
Appeal Decision

Site visit made on 4 November 2019

by J Williamson BSc (Hons) MPlan MRTPI

an Inspector appointed by the Secretary of State

Decision date: 14 November 2019

Appeal Ref: APP/C5690/D/19/3233964
38 Reservoir Road, London SE4 2NU

- 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 T Wilson of Mactaggart and Mickel Homes Ltd against the decision of the Council of the London Borough of Lewisham.
 - The application Ref DC/19/111249, dated 01 March 2019, was refused by notice dated 9 May 2019.
 - The development proposed is two-storey side and single-storey rear extensions.
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Decision

1. The appeal is allowed, and planning permission is granted for demolition of the existing garage and construction of a two-storey side extension, a single-storey side extension and single-storey rear extension, at 38 Reservoir Road, London SE4 2NU, in accordance with the terms of the application Ref DC/19/111249, dated 01 March 2019, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 070219/1, 2, 3, 4, 5, 6, 7, 8, 9 and 10 of 10.
 - 3) Prior to any development above slab level occurring details of external finishes and materials of elevations, roofs, chimneys, windows, doors, eaves and rainwater goods, shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be fully implemented and retained as such thereafter.

Procedural Matters

2. The right of appeal rests solely with the original applicant which was Mr T Wilson. The appeal was submitted by Mr Craig Ormand. Confirmation has been received that both are associated with the same company, Mactaggart and Mickel Homes Ltd, and that the appeal is therefore made by the applicant. For the sake of clarity, I have included reference to the company in the header.
3. The description of development set out above is taken from the application form. However, a more precise form of wording would be demolition of the existing garage and construction of a two-storey side extension, a single-storey side extension and single-storey rear extension. The Council dealt with the proposal on that basis and so shall I.

Main Issues

4. The main issues are the effect of the proposed development on the host property, with particular reference to the two-storey side extension, and whether it would preserve or enhance the character or appearance of the Telegraph Hill Conservation Area.

Reasons

5. The statutory duty in Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that I pay special attention to the desirability of preserving or enhancing the character or appearance of a Conservation Area (CA), which is therefore a matter of considerable importance and weight. In addition, paragraph 193 of the National Planning Policy Framework (the Framework) requires decision-makers to give great weight to the conservation of a designated heritage asset. CAs are designated heritage assets.
6. The site is located within the Telegraph Hill CA. The CA is divided into 4 character areas and the site lies within character area 3, which itself is sub-divided into 2 distinct areas, with the site falling within character area 3a. The CA is broadly characterised by late 19th Century terraces and pairs of houses built under the control of the Worshipful Company of Haberdashers, with the houses built to standardised designs. Significantly, character area 3a was developed outside the control of the Haberdashers' Company. Consequently, the properties were not built with the same restrictions and the lack of architectural embellishment marks them out as qualitatively different to the Haberdashers' development.
7. Reservoir Road comprises two-storey, Victorian short rows of terraces arranged in pairs with paired front doors, two-storey canted bay windows that flank the entrance and eaves supported on decorative timber brackets. Most of the properties retain timber traditional style windows on their frontage, mainly sliding sash.
8. The property is one of only 2 detached properties on Reservoir Road, which identifies it at the outset as an anomaly within the street scene. Nonetheless, architecturally it is similar to the neighbouring terraced properties, ie single fronted with two-storey canted bay windows and timber eaves corbels. The property has a two-storey rear outrigger and a single-storey flat roof garage attached to the side, evidently added in more recent decades, which detracts from the appearance of the dwelling. The original windows have also been replaced with uPVC casement windows. These latter factors reduce the quality of the property's contribution to the street scene and therefore the character and appearance of the CA.
9. I consider that the removal of the attached garage would enhance the appearance of the property. Furthermore, given that the proposed two-storey side extension would be narrower than the existing garage, set-back from the front elevation by around 1 m and its roof ridge height would be a little lower than the existing main roof ridge, the proposed extension would be subservient to the existing dwelling.

10. Concerns have been raised by the Council and occupants of neighbouring properties regarding the detail on the plans and materials. As part of the appellant's statement, some suggestions regarding finishes and materials have been provided, which include London Stock brick on the front elevation, re-use of timber eaves corbels on the new flank elevation, timber sliding sash windows on the front elevation with decorative pilasters at ground-floor level and brick soldier arches above windows on the upper-floor, replacement of windows on the south-west flank elevation of the outrigger with timber windows, cast iron rainwater goods and appropriate repairs to chimneys. I consider such finishes and materials would also enhance the appearance of the building, which will therefore improve the street scene and enhance the character and appearance of the CA.
11. The Council has not raised any concerns regarding the proposed single-storey side and rear extensions that form part of the scheme and I have no reasons to do so either. These extensions would not be visible from public vantage points and I consider their siting, design and scale to have an acceptable relationship with the host property and to preserve the character and appearance of the CA.
12. In light of the above, I consider the proposal as a whole would accord with policies 15 and 16 of the Lewisham local development framework Core Strategy Development plan document (2011) (CS), policies 30, 31 and 36 of the Lewisham local development framework Development Management Local Plan (2014) (DMLP), and the Lewisham local plan Alterations and Extensions Supplementary Planning Document (2019) (SPD), which collectively seek to ensure all development is of high quality design, protects or enhances the value and significance of the borough's heritage assets, is sensitive to local character and uses materials matching or complementing existing development. In addition, policy and guidance require side extensions to be set back and set down from the main building line to create a clear break between the existing building and maintain architectural subordination.

Other Matters

13. I have noted other concerns raised by local residents during the application regarding the use of the property and the effect of the proposed development on the living conditions of adjoining occupiers, parking, local services, water run-off and noise disturbance and mess during construction.
14. However, use of the property as a large House in Multiple Occupation (HMO) would require planning permission. The proposed extensions are of a size, scale siting and orientation which would not result in any harmful loss of privacy, noise disturbance, overbearing impact or other harm to the living conditions of existing occupiers. The property currently has 5 bedrooms; the proposal would have 4 bedrooms. Even with the removal of the single garage the proposal would not generate any additional car parking requirements than the existing use. Similarly, the extent of use as a 4 bedroom family home would not significantly alter the demands that would be made on local services from the current use of the property as a small HMO. Any noise disturbance that would be created during the construction phase would be short term and the developer is obliged to dispose of all waste materials appropriately.

Conditions

15. I have attached a condition specifying plans to ensure certainty. Given the importance of external finishes and materials in the context of the CA, I have attached a condition requiring details of external finishes and materials of elevations, roofs, chimneys, windows, doors, eaves and rainwater fittings to ensure the Council has the opportunity to agree such details and to preserve and enhance the character and appearance of the CA.

Conclusion

16. For the reasons outlined above, I conclude the appeal is allowed, subject to the conditions listed.

J Williamson
INSPECTOR