



Appeal Decision

Site visit made on 23 January 2018

by **Chris Forrett BSc(Hons) DipTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 14th May 2018

Appeal Ref: APP/C5690/W/17/3183996

109 Honor Oak Park, Crofton Park, London SE23 3LB

- 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 Whybrook Development Ltd against the decision of the Council of the London Borough of Lewisham.
 - The application Ref DC/17/101708, dated 8 May 2017, was refused by notice dated 8 August 2017
 - The development proposed is the demolition of the existing house at 109 Honor Oak Park SE23 and the construction of a three storey plus basement building consisting of 8 three bedroom self-contained flats, together with associated refuse storage, cycle storage and landscaping.
-

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are whether the loss of the existing dwelling has been sufficiently justified and the effect of the development on the character and appearance of the area.

Reasons

Loss of existing dwelling

3. The Council have cited DM Policy 2 and DM Policy 38 from the Lewisham Local Development Framework Development Management Local Plan (2014) (DMLP) in their reason for refusal.
4. DM Policy 38 deals with the demolition or substantial harm to designated and non-designated heritage assets. It is common ground that the appeal property is not a designated heritage asset nor it is a locally listed building. Notwithstanding that, the Council indicate that the property is a non-designated heritage asset owing to its 'Villa' character and the role it plays in the historical development of the area.
5. DM Policy 37 sets out that non-designated heritage assets may be identified during the development management process. Whilst this policy is not referred to in the Council's reason for refusal, it is nevertheless considered in the Officers report and the Appellant has also commented on it in their statement. Taking this into account, I consider that the property is a non-designated heritage asset and therefore the provisions of DM Policy 38 apply.

6. The requirements of DM Policy 38 include the need for clear and convincing evidence for proposals which involve the demolition of a heritage asset. Furthermore, the policy requires a structural survey where it is indicated that a buildings condition is beyond repair. In this case, the Appellant is suggesting that the building is beyond economic repair.
7. However, from the evidence before me and what I observed on site, there is limited information to suggest that the building is structurally unsound. In coming to that view, I acknowledge that some remedial works would be required to enable the existing building to be re-used for residential purposes.
8. The Appellant has provided some financial information on the possible sales value of the property. This included a scheme of refurbishment of the existing dwelling, conversion schemes, and the current appeal proposal. However, the information provided falls well short of a viability assessment. For example, there is very limited information on the costs of either refurbishing the property or the costs of the appeal development. I can therefore only give this information limited weight.
9. Taking all of the above into account, in the absence of such convincing evidence, I must conclude that the proposal would be in conflict with DM Policy 38.
10. I have also had regard to Paragraph 135 of the National Planning Policy Framework (the Framework). The scheme would deliver much needed additional housing which is a clear benefit of the development. However, to my mind, this does not justify the loss of this heritage asset. Taking all of the above into account, I consider that the proposed development would give rise to an unacceptable loss of a non-designated heritage asset.
11. Turning to DM Policy 2, this aims to prevent the loss of existing housing to assist in the delivery of homes to meet housing need. Whilst the development would result in the loss of the existing dwelling, it is significant that the proposal would result in a net increase of seven residential properties.
12. The Council have not advanced a case that the type of housing proposed does not meet housing needs in the area and has provided little explanation of the conflict with DM Policy 2. Given the above, I consider that any conflict with DM Policy 2 is mitigated by the provision of the additional dwellings. However, that does not outweigh the harm I have already identified.
13. For the above reasons, the development would result in the total loss of a non-designated heritage asset contrary to DM Policy 38 of the DMLP which amongst other matters seeks to ensure that such heritage assets are not lost without sufficient justification. The proposal would also be at odds with the Conservation aims of the Framework.

Character and appearance

14. The appeal site is located on the south side of Honor Oak Park where there is a mixture of building styles including traditional villa type properties, more modern blocks of flats, and the timber dwellings of Walters Way.
15. The Council's principle concerns over the new building relate to the excavation at the front of the site, the exaggerated gable features and serrated roof, and the fenestration pattern with large areas of glazing.

16. From my site visit I saw both properties either side of the appeal site had lowered land levels to their respective frontages. In the case of the three storey flat development (111 Honor Oak Park) there is a driveway which opens up into a hardstanded forecourt with an undercroft parking area which gives the building a four-storey appearance. Whilst the lowered land levels are less visible to the front of 107 Honor Oak Park, they nevertheless form part of the character of the area.
17. Taking this into account, the amount of excavation required in the appeal development would not have a significant impact on the streetscene itself. In coming to that view, I acknowledge that the development would also result in the loss of a significant amount of trees to the site frontage. However, from the evidence before me and what I observed on site, it would be desirable to remove some of these trees anyway as the front of the site is overgrown. Furthermore, several of the trees are overly close to the existing building especially given their current size and growing potential.
18. Turning to the design of the building, the proposal takes cue from other buildings within the area albeit with a modern twist with its fenestration pattern and large areas of glazing. In addition to the above, the design of the roof with its steeply pitched gables, adds further interest to the overall appearance of the building.
19. To my mind, the design of the building would positively add to the variety of differing styles of properties in the area which includes a range of traditional designs and other more modern properties, together with the distinctive Walters Way development.
20. For the above reasons the proposal would not harm the character and appearance of the area and would accord with Policies 7.4 and 7.6 of The London Plan (2016), Policy 15 of the Lewisham Local Development Framework Core Strategy Development Plan Document (2011) and DM Policy 30 of the DMLP which amongst other matters requires all development proposals to attain a high standard of design and have a positive relationship to the existing townscape.

Conclusion

21. Taking all matters into consideration, whilst I have found in favour of the development in respect of its design, this does not outweigh the harm of the loss of the heritage asset. I therefore conclude that the appeal should be dismissed.

Chris Forrett

INSPECTOR