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# Appeal Decision

Site visit made on 17 May 2022

**by N Praine BSc (Hons) MA MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 27 June 2022**

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**Appeal Ref: APP/C5690/W/22/3291535**

**103 Bromley Road, London SE6 2UF**

- 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 Lahav against the decision of the Council of the London Borough of Lewisham.
  - The application Ref DC/21/122941, dated 2 August 2021, was refused by notice dated 5 November 2021.
  - The development proposed is described as proposed single storey rear extensions and single storey side infill extension and loft conversion/roof extensions to existing 6 bedroom HMO (C4 - small house in multiple occupation).
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## Decision

1. The appeal is dismissed.

## Preliminary Matters

2. While there seems to be some disagreement to the description of the development, having reviewed the proposed plans, I am satisfied that the description set out in the appellant's planning application form adequately describes the proposed development. The Council also don't dispute the applicant's confirmation that the property is a 6-bedroom House in Multiple Occupation (HMO) as set out in the 'Principle of Development' section of their officer report. I have therefore used this description in my banner heading above.
3. As part of their statement, the Council have confirmed an omission and a typo in their reason for refusal. Policy 16 of the Lewisham Core Strategy Development Plan Document 2011 (the Core Strategy) was omitted from the reason for refusal and National Planning Policy Framework (the Framework) paragraphs 199 to 208 were incorrectly printed as 199 and 202. The appellant has made no further comment and, on this basis, I do not consider the appellant has been unfairly disadvantaged by me referring to these policies and paragraphs.

## Main Issue

4. The main issue is whether the proposed development would preserve or enhance the character or appearance of the Culverley Green Conservation Area (CGCA).

## Reasons

5. The appeal building is a semi-detached dwelling. It has a front projecting bay window with gable above and a hip-ended side roof. To the rear, an existing 2-

storey rear outrigger also with a gable above projects into the back garden. The wider area is predominantly residential however it also comprises business uses opposite the appeal site.

6. The CGCA Character Appraisal 2001 explains that the CGCA is mainly an Edwardian residential suburb arranged in a grid-layout with the Bromley Road once featuring as the main coaching-route between London and Kent. The significance of the CGCA is largely derived from its good quality period residential buildings, with groups of symmetrical facades and common forms which together form a cohesive identity and visual link to the past. These features are reflected in the design and appearance of the appeal building which, along with its similar neighbours, collectively make a positive contribution to the significance of the CGCA.
7. The single storey rear extensions would be cumulatively generous in width and the central extension off the communal kitchen would be particularly deep. The cumulative size of these two rear extensions would not be sympathetic to the more traditional proportions of the host dwelling. Additionally, and in the context of the more modest rear projections to the neighbouring dwellings, this disruption of symmetry would harm the cohesive identity of the buildings.
8. The proposed ground floor windows would not follow the character of the original windows of the host building. While there is some variation already to the existing openings, the size and style of the proposed windows and door would introduce further divergence without sensitivity to the original window or lintel designs. While the new windows would replace equally unsympathetic designs the greater number thereof would exacerbate the overall effect.
9. The existing roof designs of No 103 and 105 Bromley Road are not symmetrical to the rear with No 105 featuring a rear facing gable chimney stack. Given this existing layout, the proposed rear gable feature would introduce some symmetry to the pair which would improve the singular appearance and balance of these two properties. Furthermore, due to their setting, and modest size the cumulative impact of the proposed dormer windows and porthole window would be sympathetic to the roofscape of the host property and the CGCA.
10. Appeal decision APP/C5690/W/20/3258245 was for larger extensions and alterations which cumulatively overwhelmed the roof. While I have arrived at a different conclusion to the previous Inspector in respect to the roof, this is due to the significant reductions to the roof level alterations in this scheme. Nevertheless, the absence of harm in this respect would be a neutral matter.
11. With the above in mind, the appeal scheme would fail to either preserve or enhance the character or appearance of the CGCA. In terms of the approach set out in the National Planning Policy Framework (the Framework), the proposal would cause less than substantial harm to the CGCA's significance as a designated heritage asset. The Framework is clear that irrespective of the level of harm, great weight should be given to the asset's conservation and, where a development proposal would lead to less than substantial harm, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

12. The enlargement of the building would provide only a private benefit. I have not been advised of any demonstrable public benefits that would outweigh the identified harm to the significance of the CGCA.
13. Reference is made to 97 Bromley Road and the potential for similarities between the two proposals. However, No 97 is a detached house with a different relationship to the CGCA. Additionally, I have not been provided with the Council's decision notice or officer report. In the absence of these it is difficult to understand what policy context was applied or what rationale was used to allow the development. As a result this carries limited weight in relation to the main issue.
14. While there are also commercial uses elsewhere in the local area these sit opposite the site with a different layout. I do not find them directly comparable to the appeal proposal before me. This therefore has limited bearing on my main findings.
15. For the above reasons, the appeal scheme would conflict with the relevant provisions of Policy 15 and Policy 16 of the Core Strategy; DM Policy 31, DM Policy 36, DM Policy 37 of the Lewisham Development Management Local Plan 2014; the Lewisham Alterations and Extensions Supplementary Planning Document 2019 and paragraphs 199 and 208 of the Framework which, amongst other things, seek to ensure that development is sympathetic to the host dwelling and preserves or enhances the character and appearance of the Conservation Area.

### **Other Matter**

16. I note the appellant's comments regarding the lack of an increase in the occupation of the appeal building in that it would remain as a C4 small HMO and the enlarged spaces will improve occupiers' living conditions. Be this as it may, these are not contentious matters in the appeal and in any event, if they were acceptable, they would be neutral matters which are accordingly incapable or weighing against harm.

### **Conclusion**

17. The appeal scheme would conflict with the development plan for the reasons I have given. There are no material considerations worthy of sufficient weight that would indicate a decision other than in accordance with it. The appeal should therefore be dismissed.

*N Praine*

INSPECTOR