



Appeal Decision

Site visit made on 25 September 2019

by Alison Scott BA(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18 October 2019

Appeal Ref: APP/C5690/W/19/3232833

5A Firs Close, Forest Hill, London SE23 1BB

- 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 Elderberry Developments against the decision of the Council of the London Borough of Lewisham.
 - The application Ref DC/18/110018, dated 4 December 2018, was refused by notice dated 25 March 2019.
 - The development proposed is removal of the existing on site buildings and the erection of a new part two/part three-storey building comprising 2no. two bedroom and 3no. one-bedroom self contained flats and associated landscaping, refuse store and cycle parking.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposal on the character and appearance of the area.

Reasons

3. The appeal site is a builder's yard of approximately 440m² situated in a back-land location, accessed via a short and narrow lane between the two-storey residential properties at 5 and 7 Firs Close. The main part of the site adjoins the rears of these properties as well the rear garden of 3 Firs Close. The site is further bounded by a vehicle services garage, a children's day nursery and school playgrounds. The area is otherwise residential in character with a variety of house types and styles.
4. At the time of my visit the site was undergoing construction operations with the former buildings having been largely demolished and some ground works having occurred on site.
5. There is an extant permission¹ for a two-storey residential development of four flats on the site. The refused permission seeks to erect a development that largely follows the same example as the extant permission but would include an additional floor. The overall development would extend close to the perimeters of three sides of the site with landscaped grounds to the front. The building would be accessed via a full height central staircase core to the front leading to the two floors above. The first floor would be set in above the

¹ DC/18/107662

- ground floor and the second floor would be partially stepped back and set in above the first floor to create a one bed flat with solar panels on the flat roof.
6. The proposed development would be approximately 8.5m in overall height. The wider area has a variety of taller, more modern residential dwellings. However, the site more closely relates to the traditional two-storey houses that flank its access lane. Therefore, the building would be greater in height when compared to its neighbours and the approved scheme and would not appear as a subservient form of back-land development. Instead, it would appear as an over-dominant building form that would not enhance the quality of the streetscene.
 7. Furthermore, the building would encompass nearly the full width of the site and the development would be set in a visible location within the plot that is not well screened by other development. Therefore, the width and height of the building would emphasise its scale, especially when viewed adjacent to these smaller buildings. Consequently, it would not integrate well or complement the context of its surroundings.
 8. In addition, the pronounced forward projection of the central staircase core, would further increase the building's prominence in this location. Notwithstanding that the proposal draws upon the design of the previously approved scheme and evolved through pre-planning discussions, the design of the central core, in combination with the lack of symmetry caused by the fenestration details and balcony on the second floor, would result in an architectural composition that is incongruous in appearance and out of character with its surroundings.
 9. I therefore conclude that the development is not appropriate within this back-land site and would harm the character and appearance of the area. As a consequence, the proposal would conflict with DM Policy 30 of the adopted Lewisham Local Development Framework Development Management Local Plan (2014), and Policy 15 of the Core Strategy Development Plan Document (June 2011) which together require new development to, amongst other matters, attain high standards of design, create a positive relationship with the existing townscape and be compatible with the urban typology, as well as to consider height, scale and mass.
 10. Due to its adverse impacts on the character and appearance of the area, the proposal would also fail to comply with Policies 7.4 and 7.6 of the London Plan 2016. These policies, in short, seek new development to have regard to form, to make a positive contribution to public realm and that development does not cause unacceptable harm to the amenity of surrounding land and buildings. The proposal would also conflict with the National Planning Policy Framework which states that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area.

Other Matters

11. A number of comments raised locally refer to the effect on outlook, an increased sense of enclosure; relationship with their property and the appeal site is too close; loss of privacy; loss of daylight and sunlight; the development would reduce air circulation and ventilation; there is no outdoor space. However, whilst I have had regard to these issues, as I am dismissing the

appeal for other reasons, it is not necessary for me to consider them further as they would have no bearing on the outcome of the decision.

Conclusion

12. I acknowledge that the proposal would add to the Borough's housing stock and would provide a suitable standard of accommodation for future occupants. However, the benefits of the proposal would not outweigh the harm I have found to the character and appearance of the area. Therefore, I conclude that the appeal should be dismissed.

Alison Scott

INSPECTOR