
Appeal Decision

Site visit made on 14 August 2017

by Chris Couper BA (Hons) DipTP MRTPI

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

Decision date: 25th August 2017

Appeal Ref: APP/C5690/W/17/3173403

302E Brockley Road, Crofton Park, London SE4 2RA

- 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 Joe Iqba against the decision of the Council of the London Borough of Lewisham.
 - The application Ref DC/16/099283, dated 26 November 2016, was refused by notice dated 10 February 2017.
 - The development proposed is the erection of a one bedroom flat on the existing flat roof.
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Decision

1. The appeal is dismissed.

Procedural matter

2. On the application form the site address is given as 302D Brockley Road. However that is inconsistent with the appeal form, grounds of appeal and plans. As they refer to the address as 302E Brockley Road, which is consistent with the Council's decision notice, and in accordance with the appellant's email dated 23 June 2017, that is the address I have used in my heading above.

Main Issues

3. The main issues are:
 - the effect of the proposed development on the character and appearance of the host property and the area; and
 - the effect of the proposal on the living conditions of adjacent occupiers, with particular regard to their outlook and overshadowing; and whether future occupiers of the proposal would experience satisfactory living conditions.

Reasons

Character and appearance

4. From the front, the predominantly brick-faced, pitched roof terrace from 294 to 308 (evens) Brockley Road is roughly 3 or 4 storeys high. To the rear, there are many two storey, flat-roofed projections in matching materials. Steps lead down from the top floor flat at No. 302B onto the roof of a long, two storey flat-roofed projection. That projection broadly mirrors the form and appearance of the projection to the rear of No. 300. There is 3 to 4 storey

- development in contrasting materials at the southern end of the terrace on the corner with Comerford Road, and a similar scale development at its other end.
5. The proposed extension would reflect the style and appearance of No. 302's existing rear projection. However, although it would be appropriately finished in matching materials, as it would step up in height from No. 302B's rear steps, it would have a rather disjointed and awkward relationship with the main terrace. Its length, height and form would give it a substantial rectilinear mass and, although it would be lower than the terrace, it would therefore fail to appear fully subordinate to it. It would also appear unbalanced and asymmetric in the context of No. 300's two storey rear projection.
 6. Consequently, in glimpsed views from Comerford Road, and from those properties' rear gardens, it would appear poorly related to the host building, and would not represent good design. As its roof would be well above the eaves line of the nearby dwellings in Comerford Road it would also appear over-dominant and out of proportion with those properties. Although the appellant is willing to change the proposed materials, that would not address the harm that I have found.
 7. The three to four storey development to the rear of No. 308 is of a modern design with contrasting materials. It faces the road, and provides a visual focus on this prominent corner. Consequently the context of that development, and the similarly-scaled development at the other end of this terrace, are materially different to this scheme's mid-terrace location.
 8. Given the scheme's rearward location relative to the nearby Brockley Conservation Area, it would preserve the setting of that designated heritage asset. However, it would significantly harm the character and appearance of the host property and the immediate area. It would thereby conflict with Policies 7.4 and 7.6 of the London Plan 2016 ('LP'), Core Strategy Policy 15 of the Lewisham Core Strategy 2011, and DM Policies 30 and 31 of the Lewisham Development Management Local Plan 2014 ('DMLP'). Those policies require in general terms, and amongst other things, that buildings are of high architectural and design quality, respond to local context and character having regard to form, structure, scale and mass, and that extensions respect the form and characteristics of the original building. It would also conflict with paragraph 6.4 of the Lewisham Residential Standards Supplementary Planning Document (updated 2012) which resists over-dominant extensions, and with the National Planning Policy Framework requirement for good design.

Living conditions

9. The outlook from the side-facing windows in the flats at No. 300, and the daylight they receive, is limited by a wall at ground floor, No. 302's rear projection and by external staircases. In that context, any additional overbearing or overshadowing affect as a result of this scheme, which would be set in from the boundary, would not be significant.
10. As a result of this scheme, the flat roof which provides the occupants of No. 302B with an elevated outdoor amenity space would be developed. However, as is often the case in urban areas, many of the flats here have little or no outdoor space. In that context, and given the proximity to areas of public open space at Hilly Field Park, that would not result in unacceptable living conditions for those occupants.

11. Turning to No. 304B, that flat has an elevated external terrace which, as a result of this scheme, would become more enclosed, with a wall along its northern boundary. However, any overbearing impact on that area, or on the flat's entrance would be limited due to the scheme's relative height. A gap would be retained to the taller development to the south, and there would still be an outlook, albeit more contained, from the terrace looking to the west.
12. As the scheme would not impact nearby occupiers' living conditions or their general amenity to a harmful degree, on this matter it would not conflict with LP Policy 7.6, Core Strategy Policy 15, or DMLP DM Policies 31 and 32.
13. The Council states that the proposed flat would have a total internal floor space of 41.2sqm, which would fail to meet the 50sqm (plus 1.5sqm storage) minimum requirement for a one bedroom flat for two persons in LP Policy 3.5 and DM Policy 32, but would exceed their requirements for a one person flat. However, in the interests of providing flexible and adaptable housing, DM Policy 32 part 4e does not support single person dwellings unless they are of an exceptional design quality and are in highly accessible locations.
14. This site is reasonably, but not highly, accessible, with a PTAL level of 3 or 4, and its design quality is not exceptional. Consequently, although the appellant states that the scheme would be for one person and would have a gross area of 47sqm, it would fail to satisfy that policy. If occupied by two persons, it would have insufficient living and activity space for the future occupants, which would not be mitigated by the provision of useable outdoor amenity space. It would therefore provide unsatisfactory living conditions for the future occupants.
15. Consequently the scheme would conflict with DM Policy 32. If occupied by two persons, it would conflict with the requirement for high quality living environments in LP Policy 3.5, including its space standards which are consistent with those in the DCLG Technical Housing Standards – Nationally Described Space Standard 2015.

Other matters

16. The scheme would maximise the development potential of the land, and it would make a very modest contribution to the supply of housing in accordance with national and local planning policies.

Conclusions

17. I have had regard to representations in support and objecting. However, having considered the proposal on its merits, it would not represent good design, and would cause significant harm to the character and appearance of the host property and the area. Although it would not impact the living conditions of nearby residential occupiers to a harmful degree, as a single person unit it would not provide suitably flexible accommodation, and as a two person unit it would provide unsatisfactory living conditions.
18. The proposals' very limited benefits would not outweigh the harm that I have found, and scheme would conflict with the development plan when considered as a whole. Having regard to all other matters raised, the appeal is dismissed.

Chris Couper

INSPECTOR