

Appeal Decision

Site visit made on 27th February 2017

by Alison Roland BSc DipTP MRTPI

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

Decision date: 24 March 2017

Appeal Ref: APP/C5690/D/17/3167018

2 Radlet Avenue, London, Lewisham, SE26 4BZ.

- 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 J Taylor against the decision of the Council of the London Borough of Lewisham.
 - The application Ref: DC/16/095225 dated 20 January 2016, was refused by notice dated 28 October 2016.
 - The development proposed is side extension for double garage.
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Procedural Matter

1. The appellant refers to amended drawing Nos 01B and 04C submitted at the time of the application. However, the Council have confirmed that they have no record of receiving such plans. I shall therefore determine the appeal based on the plans supplied, namely those cited in condition 02 below.

Decision

2. The appeal is allowed and planning permission is granted for side extension for double garage, at 2 Radlet Avenue, London, Lewisham, SE26 4BZ, in accordance with the terms of the application Ref: DC/16/095225, dated 20 January 2016, subject to the following 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: Site Location Plan entitled HM Land Registry General Map; Drawing No: 15433/01: Existing Plans; Drawing No: 15433/02: Existing Elevations; Drawing No: 15433/03: Proposed Plans; Drawing No: 15433/04: Proposed Elevations; Drawing No: 15433/05: Existing and Proposed Plans.

Main Issue

3. The main issue in this appeal is the implications of the proposal for the character and appearance of the area, including the setting of the Forest Hill Conservation Area (CA).
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Reasons

4. The proposal would amount to a double garage attached to the house and constructed of matching brickwork with a flat felt roof and cedarwood bi-folding doors to the front elevation. Its frontage width would be comparable to that of the existing dwelling and it would not incorporate a setback on the front elevation as suggested in the Residential Standards Supplementary Planning Document 2012 (SPD) and Policy DM31 of the Lewisham Local Development Framework Development Management Local Plan 2014 (DMLP). However, the terms *may be used* and *normally* cited therein in relation to the application of a setback, suggests a degree of latitude in its application. In this case, as a single storey building, it would clearly read as a subordinate addition to the host property and when approaching the site from the North along Radlet Avenue, it would be set down relative to the road level and occupy a discrete position to its side.
5. Whilst the Council refer to it disrupting the symmetry between the host dwelling and its attached neighbour, the fact is that this has been eroded by a hipped to gable roof on the appeal dwelling and what appears to be a front extension to its attached neighbour. I therefore cannot accept that it would unbalance the pair, especially given its limited height.
6. I am mindful that the flat roof would be quite extensive given the width of the proposed extension and clearly visible from the road. Nonetheless, there are a multiplicity of modern additions and extensions to the properties in the vicinity, including roof alterations and flat roofed rear extensions to the rear of properties on Thorpewood Avenue, which stand within the adjacent Forest Hill CA. When viewed from Radlet Avenue to the front of the appeal site, the proposal would be seen in the context of and against the backdrop of these modern additions. I thus cannot accept that it would harm the setting of that CA and I consider it would appear as an unremarkable addition to the host property.
7. I thus conclude on the main issue that the proposal would integrate satisfactorily with the host dwelling, the wider character of the area and setting of the CA. Accordingly, I find no conflict with Policies 7.4, 7.6 and 7.8 of the London Plan (2016), Policies DM30, DM31 and DM36 of the DMLP, Policies 15 and 16 of the Lewisham Local Development Framework Core Strategy Development Plan Document (2011), or the advice in the SPD. These seek to secure high quality design, which is sensitive to the local context, has a positive relationship to the existing townscape and conserves and enhances the significance of heritage assets, including their settings.
8. In addition to the standard time limit for commencement of development and implementation of the proposals in accordance with the approved plans, the Council suggest a matching materials condition. A condition requiring implementation in accordance with the submitted plans is necessary for clarity. The matching materials condition is inappropriate as the proposal incorporates a felt roof. Moreover, as the plans indicate external brickwork to match existing, I consider a materials condition is superfluous.

Other Matters

9. A third party expressed concern at the planning application stage in relation to rights of access for maintenance, the position of fence supports and support for a neighbouring retaining wall. However, these are civil matters for resolution between the parties concerned and do not influence my judgement on the planning merits. Reference is made to an acer tree, but I saw no trees worthy of retention that the proposal would interfere with at my visit and the fact that a basement is depicted on the existing plans which does not apparently exist does not affect my conclusions on the main issue.

ALISON ROLAND

INSPECTOR