
Appeal Decision

Site Visit made on 30 November 2021

by William Cooper BA (Hons) MA CMLI

an Inspector appointed by the Secretary of State

Decision date: 13th December 2021

Appeal Ref: APP/C5690/W/21/3275217

Garages to Ashmead Mews, Rear 30-34 Ashmead Road, London SE8 4DX

- 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 Tracy McClean against the decision of the Council of the London Borough of Lewisham.
 - The application Ref: DC/20/117351, dated 1 July 2020, was refused by notice dated 18 November 2020.
 - The development proposed is described as a new build 2 bedroom, 2 storey house to replace existing garages.
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Decision

1. The appeal is allowed and planning permission is granted for a new build 2 bedroom, 2 storey house to replace existing garages at Garages to Ashmead Mews, Rear 30-34 Ashmead Road, London SE8 4DX in accordance with the terms of the application, Ref: DC/20/117351, dated 1 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: EL.001 Rev H Proposed Front Elevation; EL.002 Rev H Proposed Rear Elevation; EL.003 Rev H Proposed Flank Elevations; EX.000 Rev C Existing Block Plan; EX.001 Rev C Existing Block Plan; EX.002 Existing Floor Plan; EX.003 Existing Roof Plan; EX.004 Existing Front/Rear Elevations; EX.005 Rev A Existing Flank Elevations; PL.001 Rev H Proposed Block Plan; PL.002 Rev H Proposed Block Plan; PL.003 Rev H Proposed Block Plan; PL.004 Rev I Proposed Ground Floor Plans; PL.005 Rev H Proposed First Floor Plan; PL.006 Rev D Proposed Roof Plan; OS.001 Rev C Site Location Plan; SE.001 Proposed Context Section AA; SE.002 Rev C Proposed Section A.
 - 3) No development shall take place, including any works of demolition, until there shall have been submitted to and approved in writing by the local planning authority a Construction Method Statement. The Statement shall provide for: a) parking of vehicles of site operatives and visitors; b) loading and unloading of plant and materials; c) storage of plant and materials used in constructing the development; d) the erection and maintenance of security hoarding, where appropriate; e) measures to control the emission of dust, dirt and mud during construction; f) a scheme for recycling/disposing of waste resulting from demolition and construction works; g) delivery, demolition and construction working hours.

The approved Construction Method Statement shall be adhered to throughout the construction period for the development.

- 4) No site clearance, preparatory work or development shall take place until a scheme for the protection of the retained trees (the tree protection plan) and the appropriate working methods (the arboricultural method statement) in accordance with paragraphs 5.5 and 6.1 of British Standard BS 5837: Trees in relation to design, demolition and construction - Recommendations (or in an equivalent British Standard if replaced) shall have been submitted to and approved in writing by the local planning authority. The scheme for the protection of the retained trees shall be carried out as approved.

Preliminary Matters

2. The description in the banner heading above is taken from the appeal form and decision notice, in the interests of precision.

Main Issue

3. The main issue in this case is whether the proposed development would preserve or enhance the character or appearance of the St John's Conservation Area (CA), including its effect on trees.

Reasons

4. The CA covers an area located to the south of the railway line that serves St John's station. The CA comprises Victorian residential development and associated church buildings, laid out around the approximately cruciform road arrangement of St John's Vale, Ashmead Road and Cliff Terrace. Ashmead Primary School is a more recent building which combines traditional materials with modern twists such as colourful rendered walling.
5. The appeal plot is a rear garage site, located in a backland mews area behind a terraced row of three-storey Victorian villas that fronts onto Ashmead Road. Having apparently originally provided access to stabling for the villas, the mews has an evolved character. This includes a coach house residential conversion, a modern mews pastiche style dwelling next to the appeal plot, and various twentieth century garages including the garage on the appeal site.
6. Views from the mews include rear elevations and gardens of Victorian properties on Ashmead Road and Lewisham Way, and the relatively modern presence of Ashmead Primary School. A variety of fenestration styles is noticeable in the vicinity of the appeal site, ranging from traditional timber-framed sash windows in Victorian properties on Lewisham Way, to contemporary bi-fold doors set within a projecting steel-clad 'picture box' enclosure at the converted coach house. Together, this variety of architectural form and style contributes to the evolved, somewhat eclectic character of the mews and its environs within the CA.
7. The CA's significance lies in the townscape which reflects its evolution as a Victorian new town suburb into the twenty first century.
8. While the proposed dwelling would not copy the modern mews pastiche style of the neighbouring dwelling to the north-west, it would appear as a modest house with relatively traditional slate pitched roof and reclaimed London stock brick walls, which would echo locally prevalent materials. Moreover, the ridge

- and eaves height of the proposed dwelling would align with that of the neighbouring dwelling to the north-west. This combination of elements would help the proposed house to assimilate with the evolved character of the mews.
9. The modern twists provided by full height windows and french doors on part of the proposed building's facade would fit in acceptably with the eclectic character aspect of the mews and wider CA. Also, the proposed evergreen boundary hedge would partly screen some of these elements
 10. There is a variety of front boundary treatments in the mews and on Ashmead Road. This comprises a mix of stock brick walling, traditional and modern metal gates and railing, timber fencing and hedging. The proposed boundary hedge would acceptably blend into this varied palette.
 11. The relatively intimate relationship of the proposed house and retained sycamore tree on the appeal site would also be somewhat eclectic with, for example the foundations designed to cantilever over the tree's roots. This tree is apparently self-set, and its new function in contributing verdant character, shelter and definition to the proposed dwelling and its yard would invigorate the tree's amenity value.
 12. Also, other trees to the north-east are to be retained. Given their setback and orientation in relation to the appeal site, it is likely that the majority would not be pressurised in the longer term by the presence of the proposed house. Even if reduced sycamore tree No.3¹ were to come under future pressure due to proximity of the proposed development, the larger, more prominent and substantial tree stock is likely to endure. Given the above, the proposal would conserve the area's treescape.
 13. Drawing the strands together, the proposal would appear as a modest scale house of relatively traditional material and form, with some eclectic modern twists, that would fit acceptably into its somewhat secluded, eclectic backland location within the CA. Furthermore, the proposal would provide modest enhancement to the mews by replacing a dilapidated garage building of twentieth century appearance and tidying up a neglected looking plot. The primacy of the CA's Victorian architectural character, with its sprinkling of modern eclecticism would endure.
 14. I therefore conclude that the proposal would preserve the character and appearance of the CA, and its significance, including the local treescape. As such, the proposal would accord with Policies 12, 15 and 16 of the Lewisham Core Strategy, Policies 25, 30 and 36 of the Lewisham Development Management Local Plan, and Policies D3, G7 and HC1 of the LnP, which together seek to ensure that development complements and where appropriate enhances local character, and conserves the historic environment including local treescape. Furthermore, the proposal would accord with the approach of the National Planning Policy Framework (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.

¹ As per the Tree Survey Schedule in the Arboricultural Impact Assessment by the appellants' tree consultants, provided with the appeal.

Other Matters

15. The fenestration pattern and separation of the proposed house from other dwellings, together with the screening effect of vegetation in the locality would prevent harm to the privacy of neighbouring residents.
16. The proposed dwelling would not encroach beyond the existing site boundary. Vehicle access to garages at the rear of one of the dwellings on Lewisham Way, via the relatively tight access of the mews, appears to require careful manoeuvring, and this is likely to remain the case with or without the appeal proposal. As such, this consideration does not constitute grounds to dismiss this planning appeal.

Conditions

17. The above conditions are reasonable and necessary in the circumstances of this case, considered against the tests of the Framework and advice provided by Planning Practice Guidance. 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 covering construction management is attached to safeguard residents' living conditions. A tree protection condition is attached to protect the local treescape.

Conclusion

18. 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