



Appeal Decision

Site visit made on 14 December 2021

by David Cliff BA Hons MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 21 January 2022

Appeal Ref: APP/C5690/W/21/3277207

28F Panmure Road, London, SE26 6NA

- 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 M Babad (Star Investments Ltd) against the decision of London Borough of Lewisham.
 - The application Ref DC/21/120321, dated 8 February 2021, was refused by notice dated 26 March 2021.
 - The development proposed is a two storey dwelling.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposed development upon the character and appearance of the area.

Reasons

3. The existing dwelling, at the end of the existing terrace, leaves a noticeable gap in built development to its side boundary. Although, existing properties within the road have varied separation distances to the pavement edge, they all maintain reasonable setbacks. The existing separation to the boundary is generally consistent with the prevailing layout of properties in the road.
4. The proposed dwelling would extend all the way up to the side boundary of the site adjacent to the pavement, leaving no separation. Taking account of its two storey massing, the proposed side elevation would appear as being overly prominent, stark and incongruous within the streetscene. The lack of set back from the boundary would result in the proposal appearing as being cramped and detrimentally out of keeping with the general layout and form of existing development in the road. Despite being of a slightly lower height than the existing dwelling and of a reduced width, these factors would not mitigate against its overall adverse effect upon the streetscene.
5. Existing fencing currently surrounds part of the site, including a section adjoining the pavement edge. Whilst this fencing does not contribute positively to the existing streetscene, it is relatively low in height and it does not provide justification for a two storey development of the form proposed up to the boundary of the site, the negative impacts of which would be considerably greater upon the streetscene.

6. Therefore, the proposed development would not attain a high standard of design, nor would it make a high quality positive contribution to the area. It would lead to significant harm upon the character and appearance of the area. It would be contrary to the design aims of Policy D3 of the London Plan (March 2021) ('the London Plan'), Spatial Policy 5 and Policy 15 of the Lewisham Core Strategy (2011) ('the Core Strategy') along with DM Policies 30, 32 and 33 of the Lewisham Development Management Local Plan (2014) and the National Planning Policy Framework. It also does not gain any support from Policy H2 of the London Plan.
7. It would also be contrary to Objective 10 of the Core Strategy although this does not itself appear to constitute an actual development plan policy.

Other matters

8. There is a first floor window in the side elevation of the existing dwelling. Any increased surveillance from the proposed windows upon the streetscene would be limited in relation to the existing situation and this carries only modest weight in support of the proposal.
9. The site is within the urban area close to local facilities, seeks to make the best use of the available land and make provision for a new small dwelling contributing in a small way to the supply of housing. However, the overall benefits would be outweighed by the significant harm that would result upon the character and appearance of the area.
10. There are other matters where it is common ground with the Council that no other harm occurs including in respect of living conditions, garden space and highway safety. However, these matters are neutral in the planning balance and do not carry any significant weight in favour of the proposal.

Conclusion

11. Overall, the proposal would conflict with the Development Plan considered as whole and other material considerations do not outweigh this finding. I therefore conclude that the appeal should be dismissed.

David Cliff

INSPECTOR