
Appeal Decision

Site visit made on 25 January 2017

by G Powys Jones MSc FRTPI

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

Decision date: 08 February 2017

Appeal Ref: APP/C5690/D/16/3162621

111 London Road, Forest Hill, London, SE23 3XW

- 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 & Mrs Liam & Melinda Holohan against the decision of the Council of the London Borough of Lewisham.
 - The application Ref DC/16/097663, dated 23 July 2016, was refused by notice dated 30 September 2016.
 - The development proposed is the erection of a single storey extension to courtyard in front of house.
-

Decision

1. The appeal is allowed and planning permission is granted for the erection of a single storey extension to courtyard in front of house at 111 London Road, Forest Hill, London, SE23 3XW in accordance with the terms of the application, Ref DC/16/097663, dated 23 July 2016, subject to the conditions set out in the attached Schedule.

Main issue

2. The main issue is the effect of the proposed development on the character and appearance of the host property and street scene.

Reasons

3. The appeal property is contained within a modest terrace of a relatively modern design on London Road, part of the South Circular (A205). The terrace is situated on a hill, and is stepped as a consequence. The dwellings and their small front gardens are also elevated above the adjacent pavement.
 4. All the dwellings comprised in the terrace have square, white-rendered storage buildings of a somewhat utilitarian appearance sited at the front, close to the back of the pavement, above a retaining wall. Since the front gardens are elevated, the storage buildings are prominent and in oblique views from up and down the hill they screen or mask substantial parts of the front elevations of the dwellings that they serve.
 5. The appellant proposes to erect a single storey flat roofed extension to the front of the house, between its front wall and the storage building. The extension would occupy a significant proportion of the front garden, or what the appellant describes as a courtyard.
 6. The Council's stance is clearly expressed in the following extract from the officer report on the application:
-

The proposed extension would fail to respect the form of the existing dwelling and similar dwellings on the host terrace and would be readily visible from the public highway at London Road. The proposal would appear as a jarring and incongruous form of development, particularly when considered in the context of the host terrace. The proposed extension will not make a positive contribution to the character and appearance of the host dwelling or wider streetscape, and will compromise the homogeneity of the host terrace as an architectural composition.

7. I do not share the view that the extension would be readily visible from the public highway. The extension would be of a similar height to the extant front storage building and would be sited behind it. The proposed extension would be so well screened by the appeal property's storage building, and by others in oblique views, as to be barely noticeable from the street outside. It would certainly not prove prominent or catch the eye.
8. Whilst the guidance on front extensions contained at paragraph 6.6 of the Council's updated Residential Standards Supplementary Planning Document is noted, in this case, I consider that the Council has given insufficient weight in its assessment to specific site characteristics, in particular the presence and screening effects of the storage buildings to the front of the terrace.
9. I therefore conclude that the proposed extension would sit acceptably in its visual and spatial context without harming the character and appearance of the host property, the wider terrace or the street scene generally. Accordingly, I find no material conflict with those provisions of policies 7.4 & 7.6 of the London Plan, policy 15 of the Lewisham Local Development Framework Core Strategy and DM policies 30 & 31 of the Lewisham Local Development Framework Development Management Local Plan directed to ensuring good design and to protecting local character.

Conditions

10. The Council suggests a condition requiring the materials to be used on the external faces of the development to match those of the existing dwelling. This would be at odds with the appellant's intentions set out in the application form and submitted drawing. I find the appellant's proposals with regard to materials to be perfectly acceptable in visual terms, and the Council's proposed condition in this regard is therefore unjustified and unnecessary.
11. It is also necessary, in the interests of certainty that the development is carried out in accordance with the approved plans.

Other matters

12. All other matters raised in the representations have been considered and taken into account, including the views of The Dulwich Estate, who had no objection to the proposal subject to the necessary statutory approvals being obtained. No other matter raised is of such strength or significance as to outweigh the considerations that led me to my conclusions.

G Powys Jones

INSPECTOR

Schedule of Conditions

1. The development hereby permitted shall begin not later than three years from the date of this decision.
2. The development hereby permitted shall be carried out in accordance with the following approved plans: L(--)02, L(--)04, (--)05, L(--)06, L(--)07, L(--)08, L(--)12, L(--)13, L(--)14, L(--)15, L(--)16, L(--)17 & L(--)18.