
Appeal Decision

Site visit made on 16 January 2017

by Chris Forrett BSc(Hons) DipTP MRTPI

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

Decision date: 22 February 2017

Appeal Ref: APP/C5690/W/16/3160921

Land adjacent to 42 St Norbert Road, Lewisham, London SE4 2HF

- 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 Ms Lena Ghose against the decision of the Council of the London Borough of Lewisham.
 - The application Ref DC/16/095541, dated 16 February 2016, was refused by notice dated 14 April 2016.
 - The development proposed is the erection of a new two storey, 3 bedroom, dwelling.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposal on the character and appearance of the area and on the living conditions of the occupiers of 42 St Norbert Road and 14 Meretone Close with particular regard to outlook and privacy.

Reasons

Character and appearance

3. The area is characterised by blocks of two storey terraced properties, with some semi-detached properties interspersed. The buildings generally have gabled roofs although some end terrace and semi-detached properties have a hipped roof. Furthermore, this section of St Norbert Road has three similar cul-de-sacs¹ which all have open undeveloped corners which contribute greatly to the open character of the street by creating a sense of spaciousness in an otherwise densely developed area. The appeal site itself is located at the corner of St Norbert Road and Meretone Close and consists of an area of block paving, a grassed area and trees to both sides.
4. The design of the new dwelling itself has clearly been influenced by the existing development in the area. I acknowledge that the design and appearance of the existing properties in the area could be considered to be less than the highest quality of design. However, this does not mean that a new development which reflects this character would be unacceptable in principle.
5. The design of the dwelling incorporates a part hipped, part gable roof, which appears to have been designed to mimic the continuation of the terrace which currently ends at 42 St Norbert Road. Notwithstanding that aim, the proposed

¹ Meretone Close, Mallory Close and Dene Close

- dwelling would be separated from the end of the existing terrace by the side garden of No 42, with a gap in the region of eight metres in width. This significant gap would give an incomplete appearance in the street and would result in an incongruous form of development.
6. Additionally, the appeal dwelling would be located in the region of one metre away from the pavement of Meretone Close, which is significantly closer than the existing properties on this cul-de-sac. This siting, and the scale of development, would seriously erode the spacious character of the street corner and the wider character of the area.
 7. In coming to that view, I acknowledge that the dwelling would be sited broadly in the established building line for St Norberts Road. However, this does not overcome the harm I have identified.
 8. I have also had regard to paragraph 60 of the National Planning Policy Framework which amongst other matters seeks to ensure that planning decisions do not impose architectural styles or particular tastes. Notwithstanding that, I have found that the proposed development does not respond well to the overriding character of the area.
 9. My attention has been drawn to several domestic outbuildings which have been constructed on corner plots which the Appellant considers has altered the pattern of development in the area. From my site visit I saw that such buildings have increased the amount of built development and have had some impact on the streetscene. However, in contrast to the appeal development these are at a significantly smaller scale and appear as subservient buildings to their host dwelling.
 10. For the above reasons, the proposed dwelling would result in significant harm to the character and appearance of the area contrary to Policies 7.4 and 7.6 of the London Plan, Policy 15 of the Lewisham Core Strategy Development Plan Document 2011 (CS) and Policies DM30, DM32 and DM33 of the Lewisham Development Management Local Plan 2014 (LP) which seek, amongst other matters, to ensure that development protects the character and appearance of the area.

Living conditions

11. The majority of the external amenity area to 42 St Norberts Road is located to the side of the property, immediately adjacent to the appeal site.
12. The proposed dwelling would be in the region of 7.1 metres high in total, with an eaves height of around 4.6 metres. The siting of the dwelling on the boundary with No 42 would have a significant impact on this area, especially as the garden area would also be enclosed by the existing buildings forming 14 Meretone Close and No 42 which are of a similar scale. The new dwelling would result in three sides of the garden area being enclosed by two storey buildings which would have a detrimental impact on the level of amenity enjoyed by the occupiers of No 42 as a result of its scale and overbearing nature.
13. Turning to the effect of the development on the occupiers of 14 Meretone Close, the rear wall of the new dwelling would be in the region of 4.5 metres away from the boundary. However, given the location of the proposed dwelling, any overlooking potential would be restricted to the front garden area

of No 14. Given that this area is already overlooked by other properties in Meretone Close, the proposed dwelling would not result in a significant loss of privacy. However, this does not outweigh the harm I have already identified.

14. For the above reasons, the proposed dwelling would harm the living conditions of the occupiers of 42 St Norbert Road. Therefore, the proposal would conflict with Policy DM32 of the LP and the Lewisham Residential Standards Supplementary Planning Document (2006) which amongst other matters seek to provide for a suitable level of amenity for the future occupiers of the development.

Other matters

15. Whilst not forming part of the reasons for refusal of the planning application in the Council's decision notice, the Officers report indicates that the proposal fails to accord with Policy 8 of the CS which relates to sustainable design, construction and energy efficiency. Reference is also made to the proposed outdoor amenity space for the future occupants of the dwelling and that it would not be sufficient owing to the lack of privacy.
16. In respect of the sustainable design, construction and energy efficiency matters, the Appellant notes that a condition could be applied to any permission to deal with this matter and that the development would meet building regulations for water and energy efficiency. Given the above, and the harm I have already identified, I consider that this issue is not a determinative one.
17. Given the siting of the dwelling, I am of the view that it would be possible to provide a suitable private garden area to the rear of the dwelling by introducing additional fencing/walling to the side/rear of the dwelling. It could also allow for some landscaping to the Meretone Close side of a new fence/wall to ensure that it would not give rise to further harm to the character and appearance of the area. These matters could be addressed through the imposition of suitably worded planning conditions.
18. I have also considered that the open nature of the site has the potential to attract anti-social behaviour. However, in this respect, I do not consider the benefits of developing the site outweigh the significant harm I have found.

Conclusion

19. Taking all matters into consideration, I conclude that the appeal should be dismissed.

Chris Forrett

INSPECTOR