

Appeal Decision

Site visit made on 17 January 2017

by H Lock BA (Hons) DipTP MRTPI

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

Decision date: 1 February 2017

Appeal Ref: APP/C5690/D/16/3162236

13 Bolden Street, LEWISHAM, LONDON, SE8 4JF

- 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 Mrs Mary-Clare Alford against the decision of the Council of the London Borough of Lewisham.
 - The application Ref. DC/16/097644 was refused by notice dated 16 September 2016.
 - The development proposed is the construction of a loft conversion using a front and rear mansard roof extension, to provide additional residential accommodation.
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Application for Costs

1. An application for costs was made by the appellant against the Council. This application is the subject of a separate decision.

Decision

2. The appeal is dismissed.

Main Issue

3. The main issue is the effect of the proposal on the character and appearance of the appeal property and the Brookmill Road Conservation Area.

Reasons

4. The appeal property is located at the end of a short terrace of nineteenth century houses in Bolden Street, a residential cul-de-sac which is notable for the cohesive design and detailing of its dwellings. The surrounding streets comprise similarly designed dwellings, and in particular, the original roof form is that of a corniced parapet that creates the perception of flat-roofed dwellings when viewed from the street, and hides the distinctive 'butterfly' roof at the rear. The appeal site and the surrounding streets are located within the Brookmill Road Conservation Area.
 5. Within the conservation area there are a number of examples of terraced houses of similar design to the appeal property which have been extended with mansard roofs. Some are seen within the same immediate context of Bolden Street, with examples in Albyn Road and Lind Street, to the rear of the appeal site. Although the appellant refers to an unimplemented permission at 6 Bolden Street, the dwellings in this road retain the original and distinctive roofscape that is a feature throughout the conservation area. In its largely unaltered form, the housing in Bolden Street makes a positive contribution to the character and appearance of the area.
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6. The local topography is such that the roof level of the appeal property stands above the neighbouring terrace to the northwest. Although the front of the proposed mansard roof would be recessed behind the parapet, I do not share the appellant's view that it would have no tangible impact on the street scene. It would create a further storey that would appear bulky relative to the original house, and disruptive to the cohesion of the terrace and wider streetscene. This increased mass would be perceived due to the stepped roofline, and the visual intrusion in the street scene would be compounded by the prominence of the extended side parapet wall and the height of the chimneys. This impact would conflict with DM Policy 31 of the Council's Development Management Local Plan 2014 (DM), which seeks to resist roof extensions on the street frontage of a building, and extensions which would adversely affect the architectural integrity of a group of buildings as a whole, as in this case.
7. The appellant has drawn attention to a number of mansard roof extensions in the vicinity of the site, and I am mindful that there are examples in Albyn Road and Lind Street within the same vista as the appeal property. To an extent, they are a feature of the conservation area, but the original roofline and form prevails. Indeed, in some cases these roof extensions have undermined the character and appearance of the original roofscape, and serve to demonstrate the harm which would result from the appeal proposal. In this case, the set-back, traditional design and matching materials of the extension would not mitigate the adverse visual impact on the dwelling, the street scene and the wider conservation area.
8. In countering the appellant's costs application, the Council advises that permission was granted for a mansard roof at 142 Albyn Road in 2007, and for this reason, further permissions for this form of development in that particular street have been granted. Although the appellant lists other examples in surrounding streets (including extensions at 10 and 157 Albyn Road "built last year"), limited detail has been supplied of their various planning permissions, the rationale for their approval, and their construction dates. On the basis of the information supplied, it is unclear whether or not the examples were assessed against the current national and local policies, and I cannot gauge a direct comparison with the appeal proposal. Whilst it is evident that local examples exist, the current proposal is clearly in conflict with a number of requirements of the policies currently in force.
9. There is a requirement to pay special attention to the desirability of preserving or enhancing the character or appearance of a conservation area in exercising planning functions, and this is reflected in DM Policy 36, which amongst other criteria, also opposes extensions which are incompatible with the special characteristics of the area, its buildings, scale, form and materials. For the reasons outlined above, the proposal would be incompatible in this manner.
10. The proposal would conflict with a number of the guidelines set out at paragraph 6.7 of the 'Residential Standards' Supplementary Planning Document 2012, in that it would fail to preserve the architectural character of the building, would be built above the height of the ridge of the main roof, and the rear of the mansard would be formed by building up the existing external wall. This would destroy the historic 'butterfly' roof which is a notable feature of the original buildings in the conservation area. I accept that this has occurred on other properties with mansard roofs, but is a result which I do not regard as

either preserving or enhancing the character or appearance of the buildings within the conservation area.

11. Paragraph 134 of the National Planning Policy Framework (the Framework) states 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. The appellant's need for the additional accommodation is understood, and the proposal would optimise the potential for the site, but it is not evident that any public benefits would result. Having established that harm to the heritage asset (the conservation area) would result from the proposal, I am obliged to give that harm considerable importance and weight. Whilst I accept that in a number of ways the proposal would accord with the thrust of national policy, it would nevertheless conflict in terms of its heritage impact, and I do not find other factors would outweigh this harm.
12. I can appreciate the appellant's frustration given the number of mansard roofs in the conservation area, including examples seen from the appeal site itself. However, I am persuaded by the Council's view that the appropriateness of this form of development in the Conservation Area will need to be assessed on a case by case basis. Whilst I note the appellant's view that there is no policy basis to 'single out' Bolden Street as a sub-area of the conservation area, its largely unaltered roofscape is nevertheless an important example of the appearance, character and continuity of the historic street.
13. I therefore conclude that the proposal would be detrimental to the character and appearance of the appeal property, and would fail to preserve or enhance the character and appearance of the Brookmill Road Conservation Area. It would conflict with the strategic design and conservation aims of Policies 15 and 16 of the Lewisham Core Strategy 2011, and DM Policy 30, and with the more detailed design criteria set out in DM Policies 36 and 31, and the SPD. For the same reasons, it would not accord with the strategic and specific aims of Policies 7.4, 7.6 and 7.8 of The London Plan 2016. Having regard to Section 12 of the Framework, I find that this proposal would harm the significance of the designated heritage asset, and this harm would not be outweighed by public benefits.

Conclusion

14. In conclusion, the Framework establishes a presumption in favour of sustainable development, and part of its environmental strand is to contribute to protecting and enhancing the built and historic environment. Core planning principles of the Framework include always seeking to secure high quality design and to conserve heritage assets in a manner appropriate to their significance. For the reasons given above the proposal would not comply with these principles and would not constitute sustainable development supported through the Framework. As a consequence, I conclude that this appeal should be dismissed.

H Lock

INSPECTOR