
Appeal Decision

Site visit made on 29 November 2016

by Daniel Hartley MTP MBA MRTPI

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

Decision date: 06 December 2016

Appeal Ref: APP/C5690/D/16/3157112

43 Greenland Mews, London SE8 5JW

- 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 Raziel Holdings Ltd against the decision of the Council of the London Borough of Lewisham.
 - The application Ref DC/16/095640, dated 24 February 2016, was refused by notice dated 18 August 2016.
 - The development proposed is the construction of a new second floor extension to provide additional living accommodation to the existing house.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposal upon the character and appearance of the area.

Reasons

3. The appeal site comprises a two storey mid-terraced dwelling, located within Greenland Mews which is a gated residential development with its access taken from Trunleys Road. The dwelling is part of a long terrace and is one of three identical two storey properties which are interspersed amongst the mainly three storey dwellings. The roofline of the appeal property is considerably lower than the roof line of the adjoining properties. It is stepped and projects forward of the main roofs of the three storey dwellings: this is in direct contrast to the imposing and projecting adjacent front elevations. The three identical properties in the terrace provide some relief to the otherwise long development and this adds positively to the character and appearance of this residential area.
4. It is proposed to construct an additional storey at second floor level which would be finished using vertical tiles. An outside terrace would be created at second floor level by means of increasing the height of part of the existing front wall of the house. This would be at a height which matches the outside terrace walls of the adjoining three storey dwellings and would include a blue brick header course capping to match the existing.
5. I note the evolution of this scheme, and have taken into account appeal decision reference No APP/C5690/D/14/2219780, subsequent pre-application discussions with Council officers and the planning report considered by

members of the Planning Committee. In respect of the appeal decision, I concur with my colleague who commented that *"the property that is the subject of this appeal is one of three such properties set within the terrace in a deliberate pattern"*.

6. I acknowledge that the second floor roof would be set down from the main roof of the adjoining dwellings. However, in contrast to the existing pattern of development, such a set down would be insignificant. In addition, the effect of raising the front wall of the house to create a second floor terraced area would be such that the dwelling would appear similar in scale and appearance to the neighbouring properties. I also have some concerns about the introduction of an additional material (ie vertical tiles) as this would have the effect of making the development stand out from the regular appearance of other dwellings within the wider terrace. Collectively, these concerns are of such a magnitude that the proposed development would cause significant harm to the character and appearance of the area. If this appeal were allowed it would detract unacceptably from the open break and relief within the long terrace. Furthermore, given the deliberate and repetitive design of the three properties within the terrace, it would be difficult to resist similar proposals if this appeal were allowed.
7. For the reasons outlined above, I conclude that the proposal would cause significant harm to the character and appearance of the area. Therefore, the proposal would not accord with the design aims of Policies DM30 and DM31 of the Lewisham Development Management Local Plan 2014; Policy 15 of the Lewisham Core Strategy Development Plan Document 2011 and Policies 7.4 and 7.6 of the London Plan 2016.

Other Matters

8. I have taken into account representations made by a number of other interested parties. Some of the comments have already been addressed in this decision. I note the comments made about the potential use of the property as a house in multiple occupation (HMO). Such a proposal is not before me, and this is not therefore relevant to the determination of this appeal. The Council can separately investigate whether or not it is necessary to restrict permitted development rights relating to HMOs in this area.
9. I do not consider that the proposal would result in any material loss of light for the occupiers of neighbouring properties, and had the appeal been allowed, it would have been possible to deal with construction activity (including possible noise) by means of a construction management condition. Any damage to properties, or the road, as a result of construction, would be private matters.
10. None of the other matters raised outweigh my conclusion on the main issue.

Conclusion

11. For the reasons outlined above, and taking into account all other matters raised, I conclude that the appeal should be dismissed.

Daniel Hartley

INSPECTOR