



Appeal Decision

Site visit made on 29 August 2025

by **Mark Harrison BA(Hons) DipTP LLM MIOlL MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 16 October 2025.

Appeal Ref: APP/E5330/W/25/3364259

21 Lavidge Road, Eltham, Greenwich SE9 3NE

- 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 Mr Zandi against the decision of the Council of the Royal Borough of Greenwich.
 - The application Ref is 24/3268/F.
 - The development proposed is demolition of existing garage store and erection of a new detached 4-bed dwelling house with car parking and associated works.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. I have used the description on the appeal form in my decision above for clarity, which removed words from the description on the application form that are not acts of development.
3. There is an extant planning permission on the appeal site (Ref. 23/1914/F) for a 3-bed detached dwellinghouse. The appellant has drawn my attention to a subsequent planning permission (Ref. 25/0171/F) on the site also for a 3-bed dwellinghouse. The dwelling approved by this later permission is of an increased width and has a deeper single storey rear extension with an additional rooflight compared to the 2023 scheme. The appellant identifies that these elements are also proposed in the appeal development.
4. Whilst the appellant contends that these elements are not therefore for consideration as part of this appeal, I have to consider the appeal development as a whole. Nevertheless, the Council has not raised a specific concern about them. I am content that these elements of the appeal proposal would be acceptable, and therefore my decision focuses only on the effect of the proposed roof form and rear dormer element.
5. The appellant has submitted a revised plan (Ref: SD/701/A) as part of the appeal process. Being mindful of the case law¹ on this matter, whilst the revisions would not be substantive, as essentially constituting a small reduction to the size of the proposed rear dormer, accepting them could cause unlawful procedural unfairness. It is not for the appeal process to evolve schemes and given that interested parties have not had the opportunity to comment on the revised plan, I have not had regard to it in determining the appeal.

¹ *Holborn Studios Ltd v The Council of the London Borough of Hackney* [2017] EWHC 2823 (Admin) which refined the principles previously established in *Bernard Wheatcroft Ltd v SSE* [JPL 1982 P37]

Main Issues

6. The main issues are the effect of the development on:

- the character and appearance of the area; and
- the living conditions of future occupants, specifically in relation to accessibility.

Reasons

Character and appearance

7. The appeal site is located in an area which is suburban in character and largely made up of two-storey semi-detached dwellings. Although some properties have been altered, the prevalent roof form in the area remains a hipped design with reasonable gaps generally maintained between the pairs of semi-detached dwellings.
8. The proposed development is for a detached dwelling within the site of 21 Lavidge Road. The dwelling would have a roof design of a dual gable end with a near full-width rear dormer element to accommodate a bedroom and bathroom at second floor level.
9. The appellant has drawn my attention to examples in the local area of properties that feature gable end roof forms and large rear dormer extensions. I have had regard to these examples in the context of the character and appearance of the area so far as I am able to based on the information before me. However, I am not aware of the full circumstances of these other cases and in any event each scheme must be considered and determined on its individual planning merits.
10. I find the proposed roof form to be incongruous and excessive in its bulk. Given its proximity to the neighbouring 19 Lavidge Road, the gable end design of the roof would create the impression of a terracing effect with only a very small gap to glimpse views beyond. This would be harmful to the street scene of Lavidge Road, as it would be substantially different to the prevailing built form of the area where there is generally a sense of space around the pairs of semi-detached dwellings.
11. The near full-width rear dormer element, which could be viewed from Birbetts Road in the gap between Nos. 22 and 24 and also from neighbouring properties, would not appear subservient. It would exacerbate the bulky top-heavy appearance of the proposed dwelling and is a form of development that is discouraged in the Royal Borough of Greenwich Urban Design Guide Supplementary Planning Document (SPD), adopted 2023.
12. For these reasons, the proposed development would be harmful to the character and appearance of the area. Consequently, in this regard, it would conflict with Policy D3 of the London Plan (LP), adopted 2021, Policies DH1 and H5 of the Royal Greenwich Local Plan: Core Strategy with Detailed Policies, adopted 2014 (Core Strategy), and the Urban Design Guide SPD which require, amongst other things, developments to be of a high quality design that take into account the character of the area.

Accessibility for future occupants

13. Policy D7 of the LP sets out that new housing must meet Part M4(2) of the Building Regulations which relates to accessible and adaptable buildings. Had this

appeal been acceptable in other respects, a suitably worded condition could have been imposed to require the submission of further information to demonstrate that the proposal would meet this requirement. Subject to such a condition, there would be no conflict with Policy D7 of the LP or Policy H5 of the Core Strategy.

Planning Balance

14. Set against the harm identified, the proposal would deliver a net gain of one new dwelling, making efficient use of land in a location close to services. This would support the Government's aim of significantly boosting the supply of homes and contribute towards addressing the current shortfall in the Borough's housing land supply. However, the addition of one dwelling would be limited in this context, and I attach minor weight to this benefit. The proposal would also generate limited economic activity during its construction and in the longer term through its residents supporting local services, to which I attach a little weight.
15. The appeal proposal would cause long lasting harm to the character and appearance of the area by virtue of the overly bulky and top-heavy roof form and rear dormer of the proposed dwelling.
16. The Council acknowledges that it is currently unable to demonstrate a 5-year supply of deliverable housing sites. Accordingly, paragraph 11 (d) of the National Planning Policy Framework (the Framework) is engaged, and permission should be granted unless any adverse impacts would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.
17. The benefits associated with the provision of one additional dwelling would be relatively minor, even taking account of the objective of boosting significantly the supply of housing in the Framework and the Council's housing land supply position. The Framework states that good design is a key aspect of sustainable development, creates better places in which to live and helps make development acceptable to communities. It also affords significant weight to development which reflects local design policies.
18. Therefore, the adverse impacts of the proposal on the character and appearance of the area significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole.

Conclusion

19. For the reasons given above, having considered the development plan as a whole and all other material considerations, the appeal should be dismissed.

Mark Harrison

INSPECTOR