

Appeal Decision

Site visit made on 10 September 2020

by Patrick Hanna MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 30 September 2020

Appeal Ref: APP/C5690/D/20/3246801
65 Tressillian Road, London SE4 1YA

- 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 Andrew Green against the decision of the Council of the London Borough of Lewisham.
 - The application Ref DC/19/114558, dated 5 November 2019, was refused by notice dated 22 January 2020.
 - The development proposed is demolition of conservatory lean-to, partial demolition of existing kitchen. Extension and opening up of internal spaces to create family kitchen /dining room appropriate in scale for the house. Creation of partially enclosed bin and bike store.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposed development on the character and appearance of the Brockley Conservation Area (BCA), with particular regard to design and spacing between buildings.

Reasons

3. The BCA Character Appraisal (CA) describes the Tressillian Road area as containing the grandest houses in the conservation area. Set in a wide tree-lined road and with substantial front and rear gardens that add to the area's spacious and leafy appearance, many buildings have open space to the side, allowing views through to gardens and beyond. The effect of the proposal would be to enlarge an existing extension to the side of the large three-storey semi-detached appeal dwelling.
4. The CA states that where the gap between buildings has been closed by side extensions, the character of that part of the conservation area is damaged, as such extensions block views and unbalance the historic street layout. The BCA Supplementary Planning Document only permits side extensions where they do not interrupt the rhythm of the street. The existing lean-to presents a modest and subservient structure to the street, with the taller flat roof element to the rear being visually recessive. The appeal proposal would bring a flat roof form forward into the street scene, such that it would be more visible, and become a more dominant structure as seen from the public realm, notwithstanding that the existing extension form may not be typical of the typology of the dwelling.
5. Even though the existing extension partially obstructs the view from the street through to the rear gardens, the crowns of trees to the rear could still clearly

be seen at my visit. As seen from outside the appeal property, this glimpse of green would be largely lost as a result of the proposed additional height, despite the increase being small. Consequently, the position and height of the proposed extension would interrupt the rhythm of views through gaps between the buildings, notwithstanding that the rhythm of the historic layout would be largely unaltered by the proposal. As such, in paying special attention to the desirability of preserving or enhancing the character and appearance of the BCA, the proposal has an adverse effect on the gaps between the buildings, and views to the rear garden, which are features that are identified as contributing to the significance of the BCA.

6. The extension at the adjacent No 63 Tressillian Road is stated to pre-date the designation of the BCA. Due to the incongruous design of that extension, it is not the type of development that should be used as a reason to justify harmful development at the appeal site. Similarly, a number of other examples of side and front extensions have been cited along Tressillian Road. Although many of these do indeed have an individual adverse impact on their respective host dwelling, as well as on the wider BCA, to my mind they do not countenance further erosion of the character of the BCA, regardless of whether or not enforcement action should have been pursued. Furthermore, these individual inappropriate extensions are not, from my observations, so pervasive that they negate the features that contribute to the significance of the BCA, notwithstanding the suggestion that the BCA designation is not correct.
7. Whilst I have found harm to the significance of the BCA, the level of harm would be less than substantial, in the language of the National Planning Policy Framework (the Framework), as it relates to a modest extension. Under such circumstances, paragraph 196 of the Framework indicates that the harm should be weighed against public benefits. However, the public benefits gained from the rebuilding of a dilapidated lean-to and creating a wheelie bin enclosure, would be no more than moderate. Overall, the benefits are outweighed by the great weight I attach to preserving the character and appearance of the BCA.
8. I therefore conclude that the proposal would have a significant adverse effect on the character and appearance of the BCA, with particular regard to design and spacing between buildings. The proposed development conflicts with policies DM30, DM31 and DM36 of the Lewisham Development Management Local Plan (2014), policies 15 and 16 of the Lewisham Core Strategy (2011), policy 7.8 of the London Plan (2016), and part 16 of the Framework. Together, these policies require that new development should preserve or enhance the character and appearance of conservation areas.

Other matters

9. Although the proposal would provide a kitchen appropriate to modern living in a house of this scale, this does not outweigh the harm I have found, nor does the capability of an alternative design to be properly insulated.

Conclusion

10. For the reasons given above, and having had regard to all other matters raised, I conclude that the appeal should be dismissed.

Patrick Hanna
INSPECTOR