



Appeal Decision

Site Visit made on 7 September 2021

by **William Cooper BA (Hons) MA CMLI**

an Inspector appointed by the Secretary of State

Decision date: 28 September 2021

Appeal Ref: APP/C5690/D/21/3270452

59 Micheldever Road, London SE12 8LU

- The appeal is made under section 78 of the Town and Country Planning Act 1990 as amended against a refusal to grant planning permission.
- The appeal is made by Mrs Lisa Tucker against the decision of the Council of the London Borough of Lewisham.
- The application Ref: DC/20/117630, dated 21 July 2020, was refused by notice dated 20 January 2021.
- The development proposed is the installation of a vehicular crossover and hardstanding.

Decision

1. The appeal is allowed and planning permission is granted for a vehicular crossover and hardstanding at 59 Micheldever Road, London SE12 8LU in accordance with the terms of the application, Ref: DC/20/117630, dated 21 July 2020, and the plans submitted with it, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in strict accordance with the following approved drawings: Location Plan; 158/A4/01 Rev A Existing Plan and Elevation; 158/A4/01 Rev B Proposed Plan and Elevation.
 - 3) No development shall commence on site until there shall have been submitted to and approved in writing by the local planning authority a detailed scheme of hard and soft landscaping for the front garden. This shall include materials specifications and illustration of any external surfacing, boundary treatment, gates and planting. The development shall be implemented as approved and retained thereafter.

Preliminary Matters

2. A new version of the National Planning Policy Framework (the Framework) was published in July 2021. The new Framework echoes and reinforces policy relevant to the main issues in this case.

Main Issues

3. The main issues in this case are:
 - Whether the proposed development would preserve or enhance the character or appearance of the Lee Manor Conservation Area (CA); and
 - The effect of the proposal on parking capacity.

Reasons

Conservation Area

4. The CA is located in a mainly residential area bounded to the west by Manor Lane. It includes a grid of residential streets to the south and green space to the north. From what I have read, and seen during my site visit, the CA's significance lies in the traditional suburban townscape which reflects its evolution as a suburb from the nineteenth to the twentieth century.
5. The locality comprises a mix of mainly two-storey nineteenth and twentieth century dwellings. The appeal property comprises a two-storey dwelling within a terraced row, which appears to date from the Victorian period.
6. Front gardens in the locality range from traditional type planting to more hard surfaced spaces. Boundary treatments range from brick walls to hedging and shrubs. Driveways are prevalent in the locality. Some appear roughly constructed and give the front gardens an unattractively stark appearance. Other front gardens with driveways display a better balance and quality of hard and soft landscaping, which is more harmonious with the established suburban character. As such, the host row and its locality have an evolved character within the CA, with front gardens having a key influence.
7. The proposal would result in removal of pollarded lime trees at the front boundary, hardening of the front garden's character and loss of the central alignment of the garden's footpath. Nevertheless, as illustrated in the proposed plan and elevation drawing, the proposal includes hedging, compact garden trees and other planting which would help soften the appearance of the driveway. Also, the addition of a crossover and driveway would fit in with the evolved character of the locality, where driveways are prevalent.
8. Furthermore, while vegetation in front gardens and street trees contribute traditional verdant character to the streetscene, the existing pollarded line of trees along the inner face of the appeal site's front garden boundary appears awkwardly truncated in comparison to the fuller and more mature form of street trees and other garden trees in the locality, while simultaneously substantially disrupting appreciation of the architectural detailing and character of the front elevation of the appeal building. Within this context, the proposal would enable visually more comfortably proportioned tree planting in the front garden which would better frame and reveal the architectural character of the appeal dwelling, while balancing soft and hard landscaped elements, the quality, including historically sympathetic character of which will be secured by a detailed landscape scheme through planning condition.
9. The above combination of factors would help the proposal fit in with the evolved front garden character of the locality, and better reveal the dwelling's architectural character. While the proposal would not overall enhance the CA, and would thus not accord with the element of Policy 16 of the Lewisham Core Strategy (CS) which seeks the enhancement of conservation areas, the factors outlined above would ensure that the proposal would conserve the character and appearance of the CA and preserve its significance.
10. As such, the proposal would accord with Policy 15 of the CS, the conservation element of Policy 16 of the CS, and DM Policies 30, 31 and 36 of the Lewisham Development Management Local Plan (DMLP), and the guidance in the

Lewisham Alterations and Extensions Supplementary Planning Document (SPD) which together seek to ensure that development complements local character and conserves the historic environment. Furthermore, the proposal would accord with the approach of the Framework, taking account of the desirability of sustaining and enhancing the significance of heritage assets, with great weight given to the asset's conservation.

11. Given the assimilating factors identified and that each case is to be determined on its own merits, the proposal would not set an unwelcome precedent.

Parking

12. The proposed crossover would result in the loss of part of an on-street parking space. However, it would provide space for more than one car to park off the street at the existing dwelling.
13. Therefore, it would not significantly alter parking capacity in the neighbourhood. As such, it would not conflict with Policy 14 of the CS, DM Policy 29 of the DMLP and the guidance in the SPD which together seek to ensure appropriate parking capacity.

Conditions

14. The conditions suggested by the Council have been considered against the tests of the Framework and advice provided by Planning Practice Guidance. They have been found to be reasonable and necessary in the circumstances of this case. I have made modest drafting changes for clarity. In addition to the standard commencement condition, a condition is necessary requiring that the development is carried out in accordance with the approved plans, to provide certainty. A condition regarding landscaping and external materials is required to safeguard the character and appearance of the area.

Conclusion

15. The proposed development would adhere to the development plan as a whole and there are no other considerations which outweigh this finding. Accordingly, for the reasons given, the appeal succeeds.

William Cooper

INSPECTOR