
Appeal Decision

Site visit made on 5 February 2021

by D Cramond BSc MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 01 March 2021

Appeal Ref: APP/C5690/D/20/3259435
45 Micheldever Road, London, SE12 8LU

- 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 Mrs J Page against the decision of the Council of the London Borough of Lewisham.
 - The application Ref DC/20/116631, dated 5 May 2020, was refused by notice dated 30 June 2020.
 - The development proposed is a first floor extension over the garage.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposal on the character and appearance of the host property and the locality.

Reasons

Character and appearance

3. The appeal property is sizeable two storey detached single-family dwelling house. It is constructed from yellow London stock brick with red brick and composition stone detailing, a slate roof and timber sash windows. Adjoining to the east of the property and running up to the side boundary is a single storey garage. The appeal property whilst imposing in its own right lies between pairs of grander French Baroque style semi-detached villas found along this road. The scene in this area of high-quality established residential character is an extremely attractive one with scale and architectural detailing, some spaciousness, varied elevation treatment, a landscape contribution, and visual interest generally all contributing positively to the picture. The appeal proposal is as described above and would attach to the side above the existing garage providing a bedroom and additional facilities.
 4. The site lies within the Lee Manor Conservation Area. There is a duty imposed by Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act
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1990 requiring decision makers to have special regard to the desirability of preserving or enhancing the character or appearance of a Conservation Area. DM Policy 36 of the Development Management Local Plan (DMLP), Core Strategy (CS) Policy 16, and Policy 7.8 of the London Plan (LP) reflect this.

5. The traditional elevational detailing of and selection of materials for the proposed extension would appear to be well considered taken in isolation. However, there are over-riding problems to my mind.
6. The most fundamental is a lack of space to allow a first-floor extension of this width. I could not sanction an upper floor here running up to the side boundary in an area where generally this is uncharacteristic and would look relatively cramped. More specifically in this position alongside the neighbouring large stylish villa, space would be unduly removed which is needed to show this abutting property to its logical full grand effect both in the immediate and wider scene. I appreciate the adjoining villa does not run to the boundary but it is not very far off and with the appeal scheme there would be a move towards an inappropriate terracing effect. I appreciate that terraced dwellings are to be found locally but not in this stretch of road and in any event the approach should not, in my opinion, be encouraged where the Baroque style villas play such a key part.
7. Furthermore, on the appeal property itself there would be an unbalancing effect given the prominence of the proposed extension. The lack of suitably subsidiarity given minimal frontage set-back and marginal lower height, would detract from the pleasing composition of the host property and reduce its architectural and visual qualities. There is presently an almost symmetrical built form of the host property and a gap at first floor level with glances available to rear garden areas beyond giving a sense of spaciousness; these pleasing characteristics would be degraded by the appeal scheme.
8. Having regard to all of the above I conclude that there would be conflict with S72(1) of the Act and DMLP Policy 36, CS Policy 16 and LP Policy 7.8; there would not be preservation of the character and appearance of the Conservation Area. Additionally, LP Policies 7.4 and 7.6, CS Policy 15 and DM Policies 30 and 32 along with the Alterations and Extensions SPD (2019) (SPD) are relevant. Taken together, and amongst other matters, these policies and guidance seek to protect the appearance and character of buildings and neighbourhoods. I conclude that the appeal proposal would run contrary to these policies. I consider that this scheme would also conflict with the relevant objectives of the SPD. I say this whilst being acutely aware that a guidance document such as this cannot be expected to cover every eventuality.

Other matters

9. I confirm that policies in the National Planning Policy Framework (the Framework) have been considered. Key objectives of the Framework are to protect and enhance the qualities of the built environment as well as to safeguard heritage assets; development plan policies which I cite mirror these. The Framework underlines that great weight should be given to a heritage asset's conservation. The appeal proposal would lead to less than substantial

harm to the significance of the designated heritage asset however what public benefits there would be, such as some economic stimulus, would not outweigh this harm. Furthermore, there are no other benefits, including to the Appellant, which to my mind would be of a scale to outweigh the harm to the Conservation Area which I have identified.

10. I sympathise with the Appellant's wish to extend and improve this dwelling and appreciate the thought which has gone into the formulation of this design. I acknowledge that the existing garage could be seen as needing upgrading and is of no great architectural merit. It does however sit in the scene in a low key and benign fashion. I appreciate that no neighbouring, Member, or Lee Manor Society objections were raised to the scheme and also that the Council has, rightly, no concerns over residential amenity issues. I note examples of two storey side extensions which could be found locally and were drawn to my attention but by reason of neighbouring context, scale, or form I found none set what might be termed a 'precedent', and in any event I must assess the case before me on its own merits. I have carefully considered all the points raised by the Appellant but these matters do not outweigh the concerns which I have in relation to the main issue identified above.

Overall conclusion

11. For the reasons given above I conclude that the appeal proposal would have unacceptable effects on the character and appearance of the host property and the locality. Accordingly, the appeal is dismissed.

D Cramond

INSPECTOR