



Appeal Decision

Site visit made on 12 December 2016

by Caroline Mulloy BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 30th December 2016

Appeal Ref: APP/C5690/D/16/3159477

40 St John's Vale, Lewisham, London SE8 4EN

- 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 Miss Claire Hallam against the decision of the Council of the London Borough of Lewisham.
 - The application Ref DC/16/095824, dated 8 March 2016, was refused by notice dated 13 September 2016.
 - The development proposed is construction of mansard roof.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue in this case is the effect of the proposal on the character and appearance of the host property and the Brookmill Road Conservation Area.

Reasons

3. The appeal property is a two storey traditional mid-terrace house situated on the south east side of St John's Vale within the Brookmill Road Conservation Area (Conservation Area). The property is subject to the Brookmill Road Article 4 Direction. The Brookmill Road Conservation Area Character Appraisal (CACA) 1998 identifies the special interest of the Conservation Area as the cohesive character of the groups of buildings, expressed in terms of their architectural and historic features and the grid-iron layout of streets.
 4. This part of the street is characterised by two-storey terraces set in groups. The buildings are constructed of yellow stock brick with butterfly roofs concealed at the front with corniced stucco parapets. The strong rhythm of the street is emphasised by the houses set on a consistent building line behind short front gardens enclosed by low walls and railings, the regular pattern of vertical sliding sash windows and the almost continuous decorative parapets. Consequently, whilst the houses at the lower end of St John's Vale are not as refined as neighbouring buildings, I consider that due to the uniformity of the layout and historic architectural features the properties nevertheless make a significant contribution to the cohesive character of the Conservation Area.
 5. There have been few alterations to the property itself and thus the architectural features and detailing are clearly still legible. Consequently, the property contributes to the character of the Conservation Area.
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6. The National Planning Policy Framework (the Framework) advises that heritage assets are an irreplaceable resource and should be conserved in a manner appropriate to their significance. Paragraph 132 of the Framework states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting.
7. Paragraph 134 of the Framework confirms that where a development proposal would lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimal viable use.
8. DM Policy 31 of the Council's Development Management Local Plan (DMLP) 2014 states that roof extensions on the street frontage of a building will be resisted in favour of extensions to the rear of the building. It also requires extensions to respect and/or complement the form, setting, period, architectural characteristics and detailing of the original buildings.
9. Paragraph 6.7 of the Residential Standards Supplementary Planning Document (SPD) (adopted 2006, updated 2012) states that all roof extensions should be sensitively designed to retain the architectural integrity of the building. Roof extensions to the front and side elevations will be resisted in favour of roof lights set into the roof slope. Larger extensions should be located on the rear elevations.
10. There are no roof extensions in this part of the street and, therefore, only chimney stacks and chimney pots are currently visible above the corniced parapets. The proposed mansard would be set back from the parapet and the design and materials would be traditional. However, the proposal would create a second storey, extend above the level of the existing parapet and interrupt the uniformity of the roofscape created by the almost continuous parapet running along this group and adjacent properties. The raised party walls would be highly prominent from surrounding view points and the raised chimney would stand taller than others in the street. The proposal would, therefore, introduce an incongruous feature that would dominate the street scene and be out of character with the host property and wider terrace. Moreover, the roof extension would disrupt the visual uniformity and cohesive nature of the terrace thereby undermining the significance of the Conservation Area.
11. The rear extension would be less visible in the Conservation Area although a degree of inter-visibility exists between adjacent properties and rear gardens. Nonetheless, the proposal would result in the loss of the traditional London butterfly roof which is a characteristic feature of the roofscape of the Conservation Area. The proposal would, therefore, conflict with DM Policy 31 of the DMLP and paragraph 6.7 the SPD.
12. Attention is drawn to the fact the proposed extension complies with most of the criteria of a new version of the SPD. However, the Council clarify that this version of the SPD is at a draft stage and hence only very limited weight can be attached to it in my Decision.
13. Attention is drawn to a number of mansard roofs in the Conservation Area, notably in Albyn Road which the appellant considers set a precedent for the appeal proposal. The Council clarify that a number of these were granted in 2010 after an

officer's recommendation was overturned. However, whilst I noted that there were a number of mansard roofs in Albyn Road and some of the surrounding streets, there are no such roof extensions in this part of St John's Vale. Furthermore, there is no inter-visibility between the appeal property and these mansard roofs.

14. Whilst I have had regard to these examples they, nonetheless, serve to confirm the disruptive nature of mansard roofs to the continuity of the terraces. Whilst Albyn Road has a number of roof extensions, the proposal would introduce a mansard roof in a street which is currently free from such intrusion. The appeal proposal is not, therefore, directly comparable to these cases which limits the weight which I can attach to them in my Decision. In any event their presence does not justify the harm which I have identified.
15. The proposal may provide some benefits to the occupiers in terms of additional living space and improved thermal efficiency. However, whilst the harm arising from the proposal may be less than substantial, the public benefits of the proposal would not outweigh the harm which I have identified.
16. For the reasons stated I conclude that the proposal would harm the character and appearance of the host property. Furthermore, it would fail to preserve or enhance the character and appearance of the Conservation Area to which I am required to have special regard and attention and to which the courts judge I am required to give considerable importance and weight. Moreover, the proposal would not meet the environmental dimension of sustainable development and would not, therefore, constitute sustainable development.
17. The proposal is, therefore, contrary to Policies 7.4 and 7.6 of the London Plan which state that buildings, streets and open spaces should provide a high quality design response and be of the highest architectural quality. Conflict also arises with Policy 7.8 of the London Plan which states that development affecting heritage assets and their settings should conserve their significance, by being sympathetic to their form, scale, materials and architectural detail.
18. Furthermore, the proposal conflicts with Policies 15 and 16 of the Council's Core Strategy 2011 and DM Policy 30 of the DMLP which collectively seek to ensure high quality design for Lewisham and that development conserves and enhances the borough's heritage assets. Conflict also arises with DM Policy 36 of the DMLP which states that the Council will not grant planning permission for new development or alterations to existing buildings in conservation areas which is incompatible with the special characteristics of the area, its buildings, spaces, settings and plot coverage, scale form and materials.
19. Moreover, conflict arises with DM Policy 31 of the DMP, paragraph 6.7 of the SPD and paragraphs 132 and 134 of the Framework.

Conclusion

20. For the reasons stated and taking all other considerations into account, the appeal should be dismissed.

Caroline Mulloy

Inspector