and this was due to an amended description of development and the submission of revised floor plans.
- 6.2 Thirty-five (35) objections have been received in relation to the proposed development from 26 nearby residents. A summary of the neighbour objections is provided below:

Summary of Comments	Officers comments
The applicant has not submitted sufficient information in relation to the proposed development, concerns that the plans are vague.	The information submitted is sufficient and complies with the Council's validation requirement.
<p><i>Concerns relating to residential amenity:</i></p> <ul style="list-style-type: none"> - Concern that sound-proofing has not been provided. - The noise and disturbance associated with the development would have a significant impact on 	<p>Sound proofing is not a require for a development such as this, it is not considered that the development would result in unacceptable noise and disturbance beyond that of a typical family dwelling.</p> <p>The impact of the development on neighbouring amenity is discussed</p>

<p>the surrounding neighbouring properties.</p> <ul style="list-style-type: none"> - Concern should be given to the residents of housing for those who have been institutionalised, which is adjacent to the school. -Use of the garden space would effect neighbouring privacy. 	<p>elsewhere in this report. Notwithstanding this, it is noted that this reason for refusal was dismissed in the consideration of appeal ref. APP/E5330/W/22/3298788.</p> <p>Concern is given to the impact of the development on all neighbouring residential occupiers who would be affected by the development. As set out above, whilst the previous application was refused on noise grounds, it is noted that this reason for refusal was dismissed in the consideration of appeal ref. APP/E5330/W/22/3298788.</p> <p>The use of the garden space would not be materially different from the existing use of the garden as the site is used as a residential dwelling currently, the development would be acceptable in this regard.</p>
<p><u>Concerns relating to design:</u></p> <ul style="list-style-type: none"> - The development would alter the front elevation of the house with the changes proposed to windows. - No details provided regarding brickwork and whether this would match the existing brickwork. - It appears that the existing garden wall would be demolished however no details have been provided regarding this. 	<p>The impact of the development on the character of the dwelling and wider area is assessed elsewhere in this report.</p> <p>The existing garden wall would be demolished, it is considered that permission would not be required for this as such no objection is required to the demolition of the wall from design perspective.</p> <p>It is also noted that the demolition of the front wall also formed part of the appeal reference APP/E5330/W/22/3298788.</p>
<p><u>Concerns relating to the principle of the HMO use:</u></p> <ul style="list-style-type: none"> - The number of occupants of the site could result in anti-social behaviour, emotional and physical harm to the occupants. 	<p>The development is not anticipated to directly result in anti-social behaviour.</p> <p>Each application is assessed on its own merits and as such it is not considered that the development would set an unacceptable precedent.</p>

<ul style="list-style-type: none"> - The development would set a bad precedent for using small houses as HMOs. - The development would be inappropriate in an existing family orientated area. - Concern that the development represents safety concerns. - The development results in the loss of family housing and the over-concentration of HMOs. - The borough is doing enough to help the housing crisis and the development is of no benefit. 	<p>The provision of a HMO in this area is acceptable in principle.</p> <p>It is not anticipated that the development would directly result in safety concerns.</p> <p>There are no planning policies to prevent to concentration of HMOs or the loss of family housing.</p>
<p>Concern regarding the litter and odour impact from bins as well as the capacity of the bins provided.</p>	<p>Matters relating to bins are discussed elsewhere in this report.</p>
<p><u>Concerns relating to quality of accommodation:</u></p> <ul style="list-style-type: none"> - Limited detail provided regarding kitchen layout. - Concern relating to additional capacity when guests come to the site. - No communal area provided. 	<p>The quality of accommodation is discussed elsewhere in this report. It is noted that details relating to the layout, beyond that of the provision of facilities, are not assessed as part of this application.</p> <p>The development is for a maximum capacity of 7 and no additional occupiers could reside at the site permanently. There is no control with regard to visitors coming to the site.</p> <p>There is no requirement for a living room to be provided, however the bedroom sizes required is larger to reflect this.</p>
<p><u>Concerns relating to cycle storage:</u></p> <ul style="list-style-type: none"> - No detail provided as to how bikes will be moved through the house. 	<p>Given the constraints of the site, the siting of the cycle store in the rear garden is acceptable in this instance.</p>

- Concern that the cycle store would not be used as people would not use bikes, the store provides a fire hazard.	Cycle parking is a requirement for a development of this nature.
Concern that no site notice was displayed.	Evidence of a displayed site notice has been provided.
The reason for refusal, previously applied to the development is relevant.	It is noted that the previous application was refused but this application was subsequently allowed by the Planning Inspectorate. This is further considered in the planning history section.
The development would cause parking pressure, which is already an issue due to there being a school on the street.	The impact of the development on highways and parking is assessed elsewhere in this report. As set out above, whilst the previous application was refused on highways grounds, it is noted that this reason for refusal was dismissed in the consideration of appeal ref. APP/E5330/W/22/3298788.
The development would provide a fire risk.	Given the nature of the development, an assessment of fire safety is not required.
Concern that landlords would not maintain the property.	The HMO would be regulated by the HMO licencing team who would consider the role of the landlord, this is not a material planning consideration.
The existing site is not kept in good condition and any work undertaken is not to a good standard.	This is not a material planning consideration.

6.3 **Councillors**

6.4 Three ward councillors were consulted on 9th May 2024, Councillor Ivis Williams requested this application be called into committee should the recommendation be for approval.

6.5 **Responses from Council Departments**

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

Details of Representation	Summary of Comments	Officers comments
<p><i>Transport and Highways:</i></p>	<p>The site is considered to be a significant distance from a railway station and is only within walking distance of two bus routes, it is therefore considered to have very poor access to public transport with a PTAL of 1b. Given the sites remoteness from such provision, this can promote use of personal mobility such as a car.</p> <p>The London Plan requires a full assessment of a proposals impact on the transport network; requiring that development does not have an adversely impact. Policy IM(b) of the Core Strategy also recognises this.</p> <p>Parking in the area relies predominantly via on street availability where the roads are unrestricted.</p> <p>As no car parking provision is proposed, any parking demand will rely on kerb side availability.</p> <p>While this accords with the overall objective to reduce parking provision</p>	<p>The transport and highways impact of the proposal is assessed elsewhere in the report.</p> <p>It is noted that the Inspector under appeal ref: APP/E5330/W/22/32987 88 considered that the highways impact of the large HMO (allowed at appeal) would be acceptable. The Inspector noted that there would not be any highway safety concerns and the future occupants of the site should reasonably be able to park on street without causing unacceptable parking pressure.</p> <p>Given the statements provided within the aforementioned appeal decision, it is not considered reasonable to request a parking survey in this instance. It is noted that the development allowed at appeal could still be lawfully implemented.</p>

in the London Plan, it is possible that additional indiscriminate parking could adversely affect existing local residents and potentially create issues of obstruction for existing residents or for refuse or emergency vehicles.

It is therefore recommended that a parking survey is undertaken overnight to ascertain the level of stress in the locality. The survey should be carried out using the methodology used by LB Lambeth although the car spaces should be considered to be 5.5m long not 5m as suggested. While the shorter length may be appropriate for a more Central London Borough, (where more city type cars would be prevalent), this borough uses 5.5m as a more representative figure and to allow manoeuvring.

In order to comply with the London Plan, adequate cycle provision should be made. It is recommended that one secure and easily accessible space be provided per bedroom.
Transport for London

	<p>provides Cycle Design standards indicating the design of cycle parking including the width of stores to ensure that they are functional and easy to use.</p> <p>Waste Services should be consulted regarding residential refuse and storage.</p>	
Waste Services:	We are satisfied with the proposal.	The implications for waste are discussed elsewhere in this report.
HMO Licencing:	No response at the time of writing.	Quality of HMO accommodation is assessed elsewhere within this report.

7. 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 - 2023)**
- **National Planning Practice Guidance (NPPG)**
- **The London Plan (March 2021)**
- **The Royal Greenwich Local Plan: Core Strategy with Detailed Policies (“Core Strategy” - 2014)**
- **New Developments: Guidance Notes for the storage and collection of waste and recycling materials for the Royal Borough of Greenwich (May 2018)**
- **The Royal Borough of Greenwich Standards for Houses in Multiple Occupation (2019)**
- **Royal Borough of Greenwich Urban Design SPD (2023)**

7.2 For full details relevant policies, SPDs and other documents, refer to Appendix 3.

8. Material Planning Considerations

8.1 This section of the report provides an analysis of the specific aspects of the proposed development and the principal issues that need to be considered in the determination of the planning application (Ref: 24/0832/F):

- Principle of Development (Section 9);
- Design (Section 10);
- Impact on Neighbouring Amenity (Section 11);
- Quality of Living Environment for Future Residents (Section 12);
- Transport and Highways Impacts (Section 13);
- Cycle Parking (Section 14);
- Waste and Refuse Storage (Section 15)
- Community Infrastructure Levy (CIL) (Section 16);
- RBG CIL (Section 17);
- Implications for disadvantaged groups (Section 18); and
- Public Sector Equality Deputy (PSED) and Human Rights (Section 19)

9. Principle of Development

9.1 The overriding objective of the Royal Greenwich policy framework is to deliver high quality development which improves the quality and distinctive identity of places and contributes to their success and the area's popularity as somewhere to live, work and stay.

9.2 Policy H9 of the London Plan (2021) (LP) sets out that boroughs should take account of the role of houses in multiple occupation (HMOs) in meeting local and strategic housing needs. Policy H9 clearly states that where HMO's are of a reasonable standard they should generally be protected.

9.3 Policy H2 of the Core Strategy (2014) (CS) promotes a mix of housing types and sizes, varying according to the location of the development and the character of the surrounding area. Other relevant considerations include; the level of accessibility to public transport, schemes for special needs groups, or where there is a poor external environment.

9.4 It is important to note that the Council's CS does not include any policies which protect the loss of family sized accommodation in relation to the conversion of single family dwellinghouses into HMO accommodation. As such, the loss of the existing accommodation in order to convert the property is considered acceptable.

- 9.5 In respect of the suitability of the proposed HMO, the Council's Urban Design SPD (adopted October 2023) states:
"It is important that the Royal Borough supports a range of homes in terms of size and tenure in order to meet a variety of housing need. HMOs that are of a good standard form an important part of the provision of lower cost housing. However, the unmanaged conversion of family housing stock to HMOs can undermine the Royal Borough's objective to meet these varying needs and make it difficult to achieve mixed and balanced communities as set out in the Core Strategy."
- 9.6 It is therefore evident that HMOs have been identified as providing suitable residential accommodation, which will be supported by the Council subject to other material considerations including the quality of the internal living environment. There are no applicable policies relating to the overconcentration of HMO's within a specific area.
- 9.7 It is noted that permission exists for the change of use of the site to a large HMO, appeal ref: APP/E5330/W/22/3298788. This previous application demonstrated that the principle of the change of use would be acceptable.
- 9.8 On the basis of the above, the proposal is considered acceptable in principle, subject to the other material planning considerations such as the provision of an acceptable quality of accommodation for its occupants. This is discussed elsewhere within this report.

10. Design

- 10.1 The National Planning Policy Framework (NPPF) (2023) states that the creation of a high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve (Chapter 12 – para 131). Paragraph 135 states further that planning decision should ensure that developments are:
- a) Will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
 - b) Are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
 - c) Are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or

discouraging appropriate innovation or change (such as increased densities);

- d) Establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
- e) Optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
- f) Create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

10.2 Paragraph 139 goes on to state that development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes. Conversely, significant weight should be given to:

- 1. Development which reflects local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes; and/or
- 2. Outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings.

10.3 Policy D3 of the LP states that development proposals should be of high quality, enhancing local context by delivering buildings and spaces that positively respond to local distinctiveness through their layout, orientation, scale, appearance and shape, with due regard to existing and emerging street hierarchy, building types, forms and proportions.

10.4 Policy DH1 of the CS requires all developments to be of a high quality of design and demonstrate that they positively contribute to the improvement of both the built and natural environments.

- 10.5 The proposal relates to the removal of a single window to the front elevation of the dwellinghouse, reducing the front three first floor windows to two. It is noted that all dwellings within the application terrace and to the southern side of the road benefit from a uniform window design. Whilst it is unfortunate that the removal of this window would affect this uniformity, it is considered that the proposal would be acceptable and would not unacceptably harm the character of the front elevation, the proposal is acceptable in this regard.
- 10.6 It is also noted that such works could be undertaken without the requirement for planning permission be obtained under Class A of Part 1, Schedule 2 of the Town and Country Planning (General Permitted Development Order) 2015 (as amended) subject to the materials proposed for the replacement brickwork to match the existing property.
- 10.7 The proposal would also see the removal of a low brick wall to the front of the site, which could be removed without the requirement of planning permission. It is also noted that this arrangement was also proposed within the proposal which was allowed at appeal under APP/E5330/W/22/3298788.
- 10.8 No further external alterations are proposed.
- 10.9 A condition is recommended on any approval to ensure the materials proposed would match the existing property. This is considered to be sufficient given the minimal scale of external alterations sought.
- 10.10 On the basis of the above, the development would be acceptable in design terms and would comply with Chapter 12 of the NPPF (2023), Policy D3 of the London Plan (2021), Policies DH1 and DH(a) of the Core Strategy (2014) and the Royal Borough of Greenwich Urban Design Guide (SPD) (2023).

11. Impact on neighbouring amenity

- 11.1 Policy D14 of the LP sets out that development proposals should seek to proactively manage noise impacts in a variety of ways where possible. Proposals should use good design to mitigate and minimise existing and potential nuisances generated by uses and activities located in the area.
- 11.2 Policy E(a) of the CS 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 the

unacceptable emission of noise, light, vibrations, odours, fumes, dust, water and Soil pollutants or grit.

- 11.3 Policy DH(b) of the CS requires new development to demonstrate that there would be no significant loss of amenity to adjacent or nearby properties, by reducing the amount of daylight, sunlight, privacy or outlook they enjoy, by creating an unneighbourly sense of enclosure, or by unacceptably impacting the wind environment or microclimate.
- 11.4 Under appeal ref: APP/E5330/W/22/3298788, the Inspector highlighted that the existing arrangement provided two residential units, which could be used for an unrestricted number of occupants. Consequently, the Inspector concludes that the development would not be so significant to adversely impact the living conditions of neighbouring occupants in relation to noise and disturbance, at a detrimental level over and above the existing situation. The Inspector noted that the surrounding area was not overly busy and as such noise issues would not be an issue for this area.
- 11.5 Furthermore, the Inspector identified that no clear evidence has been provided of antisocial behaviour at other HMO's in the area and there is no compelling case that any such issues would arise from this scheme. It was concluded that the development would not have had an adverse effect on the living conditions of neighbouring properties in relation to noise and disturbance.
- 11.6 The conclusions made by the Inspector are directly applicable in this case and it is also noted that the proposed capacity sought as part of this application is 7, which is less than the 8 sought under appeal ref APP/E5330/W/22/3298788.
- 11.7 As such, allowing a maximum number of persons residing in the property to seven (7), is not considered to present a significantly detrimental impact on the amenity enjoyed by the nearby neighbouring properties beyond the existing use of the building as two flats. It is also noted that an HMO use, with a larger capacity could lawfully be implemented under appeal ref: APP/E5330/W/22/3298788.
- 11.8 Given the only external alteration proposed would reduce the number of openings on the host building, it is not considered that there would be any adverse impacts on residential occupiers in terms of loss of daylight/sunlight, loss of outlook or loss of privacy.

11.9 In summary, the proposed change of use and associated development would preserve the amenity of the neighbouring occupiers, in accordance with Policy D14 of the London Plan (2021) and Policies E(a) and DH(b) of the adopted Core Strategy and Detailed Policies (2014).

12. **Quality of Living Environment for Future Residents**

12.1 The Royal Borough of Greenwich Residential Extensions, Basements, and Conversions Guidance SPD (2019) was superseded on the 25th October 2023, by the Urban Design SPD (2023).

12.2 The Urban Design SPD (Adopted October 2023) includes at Chapter I, section I.3.9 guidance for Houses in Multiple Occupation (HMOs). Paragraph i.166 states:

“The quality of accommodation provided by HMOs can be poor and can give rise to concern. To be considered good quality, proposals for the conversion to an HMO will need to:

- *provide sufficient internal space*
- *provide occupants with a reasonable standard of amenity*
- *not give rise to significant adverse amenity impacts to the surrounding properties/residential neighbourhood”*

12.3 The Royal Borough’s Standards for HMOs were adopted in 2019. These set out detailed amenity standards as well as additional further requirement relating to the management of the HMO.

12.4 In table i.1 it sets out the minimum internal space standards. However, further standards depending on the kitchen and lounge /dining facilities are identified in the HMOs Standards (2019).

12.5 Policy H5 of the CS seeks that new residential development, redevelopment, refurbishment or conversions will be expected to achieve a high quality of housing design and an integrated environment.

12.6 This is supported by LP Policy D6 which states that housing developments should be of high-quality design and provide adequately-sized rooms with comfortable and functional layouts which are fit for purpose and meet the needs of Londoners without differentiating between tenures. The policy goes on to state that the design of development should maximise the provision of dual aspect dwellings and provide sufficient daylight and sunlight to new and surrounding housing that is appropriate for its context.

12.7 Bedroom Sizes:

Bedroom sizes are assessed against Table I of the Royal Greenwich HMO Standards (2019) – Minimum room sizes, where kitchen facilities are in a separate room.

Bedrooms				
Bedroom no.	Occupancy	Size (sqm)	Standard (sqm)	Complies
Bedroom No.1 (ground floor, front)	2 persons	13m ²	12m ²	Yes
Bedroom No.2 (ground floor rear)	1 person	10.5m ²	9m ²	Yes
Bedroom No.3 (first floor front, left)	1 person	9.2m ²	9m ²	Yes
Bedroom No.4 (first floor, front, right)	1 person	9.1m ²	9m ²	Yes
Bedroom No.5 (first floor, middle)	1 person	9m ²	9m ²	Yes
Bedroom No.6 (first floor, rear)	1 person	9.3m ²	9m ²	Yes

As can be seen from the above table, the development would comply with the minimum standards provided by the HMO licencing standards. The HMO would have a maximum capacity of seven persons, with bedroom 1 providing a double bedroom.

Overall, it is considered that the bedroom sizes provided would be acceptable and comply with the above referenced standards.

12.8 Kitchen Facilities:

The Standards for Houses in Multiple Occupation (2019) states:

“Where exclusive kitchen facilities cannot be provided, one set of kitchen facilities shall be provided for every 5 occupants. The kitchen size and layout must enable the practical, safe & hygienic use of the kitchen for storage, preparation and cooking of food.”

As a kitchen serving 7 persons, two sets of kitchen facilities need to be provided within the proposed kitchen area. The minimum requirement for a kitchen serving 7 people, according to the Council's HMO standards (2019) is 11.5m².

The proposed kitchen would provide two sets of kitchen facilities and would measure 13.1m². As such, the kitchen facilities to be provided are appropriate and would comply with the Council's HMO standards.

12.9 Bathroom Facilities:

The RBG Standard for Houses in Multiple Occupation (2019) provide guidance as to the required bathroom provision for HMO's.

“Where exclusive bathroom/shower room and toilet facilities cannot be provided, [...] for 6-10 persons, two bathrooms or shower rooms, and two toilets with a wash hand basin should be provided. One of the required WC's and wash hand basins shall be provided in a room separate to the bath/shower room”

Two bathrooms would be provided, which is welcomed. One of the required WC and wash hand basin will be provided in a separate room to the bathroom.

12.10 Floor to Ceiling Heights:

The RBG HMO Standards (2019) state that it is expected that all rooms will have a minimum ceiling height of 2.1m over at least half the floor area.

The development would be acceptable in this regard.

12.11 Outdoor Amenity Space:

The HMO standards (2019) do not set out required provisions for outdoor space. It is noted however that the proposed development would reuse the existing rear garden space at the application site. As such, and with reference to the size of the proposed rear garden, this aspect of the proposal is considered to be acceptable in this instance.

12.12 Other Internal Amenity Factors:

The proposed HMO as a whole would be dual aspect. Given the positioning of neighbouring habitable openings and amenity spaces, none of the proposed bedrooms brought forward in this application would be subject to any significant privacy or overlooking related impacts from neighbouring properties.

It is considered that all of the proposed habitable spaces are expected to largely receive an acceptable level of daylight/ sunlight and have access to a reasonable outlook should the proposed development go ahead. This is acceptable in this regard.

12.13 Conclusion:

The proposal would bring forward an appropriate standard of accommodation and is therefore considered to be acceptable.

The proposed development would provide an acceptable quality of accommodation for prospective residents. As such, the proposed development is in accordance with Policy D6 of the London Plan (2021) and Policies DH1 and H5 of the Royal Greenwich Local Plan (2014), the Royal Borough of Greenwich Standards for Houses in Multiple Occupation (2019) and the Royal Borough of Greenwich Urban Design SPD (2023).

13. Transport and Highways Impacts

- 13.1 Policy T2 of the LP states that development proposals should deliver patterns of land use that facilitate residents making shorter, regular trips by walking or cycling. This policy also states that development proposals should reduce the dominance of vehicles on London's streets whether stationary or moving.
- 13.2 Policy T6 of the LP states that car-free development should be the starting point for all development proposals in places that are (or are planned to be) well-connected by public transport, with developments elsewhere designed to provide the minimum necessary parking.
- 13.3 Policy T4 of the LP sets out that developments should not increase road danger.

- 13.4 Policy IM4 of the CS supports the development of an integrated and sustainable transport system that is extensive in coverage and meets the needs of residents, businesses, workers and visitors in Royal Greenwich. It requires all development in Royal Greenwich to contribute to improved accessibility and safety and to reduce the use of the private car and the need to travel.
- 13.5 The application site has a PTAL rating of 1b (where 0 is the worst and 6b is the best). The site is not located within a Controlled Parking Zone (CPZ).
- 13.6 It is noted that the previous application for a change of use to large HMO was refused due to the impact of the development on highway safety and parking pressure. Appeal ref: APP/E5330/W/22/3298788 allowed the appeal. The Inspector stated that the development would not result in parking stress over and above the existing situation generated by the existing two flats at the site. The existing situation could result in occupants having multiple cars. The Inspector highlighted that there was no evidence submitted to demonstrate that the surrounding streets were at full capacity, and residents would therefore not have to walk far from parked cars. Officers consider that this situation has not materially changed since this previous decision. Whilst the existing school nearby was highlighted, the Inspector stated that the proposed development would be unlikely to exacerbate the existing parking pressure to a harmful degree.
- 13.7 The Inspector identified that whilst the PTAL rating is low for the site, the site is located close to bus routes and is walking distance to local shops and forms part of the London Cycle Network Route. As such, this would reduce reliance on a private car.
- 13.8 Whilst it is noted that the Council's Highways Department have requested a parking survey be submitted, this was previously not requested. No material difference has been identified as such it is not considered reasonable to request one in this instance. The Inspector also identified that a parking survey would not have been required due to the proposal being unlikely to generate significantly more trips than the existing use of the site as two properties.
- 13.9 The Inspector identified in relation to appeal ref: APP/E5330/W/22/3298788, that the development would not harm highway safety. Officers consider that this conclusion remains relevant to this application and the development would have an acceptable impact on the highway network, particularly as the

proposed capacity sought within this application is less than the appeal proposal which provided accommodation for up to 8 residents.

13.10 As such, the proposed development is considered to be in accordance with Policies T4, T6, T6.4 and D3 of the London Plan (2021) and Policies IM4 and IM(c) and DHI of the Core Strategy (2014).

14. Cycle Parking

14.1 Policy T5 of the LP states that development proposals should help remove barriers to cycling and create a healthy environment in which people choose to cycle. The policy is clear that proposals should do this by meeting providing cycle parking at least in accordance with the minimum standards set out in Table 10.2 and Figure 10.3. The cycle parking should be fit for purpose, secure and well-located.

14.2 This is supported by Policy IM(b) of the CS.

14.3 A cycle store has been shown within the rear garden, the siting of this would be acceptable however details would be sought via condition should this application be recommended for approval.

14.4 It is noted that neighbouring residents have raised concern regarding the siting and materiality of this store, it is considered that the arrangement would be typical for a dwelling of this nature. It is also noted that this arrangement was also proposed as part of appeal reference APP/E5330/W/22/3298788.

14.5 The proposal complies with Policy T5 of the LP and IM(b) of the of the Core Strategy (2014).

15. Waste and Refuse Storage

15.1 Policy H5 of the CS identifies that development needs to minimise the production of waste, to promote the reuse and recycling of waste materials and to ensure that waste disposal is environmentally responsible. As such, residential schemes should incorporate measures for community recycling that minimises waste disposal and should provide refuse bins and recycling boxes. This is supported by LP Policies SI7 and SI8.

15.2 Six bins have been shown in the front garden of the application site. Officers consider that the front garden would be large enough to accommodate this waste provision, should this application be recommended for approval, this bin provision would be secured via condition. It is also noted that this arrangement was also proposed as part of appeal reference APP/E5330/W/22/3298788.

15.3 The proposed development would comply with LP policies S17 and S18 and Policy H5 of the CS.

16. Community Infrastructure Levy

16.1 The current application is not liable to this requirement.

17. RBG CIL

17.1 The current application is not liable to this requirement.

18. Public Sector Equality Deputy (PSED) and Human Rights

18.1 Under the Equalities Act 2010, the Council must have due regard to the need to eliminate discrimination, harassment or victimisation of persons by reason of age, disability, pregnancy, race, religion, sex and sexual orientation. This planning application has been processed and assessed with due regard to the PSED. The application proposals are not considered to conflict with the Duty.

18.2 The application has also been considered in the light of the Human Rights Act 1998 and it is considered that the analysis of the issues in this case, as set out in this report and recommendation, is compatible with the Act.

19. Implications for disadvantaged groups

19.1 There are no specific implications identified. Applications for HMO's are not required to be compliant with the accessible design requirements as set out in Policy D5 of the London Plan (2021).

20. Conclusions

20.1 Appeal reference APP/E5330/W/22/3298788 can lawfully be implemented at the application site and this proposal seeks accommodation for less residents than that which was allowed at appeal. The principal of an HMO in this location is therefore acceptable.

- 20.2 The proposed development would provide an HMO which would contribute to meeting the local and strategic housing needs of the Borough and London as a whole.
- 20.3 The proposed change of use and associated external works would not result in a significantly detrimental effect on the character and appearance of the application building or the wider public realm.
- 20.4 The proposed development would provide an acceptable quality of accommodation for residents.
- 20.5 The proposed development would not result in any unacceptable impacts to the amenity enjoyed by neighbouring occupiers.
- 20.6 Accordingly, it is recommended that permission be granted for application reference 24/0832/F, in line with Section I of this report.

Background Papers:

National Planning Policy Framework (NPPF – 2023)

National Planning Practice Guidance (NPPG)

The London Plan (March 2021)

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

New Developments: Guidance Notes for the storage and collection of waste and recycling materials for the Royal Borough of Greenwich (May 2018)

The Royal Borough of Greenwich Standards for Houses in Multiple Occupation (2019)

Royal Borough of Greenwich Urban Design Guide SPD (2023)

Responses from consultations

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