

Appeal Decision

Site visit made on 28 March 2017

by Richard S Jones BA (Hons) BTP MRTPI

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

Decision date: 13 April 2017

Appeal Ref: APP/A5840/W/16/3164671
233B Lordship Lane, London SE22 8JF

- 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 L Thompson against the decision of the Council of the London Borough of Southwark.
 - The application Ref 16/AP/1855, dated 28 April 2016, was refused by notice dated 18 July 2016.
 - The development proposed is an 'L' shape dormer loft conversion.
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Decision

1. The appeal is allowed and planning permission is granted for an 'L' shape dormer loft conversion at 233B Lordship Lane, London SE22 8JF in accordance with the terms of the application, Ref 16/AP/1855, dated 28 April 2016 subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Site Location Plan, BLE_16_233bLORD_2ndAPP_01 E and BLE_16_233bLord_2ndAPP_02 E.
 - 3) The materials used in the external surfaces of the development shall be in accordance with details to be submitted to and approved in writing by the local planning authority.

Preliminary matters

2. The appellant has submitted amended plans as part of the appeal and has requested that the appeal be granted on the basis of the design shown on drawing numbers BLE_16_233bLORD_2ndAPP_01 E and BLE_16_233bLord_2ndAPP_02 E, rather than drawing number ST_APR16_233B LORD_01 B, as referenced in the Council's reason for refusal.
 3. The scheme remains an 'L' shape roof extension. It is not substantially different but in overall terms it has been reduced in size. The scheme is therefore essentially that which was considered by the Council and on which interested people's views were sought. I also note that no objections were made to the application and none have been made in response to the appeal notification. The Council has also had opportunity to comment on the proposals.
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4. I am satisfied therefore, that in applying the 'Wheatcroft Principles', I am able to accept the amended plans and determine the appeal on the basis of the same.

Main Issue

5. The main issue is the effect of the proposed development on the character and appearance of the host dwelling and the surrounding area.

Reasons

6. The appeal relates to a two-storey, mid-terrace dwelling with basement level and two-storey rear outrigger. No extensions have been built at main roof level or above the outrigger at the appeal site or at the neighbouring property at No 231 Lordship Lane, which forms the other half of the outrigger.
7. However, the adjoining property to the south (No 235 Lordship Lane) has a large 'L' shaped roof extension which appears to run the full width and depth of the main roof and essentially the full width and depth of its outrigger. I have not been made aware of the planning status of this development, but the appellant has stated that there is an ongoing planning application in relation to the site and has requested that I exclude it from my consideration of the appeal. Nevertheless, similar extensions have been granted and built at Nos 237 and 239 Lordship Lane. There are also other roof extensions along Lordship Lane to north and south of the appeal site. The proposal would not therefore visually disrupt an uncompromised roofscape. Moreover, the terrace runs in a back to back relationship with terrace dwellings fronting onto Landcroft Road, where a number of rear roof extensions are also visible.
8. Whilst not set down from the ridgeline as per the guidance contained within the Council's 2015 Technical Update to the Residential Design Standards Supplementary Planning Document (2011) (Residential Design Standards SPD), the amended scheme does show that the ridgeline would not be raised. The front of the main dormer would be set up 500mm from the eaves line and the width of the main extension has also been reduced so that the part of the existing chimney within the appeal site would remain open to view. The extension above the outrigger would also be set up 500mm from its eaves level and set back 1.1m back from its main back wall, although its height appears to have increased.
9. As a result of the changes, the appeal proposal would relate more than favourably to those that have been granted at Nos 237 and 239. The proposal would not therefore unduly dominate the appeal site or appear out of place within the context of the host terrace and surrounding area, even if I were to exclude No 235 from my consideration.
10. Whilst the Council has raised concern that there is not a predominance of front roof lights in the terrace, I was able to view such features in the case of three out of the six properties in this terrace. This aspect of the appeal proposal would not therefore appear out of place. Moreover, the number of roof lights would also be in accordance with the Council's Residential Design Standards SPD.
11. The Council explain that the Dulwich Village Conservation Area is situated to the south of the appeal site at the junction with Townley Road. Given the siting of the main part of the development to the rear of the No 233B, I am

satisfied that there would be no inter-visibility with this designated heritage asset and as a result the proposal would preserve its setting. Whilst the Council's Written Representation Appeal Statement refers to compromising the listed building and immediate neighbour, which it forms a pair, its questionnaire confirms that the proposal would not affect a listed building or its setting.

12. I therefore conclude on this main issue that the proposed development would not result in unacceptable harm to the character and appearance of the host dwelling or the surrounding area and as such would not result in conflict with Saved Policies 3.12 and 3.13 of the Southwark Plan 2007 or Strategic Policy 12 of the Core Strategy, or Policies 7.4 and 7.6 of the London Plan (March 2016). These policies state, amongst other matters, that development should achieve a high quality of both architectural and urban design. It follows therefore that I do not find conflict with Section 7 of the National Planning Policy Framework, which, amongst other things, requires high quality design that responds to the character of the area.

Conditions

13. I have had regard to the conditions provided by the Council. In addition to the standard condition that limits the lifespan of the planning permission, I have specified the approved plans for the avoidance of doubt and in the interests of proper planning. Given that the roof of the appeal site is concrete tile and the neighbouring properties appear to be slate, a condition requiring details of the external surfaces to be agreed by the Council is necessary in order to protect the character and appearance of the area, rather than a condition which would essentially require materials to match the existing dwelling.

Conclusion

14. For the reasons given above, and having regard to all other matters raised, I conclude that the appeal should be allowed.

Richard S Jones

Inspector