



Appeal Decision

Site visit made on 12 December 2016

by Caroline Mulloy BSc (Hons) DipTP MRTPI

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

Decision date: 30th December 2016

Appeal Ref: APP/C5690/W/16/3159584

22 Farmcote Road, Lewisham, London, SE12 0JZ

- 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 N Varathan against the decision of the Council of the London Borough of Lewisham.
 - The application Ref DC/16/096049, dated 30 March 2016, was refused by notice dated 26 May 2016.
 - The development proposed is single storey one bedroom dwelling house at rear of 22 Farmcote Road.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. An updated version of the London Plan was published in March 2016 which consolidates all of the alterations made since 2011, including the 2015-2016 Minor Alterations (MALPs). The policies referred to in the reasons for refusal have not altered and so neither party has been prejudiced by this change in circumstances.

Main Issue

3. The main issue in this case is the effect of the proposal on the character and appearance of the area.

Reasons

4. The appeal site is a two storey, semi-detached property located on the corner of Farmcote Road and Harland Road. It has a large rear garden incorporating a single storey garage adjacent to 64 Harland Road to the rear. The proposal seeks to demolish the existing garage and replace it with a single storey one bedroom house fronting onto Harland Road.
 5. The supporting text of DM Policy 33 of the Development Management Local Plan (DMLP) (2014) recognises that rear gardens are an integral part of the original design of certain residential areas and provide valuable amenity space and an ecological resource. Criterion C of the Policy states that the development of back gardens for separate dwellings in perimeter form residential typologies identified in the Lewisham Character Study will not be granted planning permission. Private back gardens in all urban typologies should be retained in
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development proposals involving new separate dwellings. The proposal, therefore, conflicts with DM Policy 33.

6. Harland Road and the surrounding area is characterised by two storey semi-detached houses of a similar design. The strong rhythm of Harland Road is emphasised by a consistent building line with small enclosed front gardens and large rear gardens to the rear which contribute to the spacious and open character of the area.
7. The proposed dwelling would be situated in close proximity to No 64 Harland Road and would be set back only 1.5m from the road in contrast to the adjacent properties which have a set back of approximately 4.7m. Consequently, the proposal would disrupt the prevailing building line and detract from the cohesive nature of the area. Furthermore, the dwelling would occupy almost the full depth and width of the site and thus appear cramped and excessive in its plot in contrast to the spacious and open character of the area.
8. The limited height of the proposal would achieve a degree of subordination; however, the steep pyramid shape roof would be in stark contrast to the two-storey shallower, hipped roofs of surrounding properties. Taking these factors in combination I consider that the proposal would be an incongruous and uncharacteristic feature at odds with the prevailing character of the area.
9. Even if I considered that criterion A of DM Policy 33 of the DMLP applied the proposal would not make a high quality contribution to the area or respect the character, proportions and spacing of existing houses and would, therefore, conflict with criterion A.5.a and criterion A.5.h of the Policy.
10. Attention is drawn to an appeal decision (APP/C5690/A/11/2165856) at 237 Brownhill Road which the appellant considers supports his case. However, I note that the semi-hipped roof of the bungalow is more consistent with surrounding properties unlike the current appeal proposal. Furthermore, the decision precedes the adoption of the DMLP. This case is not, therefore, directly comparable to the appeal proposal which limits the weight which I can attach to it in my Decision.
11. For the reasons stated I conclude that the proposal would harm the character and appearance of the area and would, therefore, be contrary to DM Policy 33 of the DMLP. The proposal would also be contrary to DM Policy 30 of the DMLP which seeks to achieve a high standard of housing design and layout. Conflict also arises with Spatial Policy 1 and Policy 15 of the Lewisham Core Strategy (Core Strategy) 2011 which together seek to achieve high quality design.
12. Furthermore, the proposal would conflict with Policies 7.4 and 7.6 of the London Plan (2016) which seek to ensure that development reflects the local character of the area and achieves a high standard of architecture.

Other matters

13. Paragraph 55 of the National Planning Policy Framework (the Framework) states that good design is a key aspect of sustainable development. For the reasons stated I consider that the proposal would not meet the environmental dimension of sustainable development. The proposal would not, therefore, constitute sustainable development as required by paragraph 14 of the Framework.

14. Whilst there would be some benefits of the proposal in terms of a contribution, albeit limited, to housing supply this would not outweigh the harm which I have identified.

Conclusions

15. For the reasons stated and taking all other considerations into account the appeal should be dismissed.

Caroline Mulloy

Inspector