



Appeal Decision

Site visit made on 10 August 2022

by H Miles BA(hons), MA, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 17th August 2022

Appeal Ref: APP/C5690/W/21/3288619

50 Ravensbourne Road, London SE6 4UX

- 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 Malik against the decision of London Borough of Lewisham.
 - The application Ref DC/21/121113, dated 30 March 2021, was refused by notice dated 23 June 2021.
 - The development proposed is demolition of the existing garage and construction of a part 2, part 3 storey detached 4 bedroom house on land to the rear of 50 Ravensbourne Road SE6.
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Decision

1. This appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposed development on:
 - The character and appearance of the area,
 - The living conditions of existing occupiers with particular regard to the gardens of 17 Blythe Hill Lane and 50 Ravensbourne Road
 - Highway safety and the highway network

Reasons

Character and Appearance

3. The appeal site is the rear part of the garden of 50 Ravensbourne Road, and is on the corner of Blythe Hill and Blythe Hill Lane. There is an existing garage on the site and its modest, subservient appearance is appropriate to the character and appearance of the area. The host property is a three storey house fronting Ravensbourne Road.
4. Development along the western side of Blythe Hill Lane is characterised by modest, 2 storey dwellings which include accommodation within pitched roofs. The eastern side of the road is characterised by secondary side elevations and plots. The road slopes upwards from south to north and there is a gradual increase in the ridge line of the properties which follows this incline.
5. Opposite the proposed dwelling is the secondary side elevation to the four storey property at 12 Blythe Hill Lane/2 Blythe Hill. Although there is an entrance to this side elevation, this property has its main relationship with the properties on the southern side of Blythe Hill. These are large four storey

dwellings which front Blythe Hill. There is also a row of three and four storey properties opposite. These generally have pitched roofs. The scale and setting to the houses in this part of the street is distinctly different to the more modest character of Blythe Hill Lane. The properties on the northern side of Blythe Hill are two storey terraced properties.

6. The proposed dwelling would be three storeys, and the upper floor would be recessed, grey metal clad, with a flat roof. It would front Blythe Hill Lane and its main visual relationship would be within this streetscene. The size proposed would result in a pronounced increase in height from the others in this streetscene which would be visually jarring and harmfully undermine the modest character of this road. The increase in height is further exacerbated due to the elevated height of this plot compared to no 17 and others in the street. Whilst there would be a set back to the upper floor its scale, bulk and corner position would mean that it remained dominant in the streetscene, particularly in this prominent corner position.
7. I have taken into account that the proposed height is lower than the property opposite and the proposed development would have the same number of storeys as the host dwelling. However, these plots have their main relationship with different streetscenes and therefore their context differs. As such this does not provide justification for the development proposed.
8. There is a side roof terrace to 1 Blythe Hill, diagonally opposite the appeal site. However, notwithstanding its proximity, such features are uncommon and do not form part of the overriding character of the area. As such the proposed roof terrace would be incongruous in this location and harmful to the character and appearance of this area for that reason. However, the appellant has suggested that they would accept a condition to restrict the use of the roof as a terrace. I am satisfied that this would make the development acceptable in this regard. Had the development been acceptable in other respects, such a mechanism would be appropriate. Nevertheless, the resultant neutral effect in this regard would not overcome the harm outlined above.
9. Therefore, the proposed development would be harmful to the character and appearance of the area. As such, in this respect, it would be contrary to Policy D3 and D4 of the London Plan (March 2021) (LP), Policy 15 of the Lewisham Local development framework Core Strategy Development plan document (June 2011) (CS) and DM Policies 30 and 33 of the Lewisham local development framework Development Management Local Plan (November 2014) (DMLP), and paragraph 126 of the National Planning Policy Framework (2021) (Framework). Together these seek high quality design through a design led approach to development which responds to local character and relates successfully to the streetscape amongst other things
10. Policy D4 of the LP mainly relates to the analysis and scrutiny of design and therefore the policies set out above are most relevant to this main issue.

Living Conditions

11. The rear building line of the proposed development would be broadly level with the rear elevation of no. 17, and would have minimal separation between the two dwellings. The new dwelling would be visible in some views from the garden although it would not be seen from the existing house. However, given

that it would not extend any further to the rear than no 17, along with the set back to the upper floor, this would not result in an overbearing effect.

12. The proposed house would be directly to the rear of 50 Ravensbourne Road, and would be highly visible from the property and garden. However, I have taken into account the separation distance between the dwellings, the set back to the proposed upper floor as well as the size of the resultant garden to no 50 which provides space away from the rear elevation. These features lead me to conclude that the proposed development would not be so overbearing as to be unacceptably harmful to the living conditions of the existing occupiers.
13. There is no dispute between the main parties with regard to privacy or light to the surrounding properties and I am not presented with detailed evidence that leads me to disagree with these conclusions.
14. Consequently, the proposed development would have an acceptable effect on the living conditions of neighbouring occupiers. As such, in this respect, it would be in accordance with paragraph 130 of the Framework which seeks a high standard of amenity for existing users.
15. Policy 15 of the CS is a high level policy relating to high quality design, and DM Policy 30 of the DMLP mainly relates to urban design and local character, DM Policy 33 of the DMLP provides design quality standards for development, but does not have a requirement for amenity for adjoining houses for back garden development. As such, in relation to this main issue, I do not find conflict with these policies.

Highways

16. The proposed development would remove the existing garage which could be used as a parking space for 50 Ravensbourne Road, as well as introducing car parking associated with an additional new dwelling. Any car parking associated with both these properties would therefore need to be accommodated on street. However, it would also remove the requirement for a crossover adjacent to the existing garage which would create one additional on street car parking space.
17. No parking stress survey has been submitted for this scheme. A parking survey was produced for a previous application in 2019. However, this would be around three years old and as such the weight afforded to its findings would be limited. I note the local representations that parking in this area is difficult and I observed that the surrounding streets were heavily parked.
18. As such, I am not satisfied that, even with the creation of a new on street parking bay, car parking as a result of the proposed development could be accommodated on the nearby streets. Consequently, this may result in car parking in unsuitable locations detrimental to highway safety.
19. Therefore, the proposed development would be harmful to highway safety and the highway network. As such, in this regard, it would be contrary to Policy 14 of the CS and paragraph 111 of the Framework which together promote highway and pedestrian safety, amongst other things.

Other Matters

20. Planning permission has been granted for a 2 storey with basement detached building for 2 flats on this site (ref DC/19/114263). The scale and height of the approved development is lower than the development before me now. Therefore, it would be less harmful in this regard and does not justify the appeal scheme.
21. My attention is also drawn to other sites where permission has been granted for demolition of garages or a dwelling and garage and erection of a new building¹. However, these are all distant from the appeal site, and therefore their site specific considerations and context would differ. As such, these decisions do not alter my conclusions above.
22. The proposed development would provide a new family home in an accessible location, and increase the density of development at this site. However, given the scale of the development for a single property, these benefits are limited in their scale. As such, the limited benefits would not outweigh the notable public and permanent harm to the character and appearance of the area, as identified above.

Conclusion

23. The proposal would not accord with the development plan and there are no other considerations to indicate that the appeal should be determined otherwise. Therefore, for the reasons given above, I conclude that the appeal should be dismissed

H Miles

INSPECTOR

¹ DC/20/119565, DC/21/121428, DC/20/117754