



Appeal Decision

Site visit made on 21 November 2023

by Nick Bowden BA(Hons) Dip TP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15th December 2023

Appeal Ref: APP/C5690/W/23/3321612

13 Lincombe Road, Bromley, BR1 5HJ

- 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 R Cilisauskas against the decision of the Council for the London Borough of Lewisham.
 - The application Ref DC/22/125852, dated 8 March 2022, was refused by notice dated 8 November 2022.
 - The development proposed is described in the application form as '2 storey side extension, self containing dwelling'.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposed development on the character and appearance of the area and the living conditions of neighbours with particular regard to the privacy of occupants of 2 Lentmead Road.

Reasons

Character and appearance

3. Lincombe Road and surrounding streets form a relatively consistent arrangement of rows of terraced houses that are set in broadly rectangular blocks. Despite the regular layout, the rows of terraces have elements of individual distinctiveness that provide a subtle but pleasing variety. Common features include recessed front doorways, front boundary hedges or low walls and wide, open corners. The end terraces on these corners have triangular shaped plots which provide a spacious feel against the backdrop of the otherwise tightly knit terraces. The majority of these open corner plots remain intact although there are examples where this has been eroded including at 23 Lincombe Road.
4. The appeal site is a good example of where an open corner plot has been retained to the benefit of the pleasant and spacious character of the area. The proposed development would disrupt this character by subdividing the garden and pushing the built form of the terrace into the open corner. This would remove the small, but welcome, gap between 13 Lincombe Road and 2 Lentmead Road which is an important feature of the area. The proposal would not, therefore, comprise high quality design and would be detrimental to the character and appearance of the area.

5. I have been referred to other developments in the local area which encroach into previously open corner plots. In particular, I note the single storey wraparound extension at 23 Lincombe Road and the two storey side extension at 77 Northover. Those are both very different forms of development compared to the proposal.
6. The harm caused by the extension at 23 Lincombe Road to the character and appearance of the area is less than that which would be caused by the proposal. It is a large addition but is a single storey structure that retains a gap at first floor level between the neighbouring terraces on this corner. In any case, the harm caused by the extension at 23 Lincombe Road does not justify additional unacceptable harm to the character and appearance of the area.
7. The property at 77 Northover presents a very different character compared to the appeal site, as it is opposite 79-85 Northover, which directs its attention to the green opposite using oblique angles to the gable ends. The extension to 77 Northover reinforces this character and contributes to it by emphasising the adjacent building line. Moreover, 77 Northover is not on a triangular corner plot and it assists in emphasising the quirky arrangement of 79-85 Northover. The same rationale does not apply to the appeal site.
8. I therefore conclude that the proposed development would harm the character and appearance of the area and fail to comply with Policy 15 of the Lewisham Core Strategy 2011 (LCS), DM Policies 30, 31 and 33 of the Lewisham Development Management Local Plan 2014 (LLP), Policy D3 of the London Plan 2021 and the provisions of the National Planning Policy Framework (the Framework). These policies promote good standards of design that reflect local character, amongst other matters.

Living conditions

9. The proposed dwelling would feature a first floor rear facing window to a bedroom. This would have direct aspect over the rear garden to 2 Lentmead Road. This would be at a slight angle and through a relatively small gap. The garden to 2 Lentmead Road is one which does not benefit from a particularly high degree of privacy due to surrounding dwellings and their relationships at right angles. Nevertheless, the elevated position of the bedroom window which would serve a new dwelling would be such that it would result in a harmful increase in overlooking to the private outdoor amenity area of 2 Lentmead Road. This loss of privacy would cause unacceptable harm to the living conditions of the occupants of 2 Lentmead Road.
10. The proposed development would not, therefore, comply with Policy 15 of the LCS and DM Policies 30 and 31 of the LLP. These policies seek to preserve the living conditions of residents of the Borough which includes, amongst other things, ensuring adequate levels of privacy.

Other Matters

11. It has been submitted that the dwelling would be 'affordable' housing. Whilst I accept that the proposed dwelling would be a small unit of accommodation and may, therefore, command a low market price, this does not render it affordable housing. There is no legal agreement before me which would secure the proposal as affordable housing, and as such I assign this argument in favour of

the proposal very little weight, which does not outweigh the harm I have identified above.

Conclusion

12. For the reasons given above I conclude that the proposal would be detrimental to the character and appearance of the area and adversely affect the living conditions of neighbours. It would therefore conflict with the provisions of the development plan, read as a whole, and the Framework. There are no other considerations which indicate my decision should be made other than in accordance with the development plan. The appeal is dismissed.

Nick Bowden

INSPECTOR