



Appeal Decision

Site visit made on 10 May 2021

by Chris Couper BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 28 May 2021

Appeal Ref: APP/C5690/W/20/3262797

108 Catford Hill, London SE6 4PT

- 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 Jim McGuane (Greenstone Group) against the decision of the Council of the London Borough of Lewisham.
 - The application Ref DC/20/117687, dated 24 July 2020, was refused by notice dated 16 October 2020.
 - The development proposed is described as the change of use of the ground floor from A1 (retail) to C3 (residential), the demolition of the existing side extension, the construction of a two storey side extension and alterations to provide 3 two bed flats and 1 one bed flat, including a revised front elevation and landscaping.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The Council's second reason for refusal refers to the unacceptable standard of privacy that the occupants of unit 1 would experience. However, its statement notes that the reference should be to unit 2. The appellant has considered this in his statement, and I have dealt with the appeal on that basis.
3. Since the application was determined, the London Plan 2021 has been adopted ('LP'), and the policies from the London Plan 2016, which were referred to in the Council's decision, are now superceded. I have therefore considered this proposal against, amongst other things, the LP policies.

Main Issues

4. The main issues are:
 - The effect of the proposal on the character and appearance of the area;
 - Whether the future occupants of unit 2 would experience satisfactory living conditions, with particular regard to privacy; and
 - The effect of the proposal on the convenience of highway users.

Reasons

Character and appearance

5. The appeal site comprises a two storey building facing Catford Hill, with a single storey projection, whose side face abuts the pavement on Beechfield

- Road. The building's ground floor is a retail unit and, unlike the other properties in this cohesive terrace, it no longer has a ground floor bay window. However, above ground floor level its style, form, fenestration and detailing reflect their appearance. Additionally, although its two storey section is slightly wider than the other properties in the terrace, it is not notably so.
6. The host's flat-roofed side projection, which is constructed in a variety of materials, has a somewhat dilapidated, functional and contrasting appearance. However, its limited single storey height and its set back makes it a fairly recessive feature in the terrace. Its form also broadly mirrors the single storey extension on the opposite side of this prominent junction, at 106 Catford Hill.
 7. Amongst other things, the Lewisham Alterations and Extensions Supplementary Planning Document 2019 ('SPD') advises that, to achieve a subordinate appearance, side extensions should be set back at least one metre from the front façade and that, where relevant, the roof should be set down.
 8. As this scheme's front face would be barely recessed, and part of its roof would be the same height as the host, that would not be achieved here. Moreover, whilst the proposed two storey corner bay window would broadly respect the style of others in the terrace, its positioning would not reflect their regular spacing and the terrace's symmetry.
 9. As a result, although the scheme's side elevation facing Beechfield Road would cascade down to a modest single storey section, its front face would appear neither fully subordinate to the host building, nor a balanced addition which would be in proportion and in rhythm with the terrace.
 10. Additionally, the scheme's two storey section would abut a significant length of the pavement on Beechfield Road, and would project well beyond the regular building line of the set back two storey properties to the north-west. The visual impact of that would be particularly apparent when approaching along Beechfield Road towards the site. This development at this scale would thereby fail to reflect the siting of nearby buildings.
 11. I observed that at the other end of Beechfield Road there are two storey projections next to the pavement to the sides of the properties on Stanstead Road. However, those examples are a little distance from this site, and unlike the context here, they broadly mirror each other at that road junction.
 12. The scheme would be finished with matching materials, and its Edwardian style design detailing and the replacement of the shop front with a ground floor bay window would be visual enhancements.
 13. Nevertheless, for the above reasons, the scheme's bulk and siting on this prominent corner would significantly harm the character and appearance of the area. It would therefore conflict with those parts of LP Policies D4 and D6, Objective 10 and Policy 15 of the Lewisham Core Strategy 2011 ('LCS') and Policies DM 30 and DM 32 of the Lewisham Development Management Local Plan 2014 ('LDMLP') which require good design that has a positive relationship with the townscape, and respects its setting.
 14. It would also fail to accord with the stance in the SPD, and with the general requirement for good design which responds to local context in the London Plan Housing Supplementary Planning Guidance 2016 ('SPG'). Additionally, it would conflict with paragraph 127 of the National Planning Policy Framework

(‘Framework’) which requires visually attractive development, having regard to matters such as layout, local character, and the arrangement of streets and spaces.

Living conditions

15. The Council previously determined that prior approval was not required for the change of use of the property’s ground floor retail unit to provide 2 self-contained two bedroom flats (Ref: DC/20/116679) (‘PA scheme’). However, whilst the PA scheme contained one bedroom window abutting the pavement on Beechfield Road, unit 2 in this scheme would have three habitable room windows in that location – one serving a bedroom as before, and the other two serving its living area.
16. Although unit 2’s principal bedroom would have a rear window and a door facing a private garden, the other bedroom window, and two of the living area windows would face directly onto the pavement with no intervening space. As a result, the occupants would be exposed to view from passers-by, and would experience a significant sense of intrusion and a lack of privacy.
17. For the above reasons, the scheme would result in poor living conditions for the occupants of unit 2. It would therefore conflict with those parts of LP Policy D6 and LDMLP Policy 32 which state that the site layout should provide a satisfactory level of privacy for its residents. It would also fail to accord with the broadly similar stance in the SPG, and with the Framework’s requirement at paragraph 127 to ensure a high standard of amenity for future users.

Highways

18. No off-street car parking would be provided. The parking survey submitted with the appeal was undertaken on one day at 11:00, 14:30 and 22:00 and covered just a part of Beechfield Road. Its annotated drawings and its methodology are not entirely clear, and its scope was limited. As with the appellant’s photographs, I can infer only limited conclusions from it regarding the general availability of on-street parking in the area.
19. I observed that parking on this section of Catford Hill is restricted by yellow lines. At the time of my visit there were only a few available roadside spaces on Beechfield Road, where parking is largely unrestricted.
20. However, the site is accessibly located in an area with a PTAL rating of 5, and there are a range of services and amenities nearby. Consequently, this is not a location where the future occupants need necessarily be reliant on cars. Four conveniently located cycle sheds, to house eight bicycles, would be provided for the scheme’s occupants on the site’s forecourt.
21. For those reasons, in this location, and given the fallback of the PA scheme, I am not persuaded that the proposal would significantly increase the pressure on the limited available on-street parking.
22. Thus, the scheme would not significantly inconvenience highway users, and it would not conflict with LP Policy T6, LCS Policy 14 and LDMLP Policy 29 which, amongst other things, set maximum car parking standards in line with a site’s accessibility and connectivity, and which promote sustainable travel through matters such as appropriate cycle parking.

Other matters

23. Whilst I have considered the appellant's personal circumstances, I have considered the scheme on its planning merits.
24. I have limited evidence before me regarding the frequency of parking manoeuvres on the property's existing forecourt, nor that they have posed a significant highway safety issue.
25. In its favour however, the scheme would make an efficient use of the land and a modest contribution to housing supply. LP Policy H2 and paragraph 4.2.4 note the need to incrementally intensify accessible areas such as this in order to meet housing targets. I have no reason to doubt that, on this small site, the scheme could be built quickly. Although I have no evidence of security issues, I accept that there may also be modest benefits in that regard. On these matters, the proposal finds support from the development plan and the Framework.

Planning Balance and Conclusions

26. For the above reasons the scheme would significantly harm the character and appearance of the area, and it would provide unsatisfactory living conditions for the future occupants of unit 2. The scheme's modest benefits would not outweigh the harms that it would cause, and it would conflict with the development plan when considered as a whole. Consequently, having regard to all other matters raised, the appeal is dismissed.

Chris Couper

INSPECTOR