
Appeal Decision

Site visit made on 16 July 2019 by Elizabeth Davies BSc (Hons) PIEMA

Decision by Andrew Owen BA(Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 2 August 2019

Appeal Ref: APP/C5690/D/19/3228302

44 Micheldever Road, London SE12 8LU

- 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 Andrew Lyddon against the decision of London Borough of Lewisham Council.
 - The application Ref DC/19/111089, dated 19 February 2019, was refused by notice dated 17 April 2019.
 - The development proposed is installation of new front door. New permeable block paving to driveway and associated works.
-

Decision

1. The part of the appeal that relates to the installation of a new front door is dismissed.
2. The part of the appeal that relates to the driveway and the associated works is allowed and planning permission is granted for new permeable block paving to driveway and associated works, at 44 Micheldever Road, London SE12 8LU, in accordance with the application, Ref DC/19/111089, dated 19 February 2019 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 approved plans: P001 and P003 Revision B.

Appeal Procedure

3. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Procedural Matters

4. A split decision has been recommended (in accordance with s79(1)(b) of the 1990 Town and Country Planning Act) allowing only part of the proposal. This has been done on the basis that the two parts of the proposal are severable.

Main Issue

5. The main issue is the effect of the development on the character and appearance of the host property, the host terrace and the Lee Manor Conservation Area (CA).

Reasons for the Recommendation

Front door /porch

6. The CA represents a planned suburb built in the late 19th and early 20th centuries. The buildings have retained original features, including recessed front porches. The residential buildings in the CA generally, and along this part of Micheldever Road in particular, are of consistent proportions, materials and design.
7. The appeal property features a recessed front porch. The proposed front door would result in the loss of the recessed porch. It is acknowledged that the proposed door would match the design and materials of the existing front door and it would still be set back slightly from the stucco quoins. Nonetheless, the loss of the important original recessed porch would detract from the host property, the terrace and the CA as a whole. This element of the development therefore fails to preserve or enhance the CA. This view is supported by the Lee Manor Conservation Area Character Appraisal (the 'CA Appraisal') which states that small changes to the external appearances of individual houses are beginning to erode the special interest of the area and that the enclosure of recessed porches is an example of negative alterations.
8. In support of the appeal, the appellant has provided some examples of enclosed porches on Micheldever Road. However, from my site visit it appears these are in the minority and are not characteristic of the area. In any case, the appeal has been considered on its own merits.
9. The enclosure of the porch is contrary to Policy 15 and 16 of the Core Strategy Development Plan Document (June 2011) DM Policy 30, 31 and 36 of the Development Management Local Plan (November 2014) and the Lewisham Residential Standards Supplementary Planning Document (updated 2012) which seek, amongst other matters, the promotion of the highest quality design and development that protects or enhances the historic environment.
10. The harm to the CA would be less than substantial and in such instances paragraph 196 of the National Planning Policy Framework states that such harm should be weighed against the public benefits of the proposal. However, although there would be a private benefit to the appellant from the enclosure of the porch, there are no public benefits to weigh against the less than substantial harm to the CA.

Driveway and associated works

11. The CA Appraisal states that small front gardens with low boundary walls and a profusion of small trees contribute to the pleasant streetscape. It also notes that the loss of original front boundary walls and the hard-surfacing of front gardens are regrettable in terms of the loss of historic fabric, loss of urban wildlife habitat and the adverse impact of hard surfacing on water run-off.
12. In this case two trees and the boundary hedge with No.46 Micheldever Road comprise the main landscape features on site which contribute to the character of the street scene and these will be retained as part of the development, with the loss of a minimal amount of landscaping which is not highly visible to the public. This will ensure wildlife habitat is retained and the development would not have an urbanising effect. Permeable paving is proposed which will minimise any adverse effect of water run-off.

13. The existing front wall is damaged and the use of London yellow stock bricks to re-build the wall is proposed. The CA Appraisal highlights that this type of brick makes a significant contribution to the appearance of the CA and so the use of this brick will be in keeping with the CA as a whole.
14. I therefore conclude that this element of the proposed development would not have an unacceptable adverse impact on the character and appearance of the host property or host terrace and would preserve the character and appearance of the CA. It would not conflict with Policy 15 and 16 of the Core Strategy Development Plan Document, DM Policy 30, 31 and 36 of the Development Management Local Plan, and the Lewisham Residential Standards Supplementary Planning Document as set out above.

Other Matters

15. The reasons for the appellant wishing to enclose the porch, including improving energy efficiency and security benefits, are understood, however these considerations do not outweigh the harm identified.

Conditions

16. I have imposed the standard conditions relating to the commencement of development and specifying the relevant plans in order to provide certainty. I have not included the suggested condition requiring the external materials to match the existing building as I do not consider this to be relevant to the part of the appeal that is allowed and the materials to be used for the driveway and associated works have been specified on plan P003 revision B.

Conclusion and Recommendation

17. For the reasons given above, and having had regard to all other matters raised, I recommend that in relation to the installation of a new front door the appeal is dismissed, but that in relation to the new permeable block paving to the driveway and associated works, the appeal is allowed.

Elizabeth Davies

APPEAL PLANNING OFFICER

Inspector's Decision

18. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal in respect of the new front door is dismissed, but in respect of all other proposed works is allowed.

Andrew Owen

INSPECTOR