



Appeal Decision

Site visit made on 29 October 2020

by Steven Hartley BA (Hons) Dist.TP (Manc) DMS MRTPI MRICS

an Inspector appointed by the Secretary of State

Decision date: 06 November 2020

Appeal Ref: APP/C5690/W/20/3250459

192 Brownhill Road, London SE6 1AT

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Mr Lorna Buchan against the decision of the London Borough of Lewisham.
 - The application Ref DC/19/113935 dated 10 July 2019 was refused by notice dated 31 January 2020.
 - The development proposed is described as the erection of a cover roof over an existing storage and parking area
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The London Plan 2016 (LP) forms part of the development plan. Reference is made in the appeal to the draft, revised London Plan which has been published and been the subject of an Examination but is not yet adopted. I can therefore, only afford the draft plan limited weight.

Main Issues

3. The main issues are the effect of the proposal upon (i) the character and appearance of the area and (ii) the living conditions of the occupiers of Bodiam, Ivydene and Oakdene, St Fillans Road, in terms of outlook.

Reasons

Character and appearance

4. Brownhills Road is an area of terraced houses including some commercial premises. The residential properties have long and quite narrow rear amenity spaces. Whilst some have structures within them, their general character and appearance is one of openness with soft landscaping adding positively and distinctively to the character and appearance of the area.
5. The appeal property has a long rear amenity space which at its furthest point also includes land to the rear of adjoining properties. It includes three separate sets of garages. The proposed development is to form a lightweight canopy with a pitched roof over the intervening parking and storage area between the three sets of garages. It would take the form of a portal structure and with a plastic material for covering. The truss frame roof would have a shallow pitch

where its height would compare to that of the perimeter wall and the eaves would be comparable to those of the existing garages.

6. Despite the presence of the garages, the land still retains a measure of openness because of the intervening spaces between the garage blocks. However, owing to the position and scale of the proposed development, it would detract from the overall sense of openness, thereby significantly harming the character and appearance of the area.
7. Therefore, I conclude that the proposed development would not accord with policy 15 of the Lewisham adopted Core Strategy 2011 (CS), or with policies DM30, DM31 and DM33 of the Development Management Local Plan 2014 (DMLP), all of which require a high standard of design which is sensitive to the local context.

Outlook

8. I appreciate that the development would not be seen from public vantage points, but it would nevertheless be overlooked by the occupants of adjoining properties at Bodiam, Ivydene and Oakdene, all located on St Fillans Rd. The proposed development would be close to their rear boundaries and would extend for their full length. It would have a maximum height of some 4.2 metres and an eaves height of approximately 2.0 metres. Owing to its height and proximity it would be overlooked from upper rear windows and rear decking and where there is little or no intervening landscaping. I consider that it would have a dominating and enclosing impact thereby materially harming outlook.
9. Therefore, I conclude that the proposed development would not accord with the design requirements of policy 15 of the CS or with policies DM30, DM31 or DM33 of the DMLP.

Other Matters

10. The proposed development does not involve any change of use and can be considered to be on brownfield land, both of which count in its favour.
11. I appreciate that the proposed development would cause no overshadowing or loss of light to adjoining occupants and that sound proofing measures could be taken successfully to achieve satisfactory noise levels within the covered enclosure. However, these are matters of neutral consequence in the overall planning balance.
12. No specific details are included regarding the roof covering including its colour, though I appreciate that this matter could be dealt with by way of the imposition of a planning condition.
13. Whilst I have acknowledged that there are other structures within the rear amenity spaces of the properties on Brownhill Road I have no details of the circumstances relating to them. In any case, I have determined the appeal upon its individual merits.
14. None of the other matters raised alter or outweigh my conclusions on the main issues.

Conclusion

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

Steven Hartley

INSPECTOR