



Appeal Decision

Site visit made on 25 February 2020

by Ian Harrison BA Hons DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 08 April 2020

Appeal Ref: APP/C5690/W/19/3242985

3 Chilthorne Close, London SE6 4YW

- 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 Waleed Khan against the decision of the Council of the London Borough of Lewisham.
 - The application Ref DC/19/112803, dated 22 June 2019, was refused by notice dated 5 September 2019.
 - The development proposed is the erection of a new dwelling house on land adjacent to no.3 Chilthorne Close.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The description of development in the heading above has been taken from the planning application form. At Part E of the appeal form it is stated that the description of development has not changed but, nevertheless, a different wording has been entered which reflects the description used by the Council in the decision notice. Neither of the main parties has provided written confirmation that a revised description of development has been agreed. Accordingly, I have used the one given on the original application.
3. The appellant submitted amended plans (005A, 006A, 008A and 013A – Dated 10 December 2019) with the appeal that show alterations to the number and arrangement of windows at the front elevation of the proposed dwelling. The Council has commented on these plans and, due to the limited nature of the amendments, I am satisfied that no prejudice would occur to any party as a result of my consideration of their content. Accordingly, I have reached my decision on the basis of the amended drawings listed above rather than their predecessors.
4. Since the Council determined the application, an appeal¹ relating to an alternative development at the site was dismissed. In that case, the effect of the development on the living conditions of neighbouring residents was found to be acceptable. As a result of that decision, the Council have advised that they no longer wish to defend the second reason for the refusal of the application that is the subject of this appeal. I therefore do not address that matter in the reasoning below.

¹ APP/C5690/W/19/3232766

Main Issue

5. In light of the above, the main issue is the effect of the development on the character and appearance of the site and the surrounding area.

Reasons

6. The appeal site is located at the end of a terrace of 4 dwellings that are of similar scale and have a repetitive roof form, with each dwelling being set back from its neighbour to the North. Whilst the group of attached dwellings have a similar appearance overall, there is some variation in terms of the external materials and fenestration of the built form. The terrace is located within an area of formally arranged groups of dwellings that appear to have been constructed as part of a planned estate.
7. The proposal would see the addition of an attached dwelling on the land that sits between the side of the existing terrace and a track that leads to a garage court. The site is currently free from built form but features a line of trees and appears to be used for informal storage and parking purposes.
8. In addition to the consistent scale and roof design, the stepped building line is an important feature of the terrace that creates a rhythm and pattern to the built form whilst also enabling each dwelling to be viewed individually. Whilst the roof design and the subservient scale of the proposed dwelling would enable it to appear distinct from the remainder of the terrace, the provision of a minimal set back at the front of the dwelling would cause it to appear as a significant departure from the remainder of the terrace. In this regard, although the setback of the other dwellings relative to their neighbours is not consistent, none are as small as that which is proposed.
9. The layout of the development would, therefore, be at odds with the layout of the group of dwellings that it would be attached to and disrupt the pattern of the existing built form. This contrast would be noticeable and would detract from the overall character and appearance of the terrace. The harm that would arise as a result of the positioning of the dwelling would not be mitigated by the scale of the dwelling being reduced in comparison to the other dwellings within the terrace.
10. The alterations to the elevations that have been shown within the amended plans results in the windows at the front of the proposed dwelling aligning with the windows of the existing dwelling that it would be attached to. This alignment, along with the detailing of the front elevation and the use of complimentary materials, would enable the front elevation of the building to appear as a continuation of the existing terrace. However, whilst I find the development acceptable in this respect and do not share the concerns of the Council, this does not alter my conclusion in respect of the layout of the development relative to the neighbouring dwellings.
11. Whilst the appellant has identified that a dwelling was erected at the opposite end of the terrace, that dwelling is of a design and layout which better reflects the pattern of development within the terrace. Accordingly, I do not find that the presence of that dwelling alters my assessment of the proposal.
12. For the reasons set out above, the proposal would have an unacceptable effect on the character and appearance of the site and the surrounding area. Therefore, the development would be contrary to policy 15 of the Lewisham

Core Strategy Development Plan Document (2011) and policies DM30 and DM33 of the Lewisham Development Management Local Plan (2014) which combine to require that development is of the highest quality design, makes a positive contribute to an area and provides an adequate response in terms of the relationship to the existing townscape, the scale and alignment of the existing street and existing building frontages. The proposal would also be contrary to policies 7.4 and 7.6 of the London Plan (2016) which state that development should provide a high quality design response that has regard to the patterns and grain of existing streets and provides buildings that make a positive contribution to the streetscape.

Other Matters

13. Although the proposed development would boost housing supply, make efficient use of the existing site, create suitable living conditions for future occupiers and be able to provide parking for a car and bicycles, these factors do not outweigh the harm that I have identified in relation to the main issue.

Conclusion

14. For the reasons given above, I conclude that the appeal should be dismissed.

Ian Harrison

INSPECTOR