
Appeal Decision

Site visit made on 25 October 2016

by Nicola Davies BA DipTP MRTPI

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

Decision date: 10 November 2016

Appeal Ref: APP/E5330/W/16/3154323

35 Hartsmead Road, Eltham, Greenwich SE9 3LU

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Richard Leahy against the decision of Royal Borough of Greenwich Council.
 - The application Ref 16/0429/F, dated 12 February 2016, was refused by notice dated 29 April 2016.
 - The development proposed is the construction of a detached 3 person dwelling house.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue raised in respect of the appeal is the effect of the proposed development on the character and appearance of the area.

Reasons

3. The character of Chapel Farm Road and Hartsmead Road is formed by two-storey semi-detached houses that are set behind front gardens and front on to the highway. The properties in the area have long gardens to the rear. There is a strong rhythm to the pattern of development in the area. The properties have regularity in terms of their housing type and design, combined with setback from the highway and long rear gardens. This sets the character for the development in the area.
 4. The proposed development would be a detached two-storey dwelling positioned in the rear garden of No.35. The introduction of such a dwelling in this location would represent a discordant feature within the area. It would be out of keeping with the regularity and linear consistency of the existing pattern of development. For this reason the proposed development would not accord with the well-defined regular pattern of frontage development and the siting of the dwelling to the rear would be intrusive and out of place. Furthermore, the subdivision of the plot and removal of a large portion of the private garden area associated with No.35 would be out of keeping with the uniformity to the pattern and size of rear gardens in the area. The proposal, as a result of building behind No.35 and utilising the garden associated with this property, would not maintain the distinctive continuity of the existing development in the surrounding area.
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5. The appellant has drawn my attention to a dwelling (known as No.1A) that has been erected to the side of the semi-detached property, No.1 Chapel Farm Road, opposite the appeal site. This property represents the conversion of an existing garage. It is attached to the side of No.1, continuing the same front building line, and is single-storey. This it is not comparable to the proposal before me, which is for a new, two-storey building in a rear garden.
6. My attention is also directed to a dwelling that has been erected at land to the rear of No.534 Sidcup Road which the Council indicates was a brownfield site previously occupied by a garage in disrepair. The circumstances of that case differ to this proposal as the appeal site currently forms part of the rear residential garden area relating to No.35. I am also mindful that this property was granted planning permission some time ago and predates the National Planning Policy Framework (the Framework) and the adoption of the London Plan and the Royal Greenwich Local Plan Core Strategy with Detailed Policies (the Core Strategy). These development plan policies give protection to garden land and the retention of the amount of amenity space enjoyed by existing residents.
7. For these reasons I conclude that the proposal would be harmful to the character and appearance of the area. The proposed development would be contrary to Policies 7.4 and 7.6 of the London Plan and Policies H5, H(c) and DH1 of the Core Strategy, which seek all development to be of a high standard of design and to maintain the character of the area, amongst other matters. The proposed development would also be contrary to paragraphs 53, 56, 60 and 64 of the Framework that seek to promote or reinforce local distinctiveness and attach great importance to the design of the built environment.

Other Matters

8. The proposal would provide an additional home within the urban area in a sustainable location that would contribute to the overall demand for homes in the Borough. I give this benefit some weight. However, this is not sufficient to outweigh the harm to the character and appearance of the area that I have identified above.
9. I acknowledge that the proposed dwelling would meet Technical Housing Standards in respect of its overall internal size and room proportions and the appeal site would be located within walking distance of public transport facilities. Again, however, these matters do not outweigh the harm to the character and appearance of the area that I have identified above.
10. Therefore, taking account of these other matters, I consider that the proposed development would conflict with the relevant policies of the development plan taken as a whole.

Conclusions

11. For the reasons given above, I conclude that the appeal should be dismissed.

Nicola Davies

INSPECTOR