



Appeal Decision

Site visit made on 7 January 2021

by D.R McCreery MA BA (Hons) MRTPI

An Inspector appointed by the Secretary of State

Decision date: 15 January 2021

Appeal Ref: APP/C5690/W/20/3254795

22A Longton Grove, Upper Sydenham, London SE26 6QE

- 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 Ms A. Tamakloe-Wilson against the decision of the Council of the London Borough of Lewisham.
 - The application Ref DC/20/115753, dated 28 January 2020, was refused by notice dated 24 February 2020.
 - The development proposed is provision of off street parking in front garden by lowering the pavement for a vehicular crossover.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The appeal site is located within the Jews Walk Street Conservation Area (Conservation Area). In deciding this appeal I have therefore paid special attention to the desirability of preserving or enhancing the character or appearance of the Conservation Area¹.

Main Issue

3. The main issue is the effect of the proposal on the character and appearance of the Conservation Area.

Reasons

4. The area is characterised by its residential nature and mix of terraced and semi-detached properties. The appeal site sits within a relatively short row of Victorian houses designed as matching pairs sitting on ground levels that gently follow the rising topography of Longton Grove as it moves away from Jews Walk. The wider surroundings include houses that are predominantly 20th Century in origin, are of more mixed appearance, and include parking to the front.
5. The set back of the row of historic properties from the road and open nature of their front gardens serves to reinforce their grandeur and standing within the Longton Grove street scene. This relationship contributes positively to the character and appearance of the Conservation Area.

¹ S72 Planning (Listed Buildings and Conservation Areas) Act 1990

6. Notwithstanding the neutral impact on the Conservation Area of the physical changes to the front boundary, the proposal would also facilitate the use of part of the front garden as car parking. The main impact of this change would be the appearance of a car in the front garden area. This would be in a location that is indicated on the plans as being predominantly to the side of the property, although forwards of the front building line.
7. Whilst the appearance of the car parking would be obscured in some views from the street by features at the front boundary of the property and its neighbours, it would still be extensively visible in closer public views. Notwithstanding the indicated position of the parking to the side of the property, when in use, the appearance of a parked car would be seen as part of the overall context of the building. The result would be the introduction of unwelcome clutter to the front garden area that would reduce the sense of openness between the building and the front boundary. The overall effect would detract from the appearance of the property and the character and appearance of the Conservation Area.
8. When considered on a cumulative basis, as required by Policy DM36 of the Development Management Local Plan, the effect of a number of properties along this row of historic houses making the same alteration would further harm the character and appearance of the area. The presence of parking to the front of modern properties in the immediate surroundings informs the context of the appeal site and is therefore of relevance. However, this does not in itself justify making similar provision within a row of historic houses where parking to the front is not a characteristic. Other examples of front garden parking that are outside of the immediate context of the appeal site also do not justify the proposal.
9. Applying the policy in Chapter 16 of the National Planning Policy Framework I would characterise the harm to the Conservation Area discussed above as less than substantial. Therefore, I have considered paragraph 196 of the Framework. The evidence does not demonstrate that there are public benefits to the proposal that would outweigh the harmful effects.
10. For the above reasons, the proposal would have a harmful effect on the character and appearance of the Conservation Area. Consequently, I find conflict with the development plan for the area, including Policies 15 and 16 of the Lewisham Core Strategy, Policies DM30 and DM36 of the Development Management Local Plan, and Policies 7.4 and 7.6 of the London Plan in relation to achieving a high standard of design and preserving the character and appearance of Conservation Areas.
11. Policies in the emerging London Plan do not change my conclusion on the main issue.

Other Matter

12.The Appellant's questions relating to the planning application process are better addressed by the Council as they are beyond the remit of this appeal.

Conclusion

13.For the above reasons the appeal is dismissed.

D.R. McCreery

INSPECTOR