
Appeal Decision

Site visit made on 3 December 2019

by T J Burnham BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10th December 2019

Appeal Ref: APP/C5690/W/19/3236474

24 Edric Road, London SE14 5EL

- 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 Michael Pevsner against the decision of the Council of the London Borough of Lewisham.
 - The application Ref DC/19/112143, dated 3 May 2019, was refused by notice dated 7 August 2019.
 - The development proposed is new rear fences to 24 and 26 Edric Road.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the fence on the character and appearance of the Hatcham Conservation Area.

Reasons

3. A large part of the Hatcham Conservation Area (the conservation area) is formed of residential streets formed of attractive two storey stock brick terraced dwellings dating largely from the second half of the 19th Century.
4. The Hatcham Conservation Area Character Appraisal (2006) notes that views across garden greenery to the rear elevations of houses are a characteristic feature of the conservation area and are therefore one of the defining features of its character and appearance.
5. Both 24 and 26 Edric Road have reasonably sized rear gardens which at their northern extent border a modern residential development which is accessed from Avonley Road (the Avonley Road development). The appeal proposal would introduce a fence of significant height which would sit well above the existing boundary treatment, which in its current form, is not of insignificant height.
6. While the proposed fence would be lower than the residential unit which sits close to the boundary, it would be significantly higher than the majority of the boundary treatment which separates the rear gardens of properties on Edric Road from the Avonley Road development. While the timber boards proposed would not be an inappropriate material, the scale and height of the fence would be at odds with the predominant character of boundary treatment in the area.
7. Therefore, as a result of the scale and height of the fence, some of the views from the Avonley Road development towards the upper rear elevations and roof-slopes at Edric Road would be lost. Such views would also be lost from the rear gardens of

- properties on Edric Road when looking towards the rear elevations of dwellings on Hunsdon Road.
8. Subsequently, the fence would detract from the heritage significance of the conservation area which lies in part with the views across garden greenery to the rear elevations of the houses.
 9. The harm to the significance of the conservation area would be less than substantial. Paragraph 196 of the National Planning Policy Framework requires such harm to be weighed against any public benefits of the proposal.
 10. The benefits of the scheme would be associated with the provision of additional screening of the Avonley Road development and some additional sense of security for some properties on Edric Road. However, given the degree of harm I have found that would arise from the proposal, which must be given great weight, such benefits would not be sufficient to outweigh this harm.
 11. Consequently, the development would fail to preserve the character and appearance of the conservation area and would be contrary to Policies 7.4, 7.6 and 7.8 of the London Plan (2016), Policies 15 and 16 of the Lewisham Core Strategy Development Plan Document (2011) and Policies 30 and 36 of the Lewisham Development Management Local Plan (2014) (LDMLP). Amongst other requirements these policies seek good quality design that is appropriate to local character and which protects heritage assets.
 12. I do not find Policy 31 of the LDMLP relevant to the appeal as this relates only to alterations and extensions to existing buildings.

Other Matters

13. I note the presence of a fence of a similar height to the appeal proposal to the rear of 26 and 28 Edric Road. However, I have limited evidence relating to its circumstances and I cannot therefore afford this feature any significant weight and its presence does not justify the appeal.
14. The evidence indicates that views have been opened up through demolition associated with the Avonley Road development. While I have taken this into account, I must assess the impact of the proposal on the character and appearance of the area in its current form rather than some other, now past form, such that it has little bearing in relation to this appeal, which has been determined on its own merits.
15. The provision of planting to the fence would not mitigate the harm identified and any associated ecological benefit would be limited in extent. I note that there are letters of support for the proposal, although this does not equate to a lack of harm. The Council clearly sets out why it considers the proposal unacceptable and as can be seen from my above findings, I concur with this view. The Council consider that the proposal would have no unacceptable impact on the living conditions of nearby occupiers and I have no reason to disagree.

Conclusion

16. For the reasons set out above, I conclude that the appeal should be dismissed.

T J Burnham

INSPECTOR